

WAC 246-492-300 Requests from individuals or entities for birth and fetal death data that contains indirect identifiers, infant death data, death data, or marriage and divorce data. (1) This section applies to the following data requests:

- (a) Birth and fetal death data that contains only indirect identifiers;
- (b) Infant death data that contains indirect identifiers;
- (c) Death data files; and
- (d) Marriage and divorce data files.

(2) All requests for data under this section must comply with the requirements of chapter 70.58A RCW and this section. The department will not release data to an individual or entity requesting data from the department pursuant to this section until all the requirements of this section have been completed to the satisfaction of the state registrar.

(3) The data released pursuant to this section will only be in the data file format prescribed by the state registrar.

(4) An individual or entity submitting a data request under this section must submit all of the following on the form or in the format required by the state registrar:

- (a) A completed application on the form provided by the department;
- (b) A signed data sharing agreement with the department that conforms with WAC 246-492-400;
- (c) All information required in subsection (5) of this section; and
- (d) All fees required by WAC 246-492-990.

(5) An individual or entity submitting a data request under this section must submit all of the following information to the state registrar:

- (a) Name, title, organizational affiliation, and contact information (mailing address, telephone number, and email address) of the requestor, the organization official authorized to execute agreements, the organization information technology security officer, and the organization privacy officer;
- (b) Purpose or intended use of the data being requested;
- (c) Length of time data is needed or length of the project;
- (d) For requests of death, marriage, or divorce data only: State if any contact with subjects is proposed and provide justification why;
- (e) Physical and electronic security measures to be taken to assure confidentiality and security of identifying information including storage of data, and provision for return or destruction of the information at the conclusion of use;
- (f) Geographic area of interest;
- (g) Names and titles of all persons who will have access to the data;
- (h) The plan for dissemination of the results and certification to abide by the department's small numbers guidelines; and
- (i) Type of vital records data and years requested.

(6) The state registrar may request additional information regarding the request for data under this section. If additional information is requested, the individual or entity must submit the information within thirty days of the state registrar's request or the request for data may be denied.

(7) To comply with chapter 42.48 RCW, the state registrar may require the requesting individual or entity to comply with provisions of

WAC 246-492-100, if the state registrar determines the request for data submitted pursuant to this section may be used for research purposes on live human subjects.

(8) The individual or entity must download the data from the secured file transfer site within two weeks. If after the two weeks, the requestor has not retrieved the data, the individual or entity must submit a new request and payment.

(9) The state registrar may permit the local deputy registrar to release death data to a requesting entity in a format prescribed by the state registrar upon a signed data sharing agreement with the department. A local deputy registrar permitted by the state registrar to release death data shall require the entity receiving the death data from the local deputy registrar to sign a data sharing agreement with the local deputy registrar. The local deputy registrar can only release the following information:

- (a) Decedent's name;
- (b) Date of death;
- (c) Date of birth;
- (d) Date filed;
- (e) Age of decedent;
- (f) Gender of decedent;
- (g) Decedent's residence city and state; and
- (h) County of death.

(10) The state registrar may deny a request if the individual or entity fails to meet the requirements of this section or chapter 70.58A RCW, or for reasons permitted by chapter 70.58A RCW. If the state registrar denies a request under this section, the individual or entity may appeal the decision by requesting a brief adjudicative proceeding pursuant to WAC 246-10-501 through 246-10-505, and RCW 70.58A.550.

[Statutory Authority: 2019 c 148. WSR 21-06-041, § 246-492-300, filed 2/24/21, effective 4/1/21.]