

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1613**

67th Legislature  
2022 Regular Session

Passed by the House February 9, 2022  
Yeas 86 Nays 9

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**Speaker of the House of  
Representatives**

Passed by the Senate March 2, 2022  
Yeas 45 Nays 3

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1613** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1613

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Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By Representatives Sells, Berry, Ryu, Wicks, Taylor, Simmons, Kloba, and Harris-Talley; by request of Employment Security Department

Prefiled 12/07/21. Read first time 01/10/22. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to shared reporting responsibilities for both the  
2 paid family and medical leave and the long-term services and supports  
3 trust programs to clarify that information collected from employer  
4 reports shall remain private; amending RCW 50A.25.070 and 50A.25.110;  
5 and adding a new section to chapter 50B.04 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 50B.04  
8 RCW to read as follows:

9 (1) Any information or records concerning an individual or  
10 employer obtained by the employment security department for the  
11 purposes of collecting and assessing employee premiums under RCW  
12 50B.04.080 and determining qualified individuals under RCW 50B.04.050  
13 will be considered private and confidential in the same manner  
14 provided in chapter 50A.25 RCW.

15 (2) This section does not create a rule of evidence.

16 **Sec. 2.** RCW 50A.25.070 and 2020 c 125 s 8 are each amended to  
17 read as follows:

18 (1) The department may enter into data-sharing contracts and may  
19 disclose records and information deemed confidential to state or  
20 local government agencies under this chapter only if permitted under

1 subsection (2) of this section and RCW 50A.25.090. A state or local  
2 government agency must need the records or information for an  
3 official purpose and must also provide:

4 (a) An application in writing to the department for the records  
5 or information containing a statement of the official purposes for  
6 which the state or local government agency needs the information or  
7 records and specifically identify the records or information sought  
8 from the department; and

9 (b) A written verification of the need for the specific  
10 information from the director, commissioner, chief executive, or  
11 other official of the requesting state or local government agency  
12 either on the application or on a separate document.

13 (2) The department may disclose information or records deemed  
14 confidential under this chapter to the following state or local  
15 government agencies:

16 (a) To the department of social and health services to identify  
17 child support obligations as defined in RCW 50A.15.080 and for the  
18 purposes of administering the department's responsibilities under  
19 Title 50B RCW;

20 (b) To the department of revenue to determine potential tax  
21 liability or employer compliance with registration and licensing  
22 requirements;

23 (c) To the department of labor and industries to compare records  
24 or information to detect improper or fraudulent claims;

25 (d) To the office of financial management for the purpose of  
26 conducting periodic salary or fringe benefit studies pursuant to law;

27 (e) To the office of the state treasurer and any financial or  
28 banking institutions deemed necessary by the office of the state  
29 treasurer and the department for the proper administration of funds;

30 (f) To the office of the attorney general for purposes of legal  
31 representation;

32 (g) To a county clerk for the purpose of RCW 9.94A.760 if  
33 requested by the county clerk's office;

34 (h) To the office of administrative hearings for the purpose of  
35 administering the administrative appeal process;

36 (i) To the department of enterprise services for the purpose of  
37 agency administration and operations; ~~((and))~~

38 (j) To the consolidated technology services agency for the  
39 purpose of enterprise technology support; and

1 (k) To the health care authority and the office of the state  
2 actuary for the purposes of administering the department's  
3 responsibilities under Title 50B RCW.

4 (3) The department may also enter into data-sharing agreements  
5 with other state or local government agencies solely for the purposes  
6 of program evaluation under this title or Title 50B RCW.

7 **Sec. 3.** RCW 50A.25.110 and 2019 c 13 s 80 are each amended to  
8 read as follows:

9 The paid family and medical leave program of the department and  
10 the long-term services and supports trust administering agencies may  
11 disclose information or records deemed private and confidential under  
12 this chapter to any private person or organization, and by extension,  
13 the agents of any private person or organization, when the disclosure  
14 is necessary to permit private contracting parties to assist in the  
15 operation, management, and implementation of the program in instances  
16 where certain departmental functions may be delegated to private  
17 parties to increase the department's efficiency or quality of service  
18 to the public. The private person or organization shall use the  
19 information or records solely for the purpose for which the  
20 information was disclosed and shall be bound by the same rules of  
21 privacy and confidentiality as department employees.

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