

# FINAL BILL REPORT

## SHB 2102

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Synopsis as Enacted

**Brief Description:** Establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Berry, Reed, Ormsby, Nance and Pollet).

**House Committee on Health Care & Wellness**  
**Senate Committee on Health & Long Term Care**

### **Background:**

#### Paid Family and Medical Leave.

The state Paid Family and Medical Leave (PFML) Program, administered by the Employment Security Department (Department), provides paid family and medical leave for eligible workers who have worked at least 820 hours during a qualifying period. The PFML benefits are generally provided: when an employee is bonding after the birth or placement of a child, because of an employee's or family member's serious health condition, or for a military exigency. Under the PFML Program, a "serious health condition" generally means an illness, injury, impairment, or physical or mental condition that involves: (1) inpatient hospital, hospice, or residential medical care; or (2) continuing treatment by a health care provider for periods of incapacity, pregnancy, or certain chronic conditions causing incapacity.

To receive PFML benefits, among other requirements, the employee must provide a document authorizing the family member's or employee's health care provider, as applicable, to disclose the family member's or employee's health care information in the form of the certification of a serious health condition.

#### Fees for Providing Health Care Information.

Under the Uniform Health Care Information Act, a patient may authorize a health care provider or health care facility to disclose the patient's health care information. A health

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care provider or health care facility must generally honor such an authorization and, if requested, provide a copy of the recorded health care information. Subject to certain exceptions, a health care provider or health care facility may charge a reasonable fee for providing copies of health care records.

**Summary:**

A health care provider must provide a certification of a serious health condition as required by the PFML Program for qualifying a patient for PFML benefits within seven calendar days of receipt of a request and authorization from the patient. If a health care facility requires administrative review before allowing a provider to provide a certification of a serious health condition, the administrative review process must comply with the seven-day timing requirement.

A health care provider or health care facility may not charge a fee for the execution of a certification of a serious health condition, but a health care provider may charge a fee associated with any office visit necessary for evaluating the patient.

**Votes on Final Passage:**

House	97	0
Senate	49	0

**Effective:** June 6, 2024