

HOUSE OF REPRESENTATIVES

Olympia, Washington

Bill Analysis

Bill No. SSB 5482

Regulating disclosure of medical and health research records.

Brief title

Hearing Date 3/23/99

Senator Faiba DeDeccia and Costa
Sponsor(s)

Staff Scot MacColl
State Government Committee
Phone 786-7106

BACKGROUND:

The Open Public Records Act (RCW 42.17) commonly known as the public disclosure law makes all public documents subject to release by request. Numerous exemptions to the public disclosure requirement are codified in state and local government records acts. Records specifically listed within a statute are exempt from public inspection and copying.

The U.S. Driver Privacy Protection Act of 1994 prohibits the release and use of certain personal information from state motor vehicle records. There are specific exceptions to the rule defined in the statute, such as the information being used in research activities. The personal information not published, redisclosed, or used to contact individuals.

Prior to the action, non-profit health research organizations had access to driver's license information for research projects. The act which went into effect September 1, 1997 effectively eliminated non-profit health research organizations' access to driver's license information from the Department of Licensing.

An institutional review board or committee is authorized by state law to approve and conduct periodic reviews of research programs to assure the protection of the rights and welfare of human research subjects. Members of an institutional review board are made up of individuals, institutional day persons.

SUMMARY:

Disclosure of Washington Department of Licensing records of health research organizations in connection with a qualified medical health research project is considered exempt from the U.S. Driver Privacy Protection Act. The projects have been reviewed and approved by an institutional review board.

FISCANOTE: Available.

EFFECTIVE DATE: Ninety days after adjournment session which bill passed.