

WAC 246-11-400 Protective orders. (1) The presiding officer shall issue a protective order to preserve confidentiality related to health care records or provider-client information as required under state and federal law including, but not limited to, chapter 70.02 RCW; Public Law No. 104-191, 110 Statute 1936 (Health Insurance Portability and Accountability Act (HIPAA)); and 45 C.F.R. Part 164.

(2) The presiding officer may issue additional protective orders at his or her discretion:

(a) To protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense;

(b) To protect examination processes;

(c) To protect the identity of a person supplying information to the department or board where the person indicates a desire for nondisclosure unless that person testifies or has been called to testify at an adjudicative proceeding; or

(d) To comply with applicable state or federal law.

(3) Parties submitting exhibits for administrative proceedings are required to redact all exhibits in a manner consistent with any protective order issued by the presiding officer. The clerk's office shall not accept documents that are not redacted consistent with the protective order.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-050, § 246-11-400, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.130.050(1) and 18.130.060(3). WSR 94-04-078, § 246-11-400, filed 1/31/94, effective 3/3/94. Statutory Authority: RCW 18.130.050(1) and 34.05.446. WSR 93-08-003 (Order 347), § 246-11-400, filed 3/24/93, effective 4/24/93.]