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**ESSB 5294** - H AMD TO PS COMM AMD (H-2527.2/17) **556**

By Representative Goodman

**NOT CONSIDERED 01/05/2018**

On page 4, line 14 of the striking amendment, after "42.52 RCW" insert "except when such provisions are inconsistent with this chapter"

On page 4, beginning on line 18 of the striking amendment, strike all of subsection (b)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 8, beginning on line 3 of the striking amendment, after "(3)" strike all material through "section" on line 10 and insert "The ombuds shall treat all matters under investigation, including the identities of recipients of ombuds services, complainants, and individuals from whom information is acquired, as confidential, except as far as disclosures may be necessary to enable the ombuds to perform the duties of the office and to support any recommendations resulting from an investigation. Upon receipt of information that by law is confidential or privileged, the ombuds shall maintain the confidentiality of such information and shall not further disclose or disseminate the information except as provided by applicable state or federal law or as authorized by subsection (4) of this section. Investigative records of the office are confidential and are exempt from public disclosure under chapter 42.56 RCW"

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|  | EFFECT:   The amendment makes the following changes:  (1) Makes an exception to the requirement that the organization operating the Ombuds office abide by the Ethics in Public Service Act (Act) for circumstances in which the provisions of the Act are inconsistent with the applicable provisions of the bill.  (2) Removes the provision requiring the Ombuds to develop policies for responding to records requests from the public that are similar in scope to the requirements in the Public Records Act.  (3) Removes language stating that the Ombuds must preserve confidentiality of information obtained while providing services, except upon informed consent or other legal authorization. Provides instead that: (a) the Ombuds must treat all matters under investigation as confidential, except as far as disclosure may be necessary to enable the Ombuds to perform its duties and to support any recommendations; (b) the Ombuds must maintain confidentiality of any privileged or confidential material it receives, except as provided by law; and (c) investigative records of the Ombuds office are exempt from disclosure under the Public Records Act. |

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