

RCW 70.02.210 Disclosure without patient's authorization—

Research. (1)(a) A health care provider or health care facility may disclose health care information about a patient without the patient's authorization to the extent a recipient needs to know the information, if the disclosure is for use in a research project that an institutional review board has determined:

- (i) Is of sufficient importance to outweigh the intrusion into the privacy of the patient that would result from the disclosure;
- (ii) Is impracticable without the use or disclosure of the health care information in individually identifiable form;
- (iii) Contains reasonable safeguards to protect the information from redisclosure;
- (iv) Contains reasonable safeguards to protect against identifying, directly or indirectly, any patient in any report of the research project; and
- (v) Contains procedures to remove or destroy at the earliest opportunity, consistent with the purposes of the project, information that would enable the patient to be identified, unless an institutional review board authorizes retention of identifying information for purposes of another research project.

(b) Disclosure under (a) of this subsection may include health care information and records of treatment programs related to chemical dependency addressed in *chapter 70.96A RCW and as authorized by federal law.

(2) In addition to the disclosures required by RCW 70.02.050 and 70.02.200, a health care provider or health care facility shall disclose health care information about a patient without the patient's authorization if:

- (a) The disclosure is to county coroners and medical examiners for the investigations of deaths;
- (b) The disclosure is to a procurement organization or person to whom a body part passes for the purpose of examination necessary to assure the medical suitability of the body part; or
- (c) The disclosure is to a person subject to the jurisdiction of the federal food and drug administration in regards to a food and drug administration-regulated product or activity for which that person has responsibility for quality, safety, or effectiveness of activities. [2014 c 220 s 8; 2013 c 200 s 5.]

***Reviser's note:** Chapter 70.96A RCW was repealed and/or recodified in its entirety pursuant to 2016 sp.s. c 29 ss 301, 601, and 701.

Effective date—2014 c 220 s 8: "Section 8 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 4, 2014]." [2014 c 220 s 18.]

Effective date—2013 c 200 s 5: "Section 5 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 10, 2013]." [2013 c 200 s 36.]