

**ESHB 1679** - S AMD TO S COMM AMD (S-S2240.3/13) **275**

By Senators Becker, Keiser

**ADOPTED 04/17/2013**

1 On page 1, line 18 of the amendment, after "(5)" insert  
2 ""Deidentified" means health information that does not identify an  
3 individual and with respect to which there is no reasonable basis to  
4 believe that the information can be used to identify an individual.

5 (6)"

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7 Renumber the remaining subsections consecutively and correct any  
8 internal references accordingly.

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10 On page 9, line 36 of the amendment, after "agencies" strike "must  
11 be confidential" and insert "is not subject to disclosure unless  
12 disclosure is permitted in section 7 of this act"

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14 On page 16, line 5 of the amendment, after "deaths;" strike "or"

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16 On page 16, line 8 of the amendment, after "part" insert "; or

17 (c) The disclosure is to a person subject to the jurisdiction of  
18 the federal food and drug administration in regards to a food and drug  
19 administration-regulated product or activity for which that person has  
20 responsibility for quality, safety, or effectiveness of activities"

21

22 On page 28, after line 14 of the amendment, insert the following:

23 "(e) If an action is brought under this subsection, no action may  
24 be brought under RCW 70.02.170."

25

EFFECT: (1) Provides a definition for the term "deidentified."  
(2) Clarifies that mental health services information is not subject  
to disclosure, unless permitted in statute.  
(3) Permits disclosure of health care information without a

patient's authorization if the disclosure is made to the Food and Drug Administration in regards to an FDA-regulated product.

(4) Provides that in an action relating to the wrongful disclosure of mental health services records, the action may be brought under either section 7 of the act or RCW 70.02.170 but not both.

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