

HOUSE BILL REPORT

SSB 5793

As Reported By House Committee On:

Health Care

Title: An act relating to the confidentiality of information relating to sexually transmitted diseases and HIV.

Brief Description: Protecting information related to sexually transmitted diseases and HIV.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Deccio and Kohl-Welles).

Brief History:

Committee Activity:

Health Care: 4/1/99 [DP].

<h4>Brief Summary of Substitute Bill</h4>
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| <ul style="list-style-type: none">· Expands protections of confidential health information. |
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HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 11 members: Representatives Cody, Democratic Co-Chair; Parlette, Republican Co-Chair; Pflug, Republican Vice Chair; Schual-Berke, Democratic Vice Chair; Alexander; Boldt; Campbell; Conway; Edmonds; Mulliken and Ruderman.

Staff: Bill Hagens (786-7131).

Background:

Across the state local health departments are contemplating changing their procedures to mandate physicians to report the name of any patient who tests HIV positive to the local health department. Pierce County now requires name based reporting of HIV status. King County is in the process of determining whether the names based reporting will occur locally and then shift to unique identifier reporting at the state level.

This change has occurred with recent policy changes at the federal level encouraging earlier names based reporting. Driving the change is the success of drug therapies in treating AIDS. Earlier intervention is now important because of the life prolonging impact of drug therapies.

Important to consider in the names based reporting debate are the confidentiality issues that arise when personally identifying information is obtained by government agencies. Particularly in the case of AIDS or HIV status, there exists societal prejudices and biases against persons in this class.

Summary of Bill:

The Department of Health must report to the State Board of Health unauthorized disclosures of confidential information obtained through disease reporting. The report must include recommendations for prevention and improvement of the privacy systems in place. The department must assist health care providers and others to understand the rules on confidentiality.

The monetary penalties for violations of confidentiality are increased to \$10,000 for intentional or reckless violations. It is a misdemeanor for a local board of health member to violate the confidentiality provisions.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Much work has been done with efforts at the local level to initiate names based reporting, which requires statewide efforts to protect the confidential nature of this sensitive potentially harmful information.

Testimony Against: None.

Testified: (support) Judith Billings, Governor's Council on HIV/AIDS; Dr. Maxine Hayes, Department of Health; Dr. Bob Woods, Seattle/King County Department of Public Health; Susie Tracy, Washington State Medical Association; and Steve Johnson, Northwest AIDS Foundation.