
**Community Safety, Justice, & Reentry
Committee**

HB 2009

Brief Description: Facilitating the use of dental records in missing person investigations.

Sponsors: Representatives Mosbrucker, Goodman, Leavitt, Ramos, Jacobsen, Graham, Cheney, Gregerson, Orwall, Riccelli and Davis.

Brief Summary of Bill

- Requires the Washington State Patrol and the Dental Quality Assurance Commission to develop a process for dentists to submit information indicating that a patient has consented to the release of their dental records in the event the patient becomes the subject of a missing person investigation.
- Authorizes the investigating agency for a missing person case to contact the missing person's dentist without permission from the missing person's family or next of kin if the missing person already consented to the release of their dental records.

Hearing Date: 1/16/24

Staff: Corey Patton (786-7388).

Background:

When a person reported missing has not been found within 30 days of the report, or at any time criminal activity is suspected to be the basis of the person being missing, the sheriff, chief of police, county coroner or county medical examiner, or other law enforcement authority initiating and conducting the investigation for the missing person must ask the missing person's family or

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next of kin to give written consent to contact the missing person's dentist for the missing person's dental records, subject to certain exceptions where the investigating agency may contact the dentist without permission from the family or next of kin.

The Washington State Patrol maintains a dental identification system that is used to compare the dental records from unidentified bodies and human remains with dental records from reported missing persons.

Summary of Bill:

By November 1, 2024, the Washington State Patrol (WSP) and the Dental Quality Assurance Commission (DQAC) must develop a process for dentists to collect and submit information to the WSP indicating which of their patients have consented to the release of their dental records in the event of becoming the subject of a missing person investigation. The DQAC must also:

- develop and publish a standardized consent form;
- adopt rules requiring dentists to inform patients of the option to consent in advance to the release of their dental records, explain the nature of the release, maintain ongoing records of which patients have consented to the release by signing a consent form, and periodically submit information to WSP that identifies any patients who have consented; and
- adopt rules regarding how long a patient's consent remains valid, and how frequently dentists must check with their patients to update any expired consent forms.

The investigating agency for a missing person case is not required to obtain written consent from the missing person's family or next of kin before contacting the missing person's dentist if the missing person already consented to the release of their dental records through a valid signed consent form.

Appropriation: None.

Fiscal Note: Available.

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