
HOUSE BILL 3060

State of Washington

58th Legislature

2004 Regular Session

By Representatives Kenney, Wood, Conway, McCoy and Chase; by request of Department of Labor & Industries

Read first time 01/27/2004. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to collecting unpaid labor and industries'
2 overpayments and penalties from health care providers; and amending RCW
3 51.36.110.

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

5 **Sec. 1.** RCW 51.36.110 and 1994 c 154 s 312 are each amended to
6 read as follows:

7 The director of the department of labor and industries or the
8 director's authorized representative shall have the authority to:

9 (1) Conduct audits and investigations of providers of medical,
10 chiropractic, dental, vocational, and other health services furnished
11 to industrially injured workers pursuant to Title 51 RCW. In the
12 conduct of such audits or investigations, the director or the
13 director's authorized representatives may examine all records, or
14 portions thereof, including patient records, for which services were
15 rendered by a health services provider and reimbursed by the
16 department, notwithstanding the provisions of any other statute which
17 may make or purport to make such records privileged or confidential:
18 PROVIDED, That no original patient records shall be removed from the
19 premises of the health services provider, and that the disclosure of

1 any records or information obtained under authority of this section by
2 the department of labor and industries is prohibited and constitutes a
3 violation of RCW 42.52.050, unless such disclosure is directly
4 connected to the official duties of the department: AND PROVIDED
5 FURTHER, That the disclosure of patient information as required under
6 this section shall not subject any physician or other health services
7 provider to any liability for breach of any confidential relationships
8 between the provider and the patient: AND PROVIDED FURTHER, That the
9 director or the director's authorized representative shall destroy all
10 copies of patient medical records in their possession upon completion
11 of the audit, investigation, or proceedings;

12 (2) Approve or deny applications to participate as a provider of
13 services furnished to industrially injured workers pursuant to Title 51
14 RCW; (~~and~~)

15 (3) Terminate or suspend eligibility to participate as a provider
16 of services furnished to industrially injured workers pursuant to Title
17 51 RCW; and

18 (4) Pursue collection of unpaid overpayments and/or penalties plus
19 interest accrued from health care providers pursuant to RCW
20 51.32.240(6).

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