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SENATE BILL 6015

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State of Washington

54th Legislature

1995 Regular Session

By Senator Palmer

Read first time 02/23/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to confidentiality and privilege regarding  
2 industrial insurance claim files and records; and amending RCW  
3 51.28.070.

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

5 **Sec. 1.** RCW 51.28.070 and 1990 c 209 s 2 are each amended to read  
6 as follows:

7 Information contained in the claim files and records of injured  
8 workers, under the provisions of this title, shall be deemed  
9 confidential and shall not be open to public inspection (other than to  
10 public employees in the performance of their official duties), but  
11 representatives of a claimant, be it an individual or an organization,  
12 may review a claim file or receive specific information therefrom upon  
13 the presentation of the signed authorization of the claimant. However,  
14 ninety days after filing an action for personal injury or wrongful  
15 death, the claimant shall be deemed to waive any confidentiality or  
16 privilege granted under this section. A claimant may review his or her  
17 claim file if the director determines, pursuant to criteria adopted by  
18 rule, that the review is in the claimant's interest. Employers or  
19 their duly authorized representatives may review any files of their

1 own injured workers in connection with any pending claims. Physicians  
2 treating or examining workers claiming benefits under this title, or  
3 physicians giving medical advice to the department regarding any claim  
4 may, at the discretion of the department, inspect the claim files and  
5 records of injured workers, and other persons may make such inspection,  
6 at the department's discretion, when such persons are rendering  
7 assistance to the department at any stage of the proceedings on any  
8 matter pertaining to the administration of this title.

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