

WAC 138-10-050 Confidentiality. (1) Ombuds' investigative records are confidential and exempt from disclosure under the Public Records Act, chapter 42.56 RCW, and RCW 43.06C.060, except so far as disclosures may be necessary to enable the office to perform its duties and to support recommendations resulting from an investigation.

(2) The ombuds shall treat all correspondence and communication as confidential and protect it in the same manner as legal correspondence or communication pursuant to the Public Records Act, chapter 42.56 RCW, and RCW 43.06C.060(1).

(3) All records exchanged and communications between the ombuds and the department to include the investigative record are confidential and are exempt from public disclosure under chapter 42.56 RCW and RCW 43.06C.060(3).

(4) Confidential records received by the ombuds shall be maintained as provided for under the law.

(5) To the extent the ombuds reasonably believes necessary, the ombuds:

(a) Must reveal information obtained in the course of providing ombuds services to prevent reasonably certain death or substantial bodily harm; and

(b) May reveal information obtained in the course of providing ombuds services to prevent the commission of a crime.

[Statutory Authority: RCW 43.06C.040 (1)(k), and (2)(c), and 43.06C.060(2). WSR 21-18-049, § 138-10-050, filed 8/25/21, effective 9/25/21.]