

HOUSE BILL REPORT

HB 2520

As Passed House:
February 13, 2004

Title: An act relating to disclosure by persons licensed under chapter 18.225 RCW.

Brief Description: Concerning the disclosure of information by persons licensed under chapter 18.225 RCW.

Sponsors: By Representative Cody.

Brief History:

Committee Activity:

Health Care: 2/3/04, 2/4/04 [DP].

Floor Activity:

Passed House: 2/13/04, 97-0.

Brief Summary of Bill

- Marriage and family therapists, mental health counselors, and social workers must release confidential client information pursuant to a subpoena from a court of law.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 13 members: Representatives Cody, Chair; Morrell, Vice Chair; Bailey, Ranking Minority Member; Alexander, Benson, Campbell, Clibborn, Darneille, Edwards, Moeller, Rodne, Schual-Berke and Skinner.

Staff: Chris Blake (786-7392).

Background:

The Uniform Health Care Information Act (chapter 70.02 RCW) protects the disclosure of patient information regarding any care, service, or procedure that a health care provider uses to diagnose, treat, or maintain a patient's physical or mental condition. There are heightened protections for patient information related to sexually-transmitted diseases and AIDS, chemical dependency, and mental health.

In 2001, the Legislature increased the level of credentialing for certain types of counselors from certification to licensure. These providers include marriage and family therapists, mental health counselors, and social workers. These licensed counselors must maintain the confidentiality of disclosure statements and other information received from their clients to provide professional services to them. There are exceptions when: (1) the client authorizes

the release; (2) the client brings charges against the licensee; (3) the Secretary of Health subpoenas the records; (4) the licensee must report child abuse, vulnerable adult abuse, or testimony and records at a probable cause hearing regarding involuntary detention; or (5) the licensee reasonably believes that disclosure will avoid or minimize an imminent danger to the client or another person.

Summary of Bill:

Marriage and family therapists, mental health counselors, and social workers must release disclosure statements and other information received from a client and used to provide professional services to them pursuant to a subpoena from a court of law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill gives licensed counselors the same confidentiality protections that they had when they had been registered professionals.

Testimony Against: None.

Persons Testifying: (In support) Lonnie Johns-Brown, Washington State Society for Clinical Social Work; and Melanie Stewart, Washington Mental Health Counselors.

Persons Signed In To Testify But Not Testifying: None.