
Government Operations & Elections Committee

HB 1299

Brief Description: Implementing the recommendations of the sunshine committee.

Sponsors: Representatives Springer, Hunt and Ryu; by request of Public Records Exemptions Accountability Committee.

Brief Summary of Bill

- Changes the exemption from disclosure relating to the identifying information of child victims of sexual assault to be inclusive.
- Adds an exemption from disclosure for information contained in a local or regionally maintained gang database.
- Repeals the exemption from disclosure for certain identifying data relating to medical malpractice closed claim reporting.

Hearing Date: 2/5/13

Staff: Marsha Reilly (786-7135).

Background:

The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless they fall within certain statutory exemptions. The provisions requiring public records disclosure must be interpreted liberally and the exemptions narrowly in order to effectuate a general policy favoring disclosure.

Certain information relating to investigative, law enforcement, and crime victims is exempt from public inspection and copying, including:

- Information revealing the identity of child victims of sexual assault. Identifying information is stated as the child victim's name, address, location, photograph, and in

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cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator.

- Information contained in the statewide gang database.

Self-insurers and insuring entities that write medical malpractice insurance are required to report medical malpractice closed claims to the Office of the Insurance Commissioner and must include data for closed claims for the preceding year. The reports must contain specified data relating to: the type of health care provider, specialty, and facility involved; the reason for the claim and the severity of the injury; the dates when the event occurred, the claim was reported to the insurer, and the suit was filed; the injured person's age and sex; and information about the settlement, judgment, or other disposition of the claim, including an itemization of damages and litigation expenses. Data relating to medical malpractice closed claim reporting that may reveal the identity of a claimant, health care provider, health care facility, insuring entity, or self insurer involved in a particular claim or a collection of claims is exempt from disclosure.

Summary of Bill:

The identifying information of child victims of sexual assault exempt from disclosure is changed from exclusive to the child victim's name, address, location, and photograph, to inclusive.

Information contained in a local or regionally maintained gang database is exempt from disclosure.

The exemption for data relating to medical malpractice closed claim reporting that may reveal the identity of a claimant, health care provider, health care facility, insuring entity, or self insurer involved in a particular claim or a collection of claims is no longer exempt from disclosure.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.