

WAC 388-60B-0330 Victim confidentiality—What must programs do in order to safeguard victim confidentiality? Each treatment program certified to provide assessments or any level of domestic violence intervention treatment must follow standards regarding victim confidentiality.

(1) A certified program must treat all information the victim provides to the program as confidential unless the victim gives written permission for the program to release the information or the program is required by law to release the information.

(2) If the program is required by law to release the information shared by the victim, such as in cases of abuse of children, the program must explain the process to the victim and the direct treatment staff's obligations as a mandated reporter under RCW 74.34.020(14).

(3) Any information provided by or to the victim must be kept separate from any files for participants unless the victim has waived their confidentiality for the specific information that will be kept in the participant's file.

(4) If a victim informs the program that the participant has engaged in new abusive behavior, the treatment program must:

(a) Provide the victim with contact information for the local domestic violence victim services programs;

(b) Review with the victim the domestic violence intervention treatment program's victim confidentiality rules including how the victim can waive or release their confidentiality; and

(c) If the victim chooses to waive or release their confidentiality, the program must:

(i) Discuss the victim's safety and document the program's efforts to increase the victim's safety; and

(ii) Document the victim's confidentiality release or waiver in writing, which specifies the information the victim is releasing and for what purpose the information is being released.

(5) If the victim informs the program about a participant's new or recent abusive behavior, and either the victim or the program has reason to believe that disclosing this information to the participant will place the victim at significant risk, the program must keep this information confidential and must not directly address the behavior with the participant until, to the best of the program's knowledge, doing so no longer poses a significant risk to the victim.

(6) The program may explore other sources, such as probation or court records, by which the program has uncovered new or recent abusive behavior and may address the behavior with the participant in treatment if it can be disclosed that the program received this information from a source other than the victim, so as to not place the victim at additional risk.

[WSR 19-15-044, recodified as § 388-60B-0330, filed 7/11/19, effective 7/28/19. WSR 18-14-078, recodified as § 110-60A-0330, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 26.50.150. WSR 18-12-034, § 388-60A-0330, filed 5/29/18, effective 6/29/18.]