

# HOUSE BILL REPORT

## HB 2861

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### As Reported By House Committee On:

Health Care

**Title:** An act relating to health care information.

**Brief Description:** Modifying the definition of health care information.

**Sponsors:** Representatives O'Brien, Cody, Miloscia, Parlette, Ballasiotes, Morris, Alexander, Anderson, Santos, Edmonds, Murray, Kastama, Schual-Berke, Scott, Thomas, Barlean, Quall, Dickerson, Mitchell, Delvin, Kenney, Edwards, Rockefeller and McIntire.

### Brief History:

#### Committee Activity:

Health Care: 2/3/00, 2/4/00 [DP].

#### Brief Summary of Bill

- Personally identified DNA is considered health care information of a patient, and protected from disclosure without the patient's consent under state law.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass. Signed by 12 members: Representatives Cody, Democratic Co-Chair; Parlette, Republican Co-Chair; Pflug, Republican Vice Chair; Schual-Berke, Democratic Vice Chair; Alexander; Campbell; Conway; Edmonds; Edwards; Mulliken; Pennington and Ruderman.

**Staff:** John Welsh (786-7133).

### Background:

The health information of a patient is confidential under state law and cannot be disclosed without the consent of the patient, except under specified conditions. Health care information includes any information, oral or recorded, in any form or medium, that identifies or can be associated with a patient and directly relates to a person's health care.

A person's identified DNA is not specifically referenced in the definition of "health care information" in the law protecting the confidentiality of a person's health information.

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**Summary of Bill:**

The definition of "health care information" is clarified to include a person's identified DNA, which is treated as confidential information that cannot be disclosed without the consent of a patient, except under the express conditions specified in state law.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill clarifies the principle that personally identified DNA is included in the definition of health care information that is confidential and protected from unauthorized disclosure pursuant to state law.

**Testimony Against:** None.

**Testified:** Representative Al O'Brien, prime sponsor; Enid Layes, Washington Biotechnology and Biomedical Association; Cliff Webster, Pharmaceutical Research and Manufacturers of America; Jackie Der, University of Washington Academic Medical Center; Ken Bertrand, Group Health; and Carl Nelson, Washington State Medical Association.