
SUBSTITUTE SENATE BILL 6621

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Wojahn, Wood, Prentice, Winsley, McAuliffe, Kline, Franklin, B. Sheldon, Thibaudeau, Snyder, Goings, Fraser, Fairley and Kohl)

Read first time 02/06/98.

1 AN ACT Relating to reporting of domestic violence by physicians;
2 adding a new section to chapter 10.99 RCW; creating a new section; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.99 RCW
6 to read as follows:

7 (1) Physicians licensed under chapter 18.71 RCW and doctors of
8 osteopathy licensed under chapter 18.57 RCW and podiatric physicians
9 and surgeons licensed under chapter 18.22 RCW who, in the course of
10 their practice and as the result of a treating relationship, encounter
11 a patient who is or may be on the basis of clinical evidence a victim
12 of domestic violence shall have a duty to report the victimization, or
13 cause a report to be made, to an appropriate law enforcement agency.

14 The duty to notify under this section is met if a person notifies
15 or attempts to provide such notice by telephone or any other means as
16 soon as reasonably possible.

17 (2) In addition to the duty to report domestic violence abuse to
18 law enforcement agencies, a physician shall also provide the victim who
19 is his or her patient with a notice of information regarding legal

1 rights and resources for immediate help, in form and content
2 substantially compliant with the notice required under RCW
3 10.99.030(7), including information about local shelters and a twenty-
4 four hour hotline for domestic violence referral.

5 (3) Any physician participating in good faith in the making of a
6 report pursuant to this chapter, or testifying as to alleged domestic
7 violence in a judicial proceeding shall be immune from any liability
8 arising out of such reporting or testifying, under any law of this
9 state or its political subdivisions.

10 (4) Any physician who, intentionally and in bad faith or
11 maliciously, knowingly makes a false report of domestic violence abuse
12 shall be guilty of a misdemeanor punishable in accordance with RCW
13 9A.20.021.

14 (5) Failure to report as required by this section is a gross
15 misdemeanor punishable in accordance with RCW 9A.20.021. However, it
16 is an affirmative defense to the charge of failure to report that the
17 person had at the time of the failure to report a reasonable belief
18 that making such a report would place the patient or the patient's
19 family or household member in danger of immediate physical harm.

20 NEW SECTION. **Sec. 2.** This act may be known and cited as the
21 physician domestic violence reporting act.

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