
SENATE BILL 5632

State of Washington **69th Legislature** **2025 Regular Session**

By Senators Hansen, Hasegawa, Saldaña, Stanford, Trudeau, and Valdez

Read first time 02/03/25. Referred to Committee on Law & Justice.

1 AN ACT Relating to protecting the confidentiality of records and
2 information that may be relevant to another state's enforcement of
3 its laws; and amending RCW 7.115.010 and 7.115.020.

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

5 **Sec. 1.** RCW 7.115.010 and 2023 c 193 s 2 are each amended to
6 read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Aggrieved party" means a person against whom an underlying
10 action is commenced based on the aggrieved party's provision,
11 receipt, attempted provision or receipt, assistance in the provision
12 or receipt, or attempted assistance in the provision or receipt of
13 protected health care services.

14 (2) "Assistance" means any action to help, aid, or support the
15 provision or receipt of protected health services including, but not
16 limited to, providing financial, logistical, informational, or travel
17 support to facilitate access to protected health services.

18 (3) "Gender-affirming treatment" means health services or
19 products that support and affirm an individual's gender identity,
20 including social, psychological, behavioral, and medical or surgical
21 interventions. Gender-affirming care services include, but are not

1 limited to, evaluation and treatments for gender dysphoria, gender-
2 affirming hormone therapy, and gender-affirming surgical procedures.

3 ~~((3))~~ (4) "Protected health care services" means gender-
4 affirming treatment and reproductive health care services that are
5 lawful in the state of Washington.

6 ~~((4))~~ (5) "Reproductive health care services" means all
7 services, care, or products of a medical, surgical, psychiatric,
8 therapeutic, mental health, behavioral health, diagnostic,
9 preventative, rehabilitative, supportive, counseling, referral,
10 prescribing, or dispensing nature relating to the human reproductive
11 system including, but not limited to, all services, care, and
12 products relating to pregnancy, assisted reproduction, contraception,
13 miscarriage management, or the termination of a pregnancy, including
14 self-managed terminations.

15 ~~((5))~~ (6) "Underlying action" means a civil, criminal, or
16 administrative proceeding, or any proceeding preliminary thereto.

17 **Sec. 2.** RCW 7.115.020 and 2023 c 193 s 13 are each amended to
18 read as follows:

19 (1) It is the public policy of Washington to protect the
20 provision of protected health care services that are lawful in the
21 state of Washington by a person duly licensed under the laws of the
22 state of Washington and the provision of insurance coverage for such
23 services regardless of the location of the person receiving the
24 services.

25 (2) A law of another state that authorizes the imposition of
26 civil or criminal penalties or liability related to the provision,
27 receipt, attempted provision or receipt, assistance in the provision
28 or receipt, or attempted assistance in the provision or receipt of
29 protected health care services that are lawful in the state of
30 Washington is against the public policy of this state. Accordingly:

31 (a) A state court, judicial officer, court employee or clerk, or
32 public employee or official shall not issue or effectuate a warrant
33 for the arrest of any person in connection with the provision,
34 receipt, attempted provision or receipt, assistance in the provision
35 or receipt, or attempted assistance in the provision or receipt of
36 protected health care services that are lawful in the state of
37 Washington and a state or local law enforcement agency or officer
38 shall not effectuate such a warrant or knowingly arrest, or knowingly
39 participate in the arrest of, any person for the provision, receipt,

1 attempted provision or receipt, assistance in the provision or
2 receipt, or attempted assistance in the provision or receipt of such
3 protected health care services.

4 (b) A state or local agency, commission, board, or department, or
5 any employee or agent thereof, acting in their official capacity,
6 shall not cooperate with or provide information to any individual,
7 agency, commission, board, or department from another state or, to
8 the extent permitted by federal law, to a federal law enforcement
9 agency, for the purpose of enforcing another state's law or an
10 investigation related to another state's law that asserts criminal or
11 civil liability for the provision, receipt, attempted provision or
12 receipt, assistance in the provision or receipt, or attempted
13 assistance in the provision or receipt of protected health care
14 services that are lawful in the state of Washington.

15 (c) A state court, judicial officer, court employee or clerk, or
16 attorney shall not issue a subpoena, warrant, court order, or other
17 civil or criminal legal process pursuant to any state law in
18 connection with a proceeding in another state related to the
19 provision, receipt, attempted provision or receipt, assistance in the
20 provision or receipt, or attempted assistance in the provision or
21 receipt of protected health care services that are lawful in the
22 state of Washington.

23 (d) (i) A business entity that is incorporated, or has its
24 principal place of business, in Washington that provides electronic
25 communication services as defined in RCW 9.73.260 may not:

26 (A) Knowingly provide records, information, facilities, or
27 assistance in response to a subpoena, warrant, court order, or other
28 civil or criminal legal process that relates to an investigation
29 into, or the enforcement of, another state's law that asserts
30 criminal or civil liability for the provision, receipt, attempted
31 provision or receipt, assistance in the provision or receipt, or
32 attempted assistance in the provision or receipt of protected health
33 care services that are lawful in the state of Washington; or

34 (B) Comply with a subpoena, warrant, court order, or other civil
35 or criminal legal process for records, information, facilities, or
36 assistance related to protected health care services that are lawful
37 in the state of Washington unless the subpoena, warrant, court order,
38 or other civil or criminal legal process includes, or is accompanied
39 by, an attestation, made under penalty of perjury, stating that the
40 subpoena, warrant, court order, or other civil or criminal legal

1 process does not seek documents, information, or testimony relating
2 to an investigation into, or the enforcement of, another state's law
3 that asserts criminal or civil liability for the provision, receipt,
4 attempted provision or receipt, assistance in the provision or
5 receipt, or attempted assistance in the provision or receipt of
6 protected health care services that are lawful in the state of
7 Washington. Any false attestation submitted under this section is
8 subject to a statutory penalty of \$10,000 per violation. Submission
9 of such attestation subjects the attester to the jurisdiction of the
10 courts of Washington state for any suit, penalty, or damages arising
11 out of a false attestation under this section.

12 (ii) Any business entity described in (d)(i) of this subsection
13 that is served with a subpoena, warrant, court order, or other civil
14 or criminal legal process described in (d)(i) of this subsection is
15 entitled to rely on the representations made in an attestation
16 described in (d)(i) of this subsection in determining whether the
17 subpoena, warrant, court order, or other civil or criminal legal
18 process relates to an investigation into, or the enforcement of,
19 another state's law that asserts criminal or civil liability for the
20 provision, receipt, attempted provision or receipt, assistance in the
21 provision or receipt, or attempted assistance in the provision or
22 receipt of protected health care services that are lawful in the
23 state of Washington. If an attestation described in (d)(i) of this
24 subsection is absent or incomplete, the business entity shall notify
25 the attorney general's office of its receipt of the subpoena,
26 warrant, court order, or other civil or criminal legal process unless
27 the entity is prohibited by law or court order from providing notice.

28 (3) Nothing in this section prohibits the investigation of any
29 criminal activity in this state that may involve the alleged
30 provision, receipt, attempted provision or receipt, assistance in the
31 provision or receipt, or attempted assistance in the provision or
32 receipt of protected health care services occurring in the state of
33 Washington. Any information relating to any protected health care
34 services provided to a specific individual shall not be shared with
35 an agency, department, or individual from another state for the
36 purpose of investigating or enforcing another state's law that
37 asserts criminal or civil liability for the provision, receipt,
38 attempted provision or receipt, assistance in the provision or
39 receipt, or attempted assistance in the provision or receipt of

1 protected health care services that are lawful in the state of
2 Washington.

3 (4) A state court, judicial officer, court employee or clerk, or
4 public employee or official shall not apply to a case or controversy
5 heard in state court any law that is contrary to this state's public
6 policy as described in this section.

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