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**HOUSE BILL 2176**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Thai, Parshley, Ryu, Reed, Zahn, Gregerson, Reeves, and Fosse

Prefiled 12/19/25. Read first time 01/12/26. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to exempting information in collaborative drug  
2 therapy agreements from disclosure under the public records act; and  
3 amending RCW 42.56.360.

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

5 **Sec. 1.** RCW 42.56.360 and 2024 c 366 s 19 are each amended to  
6 read as follows:

7 (1) The following health care information is exempt from  
8 disclosure under this chapter:

9 (a) Information obtained by the pharmacy quality assurance  
10 commission as provided in RCW 69.45.090;

11 (b) Information obtained by the pharmacy quality assurance  
12 commission or the department of health and its representatives as  
13 provided in RCW 69.41.044, 69.41.280, and 18.64.420;

14 (c) Information and documents created specifically for, and  
15 collected and maintained by a quality improvement committee under RCW  
16 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee  
17 under RCW 4.24.250, or by a quality assurance committee pursuant to  
18 RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW  
19 43.70.056, for reporting of health care-associated infections under  
20 RCW 43.70.056, a notification of an incident under RCW 70.56.040(5),  
21 and reports regarding adverse events under RCW 70.56.020(2)(b),

1 regardless of which agency is in possession of the information and  
2 documents;

3 (d) (i) Proprietary financial and commercial information that the  
4 submitting entity, with review by the department of health,  
5 specifically identifies at the time it is submitted and that is  
6 provided to or obtained by the department of health in connection  
7 with an application for, or the supervision of, an antitrust  
8 exemption sought by the submitting entity under RCW 43.72.310;

9 (ii) If a request for such information is received, the  
10 submitting entity must be notified of the request. Within ten  
11 business days of receipt of the notice, the submitting entity shall  
12 provide a written statement of the continuing need for  
13 confidentiality, which shall be provided to the requester. Upon  
14 receipt of such notice, the department of health shall continue to  
15 treat information designated under this subsection (1)(d) as exempt  
16 from disclosure;

17 (iii) If the requester initiates an action to compel disclosure  
18 under this chapter, the submitting entity must be joined as a party  
19 to demonstrate the continuing need for confidentiality;

20 (e) Records of the entity obtained in an action under RCW  
21 18.71.300 through 18.71.340;

22 (f) Complaints filed under chapter 18.130 RCW after July 27,  
23 1997, to the extent provided in RCW 18.130.095(1);

24 (g) Information obtained by the department of health under  
25 chapter 70.225 RCW;

26 (h) Information collected by the department of health under  
27 chapter 70.245 RCW except as provided in RCW 70.245.150;

28 (i) Cardiac and stroke system performance data submitted to  
29 national, state, or local data collection systems under RCW  
30 70.168.150(2)(b);

31 (j) All documents, including completed forms, received pursuant  
32 to a wellness program under RCW 41.04.362, but not statistical  
33 reports that do not identify an individual;

34 (k) Data and information exempt from disclosure under RCW  
35 43.371.040;

36 (l) Medical information contained in files and records of members  
37 of retirement plans administered by the department of retirement  
38 systems or the law enforcement officers' and firefighters' plan 2  
39 retirement board, as provided to the department of retirement systems  
40 under RCW 41.04.830; and

1 (m) Data submitted to the data integration platform under RCW  
2 71.24.908.

3 (2) Chapter 70.02 RCW applies to public inspection and copying of  
4 health care information of patients.

5 (3)(a) Documents related to infant mortality reviews conducted  
6 pursuant to RCW 70.05.170 are exempt from disclosure as provided for  
7 in RCW 70.05.170(3).

8 (b)(i) If an agency provides copies of public records to another  
9 agency that are exempt from public disclosure under this subsection  
10 (3), those records remain exempt to the same extent the records were  
11 exempt in the possession of the originating entity.

12 (ii) For notice purposes only, agencies providing exempt records  
13 under this subsection (3) to other agencies may mark any exempt  
14 records as "exempt" so that the receiving agency is aware of the  
15 exemption, however whether or not a record is marked exempt does not  
16 affect whether the record is actually exempt from disclosure.

17 (4) Information and documents related to maternal mortality  
18 reviews conducted pursuant to RCW 70.54.450 are confidential and  
19 exempt from public inspection and copying.

20 (5) Patient health care information contained in reports  
21 submitted under RCW 71.24.847(2) are confidential and exempt from  
22 public inspection.

23 (6)(a) Collaborative drug therapy agreements, the contents of  
24 which are determined by the pharmacy quality assurance commission by  
25 rule pursuant to their rule-making authority under RCW 18.64.005, and  
26 any attachments or appendices to the collaborative drug therapy  
27 agreement, are confidential and may not be disclosed under this  
28 chapter except as provided for under (b) of this subsection (6).

29 (b) A collaborative drug therapy agreement may be disclosed if  
30 that collaborative drug therapy agreement is the basis of an order or  
31 stipulation finding misconduct and resulting in a disciplinary action  
32 against a license holder regulated by a disciplining authority  
33 identified in RCW 18.130.040, including all license holders regulated  
34 by the pharmacy quality assurance commission. If a collaborative drug  
35 therapy agreement is disclosed pursuant to this subsection,  
36 personally identifiable information contained in such collaborative  
37 drug therapy agreement, other than that of a disciplined license  
38 holder, is confidential and may not be disclosed under this chapter.

39 (c) For the purposes of this subsection (6), "personally  
40 identifiable information" means names, mailing addresses, credential

1 numbers, email addresses, practice site facility addresses, and  
2 practice site facility phone numbers.

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