**Exemptions from Public Records Disclosure and Confidential Records**

**Prepared by the Code Reviser’s Office July 2016**

**Table 2**

**September 2012 through Present**

**Includes Disposition of RCW Sections on Table 1 but not on Table 2**

| **Subject** | **RCW**  **(Effective 2012)** | **RCW**  **(Effective 2013 and later)** | | **Description** | **Date Enacted** |
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| **Part I:  Basic Law** | | | | | |
| General rule | 42.56.070 |  | | Documents to be made public | 1973 (I-276) |
|  | 42.56.080 |  | | Public records shall be available for public inspection and copying unless a law provides otherwise | 1973 (I-276) |
| Rule of construction | 42.56.030 |  | | Liberally construe general rule on public inspection and copying; narrowly construe any exemption from this general rule | 1992 |
| Duty to publish | 42.56.040 |  | | State agency requirements to publish procedures in WAC and local agency requirement to prominently display requirements and guidelines | 1973 (I-276) |
| Privacy provisions | 42.56.050 |  | | Personal privacy is invaded only if disclosure 1) would be highly offensive to a reasonable person, and 2) is not of legitimate concern to the public | 1987 |
| Charges for copying | 42.56.120 |  | | No charge for inspecting, locating, or making public records available for public inspection.  Actual per page cost as published by agency for copying, but if not published, no more than 15¢ per page.    Provisions added for deposits and copying installments | 1973 (I-276) |
| 1995 |
| 2005 |
| Public liability | 42.56.060 |  | | No liability or cause of action for any loss or damage based upon the release of a public record if agency or official acting in good faith to comply with the law (1992) | 1992 |
| Prohibition on commercial use | 42.56.070 (9) |  | | Public records law not to be construed as authorizing the sale or access to lists of individuals requested for commercial purposes | 1973 (I-276) |
| Extent of exemption | 42.56.210 |  | | Generally, exemptions from public inspection and copying are inapplicable to the extent that exempted information can be deleted from specific records sought | 1973 (I-276) |
|  |  |  |  |  |  |
| **Part II:  Exceptions from disclosure in Chapter 42.56 RCW** | | | | | |
|  | | | | | |
| Personal information | 42.56.230 (1) |  | | Personal information in files for students in public schools, patients or clients of public institutions or public health agencies, or welfare programs | 1973 (I-276) |
| 42.56.230(2) |  | | Personal information in department of early learning files relating to children enrolled in licensed child care and their family members or guardians and for participants in programs serving children, adolescents, or students | 2011 c 173 s 1  2013 c 220 s 1  2015 c 47 s 1 |
| 42.56.230(3) |  | | Personal information in files on employees, appointees, or elected officials if disclosure would violate their right to privacy | 1973 (I-276) |
| 42.56.230(4) |  | | Certain taxpayer information if it would violate taxpayers right of privacy | 1973 (I-276) |
| 42.56.230(5) |  | | Credit card numbers, debit card numbers, electronic check numbers, and other financial information, except when disclosure is required by other law |  |
| 42.56.230(6) |  | | Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093 | 2009 c 510 s 8 |
| 42.56.230(7)(a) |  | | Personal information required to apply for a driver’s license or identicard | 2008 c 200 s 5 |
| 42.56.230(7)(b) |  | | Persons who decline to register for selective service under RCW 46.20.111 | 2011 c 350 s 2 |
| 42.56.230(7)(c) |  | | Records pertaining to license plates, drivers’ licenses, or identicards that may reveal that a person was performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigations. | 2013 c 336 s 3 |
|  | 42.56.230(8) | | Information regarding individual claims resolution structured settlement agreements submitted to the board of industrial insurance appeals under RCW 51.04.063 | 2014 c 142 s 1 |
|  | 42.56.230(9) | | Information in enhanced 911 emergency communications database or used in emergency notification systems | 2015 c 224 s 2 |
| Investigative, law enforcement, and crime victims  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Employment and licensing | 42.56.240(1) |  | | Specific intelligence and investigative information completed by investigative, law enforcement, and penology agencies, and state agencies that discipline members of professions, if essential to law enforcement or a person’s right to privacy | 1973 (I-276) |
| 42.56.240(2) |  | | Identity of witnesses, victims of crime, or persons who file complaints, if they timely request nondisclosure and disclosure would endanger their life, personal safety, or property—does not apply to PDC complaints |  |
| 42.56.240(3) |  | | Records of investigative reports prepared by any law enforcement agency pertaining to sex offenses or sexually violent offenses which have been transferred to WASPC |  |
| 42.56.240(4) |  | | Information  in applications for concealed pistol licenses | 1988 |
| 42.56.240(5) |  | | Identifying information regarding child victims of sexual assault | 1992 |
| 42.56.240(6) |  | | Information in local or regional gang database as well as statewide gang database in RCW 43.43.762 | 2008 c 276 s 202  2015 c 224 s 3 |
| 42.56.240(7) |  | | Data from electronic sales tracking system in RCW 69.43.165 | 2010 c 182 s 255 |
| 42.56.240(8) |  | | Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(b) | 2010 c 266 s 2 |
| 42.56.240(9) |  | | Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs | 2012 c 288 s 1 |
|  | 42.56.240(10) | | Felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822 | 2013 c 183 s 1 |
|  | 42.56.240~~(10)~~(11) | | Identity of state employee or officer who files a complaint with an ethics board under RCW 42.52.410 or reports improper governmental action to the auditor or other official | 2013 c 190 s 7 |
|  | 42.56.240~~(10)~~(12) | | Security threat group information collected and maintained by the department of corrections | 2013 c 315 s 2 |
|  | 42.56.240(13) | | Criminal justice agency employee/worker residence GPS data | 2015 c 91 s 1 |
|  | 42.56.240(14) | | Body worn camera recordings made by law enforcement or corrections officers to the extent essential for right to privacy described in RCW 42.56.040 | 2016 c 163 s 2 |
|  | 42.56.240(14) | | Records and info in the statewide sexual assault kit tracking system established in RCW 43.43.--- (c 173 s 2) | 2016 c 173 s 8 |
| 42.56.250 (1) |  | | Test questions, scoring keys, and other exam information used on licenses, employment or academics | 1973 (I-276) |
| 42.56.250 (2) |  | | Applications for public employment, including names, resumes | 1987 |
| 42.56.250 (3) |  | | Address, phone nos., email address, SSNs, drivers’ license numbers, identicard numbers, and emergency contact information of public employees or volunteers held by public agencies | 1987  2014 c 106 s 1 |
| 42.56.250 (4) |  | | Information from employee relating to an unfair practice, if requested | 1992 |
| 42.56.250 (5) |  | | Records of unfair practices investigations | 1994 |
| 42.56.250(6) |  | | Criminal history record checks for investment board finalist candidates | 2010 c 128 s 9 |
| 42.56.250(7) |  | | Employee salary and benefit information collected from private employers for salary survey information for marine employees | 1999 |
| Real estate appraisals | 42.56.260 |  | | Real estate ~~appraisals for agency acquisition or sale until project or  sale abandoned, but no longer than 3 years in all cases~~ transactions, subject to stated limitations | 1973 (I-276)  2015 c 150 s 1 |
| Financial, commercial, and proprietary information | 42.56.270(1) |  | | Valuable formulae, designs, drawings and research obtained by agency within 5 years of request for disclosure if disclosure would produce private gain and public loss | 1973 (I-276) |
| 42.56.270(2) |  | | Financial information supplied by a bidder on ferry work or highway construction | 1983 |
| 42.56.270(3) |  | | Financial information and records filed by persons pertaining to export services | 1986 |
| 42.56.270(4) |  | | Financial information in economic development loan applications | 1987 |
| 42.56.270(5) |  | | Financial information obtained from business and industrial development corporations | 1989 |
| 42.56.270(6) |  | | Financial information on investment of retirement moneys and public trust investments | 1989 |
| 42.56.270(7) |  | | Financial and trade information supplied by and under industrial insurance coverage | 1989 |
| 42.56.270(8) |  | | Financial information obtained by the Clean Washington Center for services related to marketing recycled products | 1994 |
| 42.56.270(9) |  | | Financial and commercial information requested by public stadium authority from leaser | 1997 |
| 42.56.270(10) |  | | Financial information supplied for application for liquor, gambling, lottery retail, or various marijuana licenses | 2014 c 192 s 6 |
| 42.56.270(11) |  | | Proprietary data, trade secrets, or other information submitted by any vendor to DSHS for purposes of state purchased health care |  |
| 42.56.270(12)(a)(i) |  | | Financial or proprietary information supplied  to DCTED  in furtherance of the state’s economic and community development efforts | 1989 c 312 s 7  1993 |
| 42.56.270(12)(a)(ii) |  | | Financial or proprietary information provided to the DCTED regarding businesses proposing to locate in the state | 1999 c 150 s 1 |
| 42.56.270(14) |  | | Financial, commercial, operations, and technical and research information obtained by the life sciences discovery fund authority | 2005 c 424 s 6 |
| 42.56.270(20) |  | | Financial and commercial information submitted to or obtained by the University of Washington relating to investments in private funds | 2009 c 384 s 3 |
| 42.56.270(21) |  | | ~~Financial, commercial, operations, and technical and research information submitted to or obtained by innovate Washington under chapter 43.333~~ | 2011 1st sp.s. c 14 s 15  2014 c 174 s 5 |
|  | 42.56.270~~(22~~)(21) | | Market share data submitted by a manufacturer under RCW 70.95N.190(4) | 2013 c 305 s 14 |
|  | 42.56.270~~(23)~~(22) | | Certain financial information supplied to DFI or a portal to obtain an exemption from state securities registration | 2014 c 144 s 6 |
|  | 42.56.270(23) | | Notices of crude oil transfers | 2015 c 274 s 24 |
|  | 42.56.270(24) | | Certain information supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 9.50.331, 69.50.342, and 69.50.345 | 2016 c 178 s 1 |
|  | 42.56.270(25) | | Marijuana transport, vehicle, and driver ID data and account numbers or unique access identifiers issued for traceability system access as required by RCW 69.50.325, 9.50.331, 69.50.342, and 69.50.345 | 2016 c 178 s 2 |
|  |  | 42.56.270(24) | | Certain financial & commercial info submitted to or obtained by a city retirement board under authority of chapter 35.39 RCW, with conditions | 2016 1st sp.s. c 8 s 1 |
|  | 42.56.270(24) | | Certain information and data submitted to or obtained by the liquor and cannabis board in applications for licenses or reports required under RCW 69.50.372 | 2016 1st sp.s. c 9 s 3 |
| Preliminary records containing opinions or policy formulations | 42.56.280 |  | | Preliminary drafts, notes, recommendations, and intra-agency memos where opinions are expressed or policies formulated or recommended, unless cited by an agency | 1973 (I-276) |
| Agency party to a controversy | 42.56.290 |  | | Agency records relevant to a controversy but which would not be available to another party under the rules of pretrial discovery for causes pending in the Superior courts |  |
| Archaeological sites | 42.56.300 |  | | Information identifying the location of archaeological sites | 1976 |
|  | 42.56.300(3) | | Archaeological site forms, reports, fields, and tables in databases or GIS shared between state agencies, local governments, or tribal governments. | 2014 c 165 s 1 |
| Library records | 42.56.310 |  | | Library records disclosing the identity of a library user | 1982 |
| Educational information | 42.56.320(1) |  | | Financial disclosures filed by private vocational schools | 1986 |
| 42.56.320(2) |  | | Financial and commercial information relating to the purchase or sale of tuition units |  |
| 42.56.320(3) |  | | Individually identifiable information received by the WFTECB for research or evaluation purposes |  |
| 42.56.320(4) |  | | Information on gifts, grants, or bequests to institutions of higher education | 1975 |
| 42.56.320(5) |  | | The annual declaration of intent filed by parents for a child to receive home-based instruction | 2009 c 191 s 1 |
| Public utilities and transportation | 42.56.330(1) |  | | Valuable commercial information, including trade secrets or confidential marketing, cost, or financial information, or customer-specific usage information supplied to the UTC | 1987  2014 c 170 s 2 |
| 42.56.330(2) |  | | ~~Residential addresses and~~ Phone numbers, electronic contact information, customer-specific usage in billing information in increments less than a billing cycle, in public utility records | 1987  2014 c 33 s 1 |
| 42.56.330(3) |  | | Personal information in vanpool, carpool, ride-share programs | 1997 |
| 42.56.330(4) |  | | Personal information of current or former participants or applicants in transit services operated for those with disabilities or elderly persons |  |
| 42.56.330(5) |  | | Personally identifying information of persons who use transit passes and other fare payment media | 2012 c 68 s 4 |
| 42.56.330(6) |  | | Information obtained by governmental agencies and collected by the use of a motor carrier intelligent transportation system or comparable information equipment | 1999 |
| 42.56.330(7) |  | | Personally identifying information of persons who use transponders and other technology to facilitate payment of tools | 2005 c 312 s 6 |
| 42.56.330(8) |  | | Personally identifying information of persons acquiring driver’s license or identicard with radio frequency chip | 2008 c 200 s 6 |
| 42.56.335 |  | | Records of any person belonging to a public utility district or municipally owned electrical utility | 2007 c 297 s 6 |
| Timeshare, condominium owner lists | 42.56.340 |  | | Membership lists and lists of owners of interests in timeshare projects, condominiums, land developments, or common-interest communities, regulated by the Department of Licensing | 1987 |
| Health professionals | 42.56.350(1) |  | | SSNs  of health care professionals maintained in files of the Dept. of Health | 1993 |
| 42.56.350(2) |  | | Residential address and telephone numbers of health care providers maintained in files of the Dept. of Health | 1993 |
| Health care | 42.56.360(1)(a) |  | | Records and information supplied by drug manufacturers to the ~~Board of Pharmacy~~ pharmacy quality assurance commission | 1989  2013 c 19 s 47 |
| 42.56.360(1)(b) |  | | Pharmaceutical manufacturer information obtained by the ~~Board of Pharmacy~~ pharmacy quality assurance commission | 1989  2013 c 19 s 47 |
| 42.56.360(1)(c) |  | | Information and documents created, collected, and maintained by the Health Care Services Quality Improvement Program and Medical Malpractice Prevention Program | 1995 |
| 42.56.360(1)(d) |  | | Proprietary financial and commercial information provided to Dept. of Health relating to an antitrust exemption | 1997 |
| 42.56.360(1)(e) |  | | Physicians in the impaired physicians program | 1987, 1994, 2001 |
| 42.56.360 (1)(f) |  | | Complaints filed under the Health Care Professions Uniform Disciplinary Act | 1997 |
| 42.56.360(1)~~(h)~~(g) |  | | Information obtained by DOH under RCW 70.225 RCW, prescription monitoring program | 2007 c 259 s 49 |
| 42.56.360(1)~~(i)~~(h) |  | | Information collected by the department of health under chapter 70.245 RCW. | 2009 c 1 s 1 |
| 42.56.360(1)(i) |  | | Cardiac stroke system performancedata submitted pursuant to RCW 70.168.150(2)(b) | 2010 c 52 s 6 |
| 42.56.360(1)(j) |  | | All documents pertaining to a wellness program under RCW 41.04.362, except for statistical reports that do not identify an individual | 2010 c 128 s 3 |
|  | 42.56.360(1)(k) | | Claims data and information provided to the statewide all-payer health care claims database and the database that is exempt from disclosure under RCW 43.371.040 | 2014 c 223 s 17 |
| 42.56.360(2) |  | | Health care information disclosed to health care provider without patients permission | 1991 |
| 42.56.360(3)(a) |  | | Documents relating to infant mortality reviews | 1992 |
|  |  | 42.56.360(4) | | Info & documents relating to maternal mortality reviews pursuant to RCW 70.54.--- (section 1 of this act) (expires 6/30/2020) | 2016 c 238 s 2 |
| Domestic violence | 42.56.370 |  | | Client records of community sexual assault program or services for underserved populations | 1991  2012 c 29 s 13 |
| Agriculture and livestock | 42.56.380(1) |  | | Business records the Department of Agriculture obtains regarding organic food products | 1992 |
| 42.56.380(2) |  | | Information regarding business operations contained in reports on commercial fertilizer | 1987 |
| 42.56.380(3) |  | | Production or sales records required to determine payments to various agricultural commodity boards and commissions. Adds Washington grain commission to existing list. | 1996  2009 c 33 s 37 |
| 42.56.380(4) |  | | Consignment information contained on phytosanitary certificates issued by the Dept. of Agriculture | 1996 |
| 42.56.380(5) |  | | Financial and commercial information and records held by the Dept. of Agriculture for potential establishment of a commodity board or commission regarding domestic or export marketing activities or individual production information. Adds Washington grain commission to existing list. | 1996  2009 c 33 s 37 |
| 42.56.380(6) |  | | Information on individual American ginseng growers or dealers | 1996 |
| 42.56.380(7) |  | | Identifiable information collected by Department of Agricultureregardingpackers and shippers of fruits and vegetables for purposes of inspections and certification | 1996  2010 c 128 s 2 |
| 42.56.380 (8) |  | | Financial statements provided to the Dept. of Agriculture for purposes of obtaining public livestock market license | 2003 |
| 42.56.380(9) |  | | Information for participants in herd inventory management for animal disease traceability | 2006 c 75 s 2  2012 c 168 s 1(9) |
| 42.56.380(10) |  | | Results of animal testing from samples submitted by the animal owner | 2006 c 75 s 2  2012 c 168 s 1(10) |
| 42.56.380(11) |  | | Records of international livestock importation that are not disc losable by the U.S.D.A. under federal law. | 2012 c 168 s 1(11) |
| 42.56.380(12) |  | | Records related to entry of prohibited agricultural products imported into Washington that are not disc losable by the U.S.D.A. under federal law | 2012 c 168 s 1(12) |
| Emergency or transitional housing | 42.56.390 |  | | Names of individuals residing in emergency or transitional housing furnished to the Dept. of Revenue or a county assessor | 1997 |
| Insurance and financial institutions | 42.56.400(1) |  | | Board of Industrial Insurance records pertaining to appeals of crime victims’ compensation claims |  |
| 42.56.400(2) |  | | Information obtained and exempted by the Health Care Authority that is transferred to facilitate development, acquisition, or implement of state purchased health care |  |
| 42.56.400(3) |  | | Names of owners and insureds of life insurance policies | 1995  2009 c 104 s 23 |
| 42.56.400(4) |  | | Insurance antifraud plans | 1995 |
| 42.56.400(5) |  | | Insurers reports on material acquisitions and disposition of assets, etc. filed with the Insurance Commission | 1995 |
| 42.56.400(6) |  | | Information gathered under the regulatory fairness act or the administrative procedure act, significant legislative rules, that can identify a particular business | 1996 |
| 42.56.400(7) |  | | Examination reports and information obtained by the Department of financial Institutions from banking institutions | 1997 |
| 42.56.400(8) |  | | Information provided to the Insurance Commissioner regarding service contract providers | 1999 |
| 42.56.400(9) |  | | ~~Information obtained by the Insurance Commissioner that is confidential and privileged if otherwise protected by disclosure by the applicable laws of the jurisdiction~~ Documents, materials, or information obtained by the insurance commissioner under statutes, that are confidential and privileged | 2001  2015 c 122 ss 13 & 14 |
| 42.56.400(10) |  | | Proprietary information provided to the Insurance Commissioner regarding health carrier holding companies | 2001 |
| 42.56.400(16) |  | | Documents, materials, or information obtained by the insurance commissioner under RCW 48.102.­051 (1) and 48.102.­140 (3) and (7)(a)(ii) | 2009 c 104 s 37 |
| 42.56.400(17) |  | | Documents, materials, or information obtained by the insurance commissioner under RCW 48.31.025 and 48.99.025 | 2010 c 97 s 3 |
| 42.56.400(18) |  | | Documents, material, or information relating to investment policies obtained by the insurance commissioner under RCW 48.13.151 | 2011 c 188 s 21 |
| 42.56.400(19) |  | | Data from (temporary) study on small group health plan market | 2010 c 172 s 2 |
| 42.56.400(20) |  | | Information in a filing of usage-based component of the rate pursuant to RCW 48.19.040(5)(b) | 2012 c 222 s 1 |
| 42.56.400(21) |  | | Data, information, and documents submitted to the insurance commissioner by an entity providing health care pursuant to RCW 28A.400.275 and 48.02.210 | 2012 2nd sp.s. c 3 s 8 |
|  | 42.56.400(22) | | Data, information, and documents obtained by the insurance commissioner under RCW 48.29.017 (information on title insurance policy issuance, business income and expenses) | 2013 c 65 s 5 |
|  | 42.56.400(23) | | Information not subject to public inspection or public disclosure under RCW 48.43.730(5) (health care provider compensation agreements) | 2013 c 277 s 5 |
|  | 42.56.400(24) | | Documents obtained by insurance commissioner under chapter 48.05A RCW | 2015 c 17 ss 10 & 11 |
|  |  | 42.56.400(25) | | Documents, etc. obtained by the insurance commissioner under RCW 48.74.025 and sections 6, 13(6), 14(2) (b) & (c) under certain circumstances | 2016 c 142 ss 19/20 |
| Actuarial Opinions | 42.56.403 |  | | Property and casualty insurance statements of actuarial opinion | 2006 |
| Employment Security | 42.56.410 |  | | Most records and information supplied to the Employment Security Department |  |
| 42.56.420(1) |  | | Records relating to criminal terrorist acts |  |
| 42.56.420(2) |  | | Records containing specific and unique vulnerability assessments and emergency and escape response plans – adds civil commitment facilities | 2009 c 67 s 1 |
| 42.56.420(3) |  | | Comprehensive safe school plans that identify specific vulnerabilities |  |
| 42.56.420(4) |  | | Information regarding infrastructure and security of computer and telecommunications networks to the extent that they identify specific system vulnerabilities |  |
| Fish and wildlife | 42.56.420(5) |  | | Security sections of transportation  security plans for fixed guideway systems | 1999 |
|  | 42.56.420(6) | | Personally identifiable info of employees and other security info, of a private cloud service provider that has entered into a criminal justice information services agreement | 2016 c 153 s 1 |
| 42.56.430(1) |  | | Commercial fishing catch data provided to the Department of Fish and Wildlife that would result in unfair competitive disadvantage |  |
| 42.56.430(2) |  | | Sensitive wildlife data obtained by the Department of Fish and Wildlife |  |
| 42.56.430(3) |  | | Personally identifying information of persons who acquire recreational or commercial licenses |  |
| 42.56.430(4) |  | | Information subject to confidentiality requirements of Magnuson-Stevens fishery conservation and management reauthorization act of 2006 | 2008 c 252 s 1 |
| Veterans’ discharge papers | 42.56.440 |  | | Veterans’ discharge papers |  |
| Check cashers and sellers | 42.56.450 |  | | Personal information on check cashers and sellers licensing applications and small loan endorsements | 1991; 1995 |
| Fireworks | 42.56.460 |  | | Records obtained and reports produced on fireworks regulation. | 1995 |
| Correctional industries workers | 42.56.470 |  | | Records pertaining to correctional industries class I work programs | 2004 |
| Inactive programs | 42.56.480(1) | Repealed | | ~~Contracts files by railroad companies with the UTC prior to 7/28/91~~ | 1984  2016 c 182 s 1 |
| 42.56.480(2) | Repealed | | ~~Personal information in international contact data base~~ | 1996 c 253 s 502  2016 c 182 s 1 |
| 42.56.480(3) | Repealed | | ~~Data collected by DSHS pertaining to payment systems for licensed boarding homes~~ | 2003  2016 c 182 s 1 |
| Injunction | 42.56.565 |  | | Persons serving criminal sentences may be enjoined from inspection or copying of nonexempt public records | 2009 c 10 s 1 |
| Mediation communication | 42.56.600 |  | | Records of mediation communications that are privileged under the Uniform Mediation Act | 2005 c 424 s 16 |
| Dairies, animal feeding operations | 42.56.610 |  | | Certain information obtained by state and local agencies from dairies, animal feeding operations not required to apply for a national pollutant discharge elimination system permit disc losable only in ranges that provide meaningful information to public |  |
| Enumeration data |  | 42.56.615 | | Enumeration data used by OFM for population estimates, in accordance with RCW43.41.435 (2014 c 14 s 2) | 2014 c 14 s 1 |
| Marijuana |  | 42.56.625 | | Records in medical marijuana authorization database established in RCW 69.51A.230 | 2015 c 70 s 22 |
|  | 42.56.620 | | Reports submitted by marijuana research licensees that contain proprietary information | 2015 c 71 s 4 |
|  | | | | | |
| **Part III:  Confidential Information and Exceptions from disclosure in other statutes** | | | | | |
|  | 1.08.027 |  | | Code Reviser drafting services | 1951 |
|  | 2.64.111 |  | | Judicial conduct commission investigations and initial proceedings | 1989 |
|  | 4.24.250 |  | | Hospital review committee records on professional staff | 1971 |
|  | 4.24.601 |  | | Trade secrets and confidential research, development or commercial information | 1994 |
|  | 4.24.611 |  | | Trade secrets, confidential research, development or commercial information concerning products or business methods | 1994 |
|  | 4.92.210 |  | | Information in centralized risk management claim tracking system | 1989 |
|  | 5.60.060 |  | | General statements of privileged communications between persons & various professionals, e.g., attorneys or physicians – presumably applies to records  Alcohol or drug addiction sponsor may not testify except with written authorization of the person being sponsored | 1954 & later dates  2016 1st sp.s. c 24 s 1 |
|  | 5.60.070 |  | | Materials used in any court ordered mediation | 1991 |
|  | 7.07.050(5) |  | | Mediation communications | 2005 |
|  | 7.07.070 |  | | Mediation communications | 2005 |
|  | 7.68.080(9)(a) |  | | The director may examine records of health care provider notwithstanding any statute that makes the records privileged or confidential | 2011 c 346 s 501 |
|  | 7.68.080(10) |  | | At the request of health care contractor, department must keep financial and trade information confidential | 2011 c 346 s 501 |
|  | 7.68.140 |  | | Records re. Victims of crimes confidential & not open to inspection | 1973 |
|  | 7.69.A.030 (4) |  | | Name, address, or photograph of child victim or child witness | 1985 |
|  | 7.75.050 |  | | County or city dispute resolution center records | 1984 |
|  | 7.88.020 & .30 |  | | Financial institution compliance review documents | 1997 |
|  |  | 7.77.140  7.77.150, 7.77.160, 7.77.170 | | Confidentiality of collaborative law  Privilege against disclosure of collaborative law | 2013 c 119 s 15  2013 c 119 ss 16-18 |
|  | 9.02.100 |  | | General statement of fundamental right to reproductive privacy – could apply to records | 1991 |
|  | 9.41.097 (2) |  | | Mental health info provided on persons buying pistols or applying for concealed pistol licenses | 1994 |
|  | 9.41.129 |  | | Concealed pistol license applications | 1994 |
|  | 9.73.230 |  | | Name of confidential informants in written report on wire tapping | 1989 |
| Criminal Proceedings | 9.94A.745 |  | | Records of the interstate Commission for Adult Offender Supervision that would adversely affect personal privacy rights or proprietary interests | 2002 |
| 9.94A.885 |  | | Information regarding victims, survivors of victims, or witnesses that are sent clemency hearing notices may not be released to offender | 1999 |
| 9A.44.138 |  | | Sex offender registration information given to high school or institution of higher education regarding an employee or student is confidential | 2011 c 337 s 4 |
| 9A.82.170 |  | | Info from a financial intuitions records relating to the criminal profiteering act | 1984 |
| 10.27.090 |  | | Grand jury testimony | 1971 |
| 10.27.160 |  | | Grand jury reports | 1971 |
| 10.52.100 |  | | Identity of child victims of sexual assault | 1992 |
| 10.77.205 |  | | Information about victims, next of kin, or witnesses requesting notice of release of convicted sex or violent offenders | 1990 |
| 10.77.210 |  | | Records of persons committed for criminal insanity | 1973 |
| 10.97 RCW |  | | Privacy of criminal records, including criminal history information on arrests, detention, indictment, information, or other formal criminal charges made after 12/31/77 unless dispositions are included | 1977 |
| 10.97.130 |  | | Names of victims of sexual assaults who are 18 years of age or younger | 1992 |
| 10.101.020 |  | | Information given by persons to determine eligibility for indigent defense | 1989 |
| Trusts | 11.110.040 |  | | Trust instrument not exclusively for charitable purposes | 1967 |
| 11.110.075 |  | | Instrument creating a charitable trust, possibly only if the instrument creates a trust for both charitable and non-charitable purposes | 1971 |
| Juvenile Proceedings | 13.04.155 |  | | Information on juvenile conviction by adult criminal court given to school principal | 1997 |
| 13.24.011 |  | | Records of the Interstate Compact for Juveniles that would adversely affect personal privacy rights or proprietary interests | 2003 |
|  | 13.34.046 | | Information regarding a youth subject to chapter 13.34 RCW is confidential except as required under a lawful court order | 2013 c 182 s 5 |
| 13.40.150 |  | | Sources of confidential information in dispositional hearings on juvenile offenses | 1977 |
| 13.40.215 and 13.40.217 |  | | Information about victims, next of kin, or witnesses requesting notice of release of juvenile convicted of violent  sex offense or stalking | 1990 |
| 13.50.010(11) | 13.50.010.~~(11)~~(12) | | Electronic research copy of juvenile records maintains same level of confidentiality and anonymity as juvenile records in judicial information system | 2009 c 440 s 1  2014 c 117 s 5 |
| 13.50.010(12) | 13.50.010~~(12)~~(13) | | Information in records released to the Washington state office of public defense retain confidential nature. Data may be shared with other governmental agencies consistent with applicable security and confidentiality agreements | 2009 c 440 s 1  2014 c 117 s 5  2016 c 72 s 109 |
|  | 13.50.010(14) | | Records released by the court to the Washington state office of civil legal aid records maintain confidentiality of confidential information | 2015 c 262 s 1 |
|  | 13.50.010(15) | | Child welfare records that may assist in meeting educational needs of foster youth may be shared with a state agency or agency’s contractor but otherwise retain their confidentiality except as allowed under chapter 13.50 RCW and federal law | 2016 c 71 s 2 |
| 13.50.050(3) |  | | Records on commission of juvenile crimes | 1979 |
| 13.50.050(14)(b) |  | | Records of juveniles who receive a pardon are confidential, including the existence or nonexistence of the record | 2011 c 333 s 4 |
| 13.50.100(2) |  | | Juvenile justice or care agency records not relating to commission of juvenile crimes | 1979 |
| Agricultural | 15.19.080 |  | | Information on purchases, sales, or production of ginseng by individual growers or dealers (see also 42.56.380 (6)) | 1998 |
| 15.53.9018(10) |  | | Semiannual commercial feed reports | 1975 |
| 15.54.362 |  | | Information regarding business operations contained in reports on commercial fertilizer | 1987 |
| 15.58.060(1)(c) |  | | Business information of a proprietary nature regarding pesticide formulas | 1971 |
| 15.58.065(2) |  | | Privileged or confidential commercial or financial information, trade secrets re. pesticides | 1971 |
| 15.65.510 |  | | Information on agricultural marketing agreements | 1961 |
| 15.86.110 |  | | Business records obtained by Dept. of Agriculture regarding organic food products | 1992 |
| 16.65.030(1)(d) |  | | Financial statement info in public livestock market license applications | 2003 |
| 17.24.061 (2) |  | | Trade secrets or commercial or financial information obtained by Dept. of Agriculture regarding insect pests, noxious weeds, or organisms affecting plant life | 1991 |
| Counselors | 18.19.180 |  | | Information counselors acquire and acknowledgement of practice disclosure statements | 1987 |
| Boarding homes | 18.20.120 |  | | Identity of individual or name of boarding homes from boarding home licensing records | 1959 |
| 18.20.390 |  | | Information and documents created, collected and maintained by a quality assurance committee | 2004 |
|  | 18.32.040 |  | | Implication that information in dentistry registration records is only accessible by the registered person unless disclosure would compromise the examination process | 1937 |
|  | 18.39.510(1) |  | | Complaints against embalmers and funeral directors | 1994 |
|  | 18.44.031(2) |  | | Personal information in applications for escrow agent licenses | 1999 |
|  | 18.46.090 |  | | Information on maternity homes received by Dept. of Health identifying individuals or maternity homes | 1951 |
|  | 18.53.200 |  | | Information and records of optometrists | 1975 |
|  | 18.64.420 |  | | Records obtained by Dept. of Health regarding various insurance companies | 1991 |
|  | 18.71.0195 |  | | Contents of physician disciplinary report | 1979 |
|  | 18.71.340 |  | | Entry records under impaired physician program | 1987 |
|  | 18.83.110 |  | | Communications between client and psychologist—could apply to records | 1955 |
|  | 18.106.320(2) |  | | Info obtained from contractors on plumbing trainee hours | 2002 |
| Health care professions | 18.130.057(2)(b) |  | | Disciplining authority may not disclose information in a file that contains confidential or privileged information regarding a patient other than the person making the complaint or report | 2011 c 157 s 1 |
| 18.130.095(1)(a) |  | | Treatment and pretreatment records of health professionals referred to voluntary substance abuse monitoring program under uniform disciplinary act | 1997 |
| 18.130.172(1) |  | | Summary and stipulations in complaints against health care professionals | 1993 |
| 18.130.175(4) |  | | Voluntary substance abuse treatment records of licensed health care professionals | 1988 |
|  | 18.330.050(2)(f) |  | | On referral disclosure statement, must include statement that agency will need client authorization to obtain or disclose confidential information | 2011 c 357 s 6 |
|  | 19.02.115 |  | | Master license service program licensing information is confidential and privileged except as provided in this section | 2011 c 298 s 12 |
|  | 19.16.245 |  | | Collection agency financial statements | 1973 |
|  | 19.28.171 |  | | Info obtained from electrical contractors on electrical trainee hours | 1996 |
|  | 19.28.515 |  | | Information obtained from electrical contractor by Department of Licenses | 1996 |
|  |  | 19.29A.100 | | Electric utilities may not disclose private or proprietary customer information | 2015 3rd sp.s. c 21 s 1 |
|  | 19.34.240 |  | | Private keys under the electronic authentication act | 1996 |
|  | 19.34.420 |  | | Electronic authentication info | 1998 |
|  | 19.108.020 |  | | Equitable remedies to preserve secrecy of trade secrets | 1981 |
|  | 19.146.290(2) | Repealed | | ~~Trade secrets in mortgage broker annual reports~~ | 2006  2015 c 229 s 37(1) |
|  | 19.146.370(4) |  | | Chapter 42.56 RCW relating to supervisory information or information subject to 19.146.370(1) of this section is superseded by this section | 2009 c 528 s 15 |
|  | 19.230.190 |  | | Money transfer licensing information | 2003 |
|  | 19.330.080(5) |  | | Confidential technology information used in manufacturing products sold in state is subject to a protective order | 2011 c 98 s 8 |
|  | 21.20.480 |  | | Security act investigations | 1959 |
|  | 21.20.855 |  | | Reports and information from Department of Financial Services examinations | 1988 |
|  | 21.30.170 |  | | Some information obtained by the Department of Financial Institutions | 1986 |
|  | 22.09.040(9) |  | | Financial information on warehouses supplied to the Department of Agriculture | 1987 |
|  | 22.09.045 (7) |  | | Financial information on grain dealers supplied to Department of Agriculture | 1987 |
|  | 24.03.435 |  | | Information in interrogatories of nonprofit corporations by Secretary of State | 1967 |
|  | 24.06.480 |  | | Information in interrogatories of nonprofit miscellaneous and mutual corporations by Secretary of State | 1969 |
|  | 26.04.175 |  | | Marriage applications and records about participants in address confidentiality program | 1991 |
|  | 26.09.015 |  | | Divorce mediation proceedings—may apply to records of the proceedings | 1986 |
|  | 26.12.080 |  | | Superior court may order family court files closed to protect privacy | 1949 |
|  | 26.23.120(1) |  | | Records concerning persons owing child support | 1987 |
|  | 26.23.150 |  | | Social security numbers collected by licensing agencies not to be disclosed | 1998 |
|  | 26.33.330 & 26.33.340 |  | | Adoption records (except by order of the court under showing of good cause) | 1984 |
|  |  | 26.33.345 | | Adoption contact preference form and birth parent updated medical history form are confidential | 2013 c 321 s 1 |
|  | 27.53.070 |  | | Communications on location of archaeological sites not public records | 1975 |
| Higher Education | 28B.85.020(2) |  | | Financial disclosures provided to HEC Board  by private vocational schools | 1996 |
| 28C.10.050(2)(a) |  | | Financial disclosures by private vocational schools | 1986 |
| Elections | 29A.08.710 |  | | Original voter registration forms or their images | 1991 |
| 29A.08.720 |  | | The DOL office at which any particular individual registers to vote | 1994 |
| 29A.20.191 | 29A.56.670 | | Minor party and independent candidate nominating petitions | 2004  2013 c 11 s 93(4) (recod) |
| 29A.32.100 |  | | Argument or statement submitted to Sec. of State for voters' pamphlet | 1999 |
| Financial Institutions | 30.04.075(1) | Recod 30A.04.075(1) | | Information obtained from bank examinations | 1977  2014 c 37 s 4 (recod) |
| 30.04.230(4)(a) | Recod 30A.04.230(4)(a) | | Information regarding investigations of out-of-state banks | 1983  2014 c 37 s 4 (recod) |
| 30.04.410(3) | Recod 30A.04.410(3) | | Findings related to disapprovals of bank acquisitions | 1989  2014 c 37 s 4 (recod) |
| 31.04.274(4) |  | | Chapter 42.56 RCW relating to disclosure of supervisory information or any information described in 31.04.274(1) of this section is superseded by this section | 2009 c 120 s 26 |
| 31.12.565(1) |  | | Examinations and reports on credit unions | 1984 |
| 31.35.070 |  | | Reports on examinations of agricultural lenders | 1990 |
| 31.45.030(3) |  | | Addresses and phone numbers and trade secrets of applicants of check cashers or sellers | 1991 |
| 31.45.077(2) |  | | Addresses and phone numbers and trade secrets of applicants of small loan endorsements | 2003 |
| 31.45.090 |  | | Trade secrets supplied by licensed check cashers and sellers as part of the annual report to Director of Financial Institutions | 2003 |
| 32.04.220 (1) & (5) |  | | Information from examinations of mutual savings banks | 1977 |
| 32.32.228(3) |  | | Findings disapproving conversion from mutual savings bank to capital stock savings bank | 1989 |
| 32.32.275 |  | | Information applicants deem confidential relating to conversion of mutual savings bank to capital stock savings bank | 1981 |
| 33.04.110 (1) & (5) |  | | Information from examinations of savings and loan associations | 1977 |
| 33.24.360(1)(d) |  | | Name of lender financing an acquisition of a savings and loan, if requested by applicant | 1973 |
| Cities & Counties | 35.21.228(4) |  | | Rail fixed guideway system security and emergency preparedness plan | 1999 |
| 35A.21.300(4) |  | | Rail fixed guideway system security and emergency preparedness plan | 1999 |
| 36.01.210(4) |  | | Rail fixed guideway system security and emergency preparedness plan | 1999 |
| 36.28A.060(8) |  | | Tactical and intelligence information provided to Wash. Assoc. of Sheriffs | 2003 |
| 36.57.120(4) |  | | Rail fixed guideway system security and emergency preparedness plan | 1999 |
| 36.57A.170(4) |  | | Rail fixed guideway system security and emergency preparedness plan | 1999 |
| 36.102.200 |  | | Financial info on master tenant, concessioners, team affiliate, or sublease of a public stadium authority’s facilities | 1997 |
| Automatic Number Identification System |  | 38.52.575 | | Information in automatic number identification system or automatic location identification database that is part of a 911 system & information submitted to be part of a county enhanced 911 emergency communication system; cross referenced in RCW 42.56.230(9) | 2015 c 224 s 6 |
|  | 38.52.577 | | Information obtained from an automatic number identification system or automatic location identification database; cross referenced in RCW 42.56.230(9) | 2015 c 224 s 7 |
| Alternative Public Works | 39.10.470 (2) |  | | Trade secrets & proprietary information from contractors under alternative public works | 1994  2007 c 494 s 511 (recod) |
|  | 39.10.470(3) | | Proposals from design-build finalists for alternative public works transactions until selection is made or terminated | 2014 c 19 s 2 |
|  | 39.26.030(2) |  | | Competitive bids subject to chapter 42.56 RCW except exempt from disclosure until apparent successful bidder announced | 2012 c 224 s 4 |
| Preservation & Destruction of Public Records | 40.14.030(2) |  | | Records transferred to state archives | 2003 |
| 40.14.070(2)(c ) |  | | Sex offender records transferred to Wash. Association of sheriffs and police chiefs | 1999 |
| 40.14.180 |  | | Bill drafting records of the Code Reviser’s Office | 1971 |
|  | 40.24.070 |  | | Names of persons in domestic violence or sexual assault programs; ~~and~~ records in address confidentiality program; and limitations on contact information in program participant’s file obtained from wireless telecommunications providers | 1999; 1991  2015 c 190 s 2 |
|  | 41.06.160 |  | | Salary and fringe benefit info identifying private employer from DOP salary survey | 1981 |
|  | 41.06.167 |  | | Salary and fringe benefit rate info collected from private employers | 1980 |
|  | 41.56.029(2) |  | | Collective bargaining authorization cards of adult family home provider workers | 2007 |
|  | 42.48.020 & 42.48.040 |  | | Personally identifiable public records used in scientific research | 1985 |
| State Government | 43.01.425 |  | | Crisis referral services communications and information are confidential | 2009 c 19 s 2 |
| 43.06A.050 |  | | Investigative records of Office of Family and Children’s Ombudsman | 1996 |
| 43.07.100 | Repealed | | ~~Info from businesses deemed confidential held by Bureau of Statistics in Sec. of State~~ | 1895  2016 c 202 s 64 |
| 43.09.186(4) |  | | Identity of person and documents in report to toll-free efficiency hotline | 2007 |
| 43.19.736 |  | | Print jobs contracted with private vendors must require vendor to enter into a confidentiality agreement if materials contain sensitive or personally identifiable information | 2011 1st sp.s. c 43 s 309 |
| 43.19.781 |  | | Risk management loss history information | 1989  2011 1st sp.s. c 43 s 535 |
| 43.21A.160 |  | | Information on unique production processes given to the DOE | 1970 |
| 43.21F.060(1) |  | | Proprietary information received by the State Energy Office | 1976 |
| 43.22.290 |  | | Employer labor statistics reports  provided to the Department of Labor & Industries | 1901 |
| 43.22.434 |  | | Info obtained from contractors through an audit | 2002 |
| 43.23.270 |  | | Financial and commercial information obtained by Department of Agriculture for export market development projects | 1996 |
| 43.33A.025 |  | | State Investment Board criminal history record check | 1999 |
| 43.41.100 |  | | Confidential reports made to the governor by director of OFM | 1969 |
|  | 43.41.435 | | Enumeration data used for population estimates (cross-referenced in RCW 42.56.615) | 2014 c 14 s 2 |
| 43.43.710 |  | | WSP information in records relating to the commission of any crime by any person | 1972 |
| 43.43.762 |  | | Access to information in criminal street gang database determined by the chief executive officer of each participating agency | 2008 c 276 s 201 |
| 43.43.856 |  | | WSP organized crime Investigative information | 1973 |
| 43.52.612 |  | | Financial information provided to operating agencies in bid forms and experience provided by a contractor to a joint operating agency regarding bids on constructing a nuclear project | 1982 |
| 43.70.050(2) |  | | Health care related data identifying patients or providers obtained by state agencies | 1989 |
| 43.70.052 |  | | ~~American Indian health data~~ DOH must maintain confidentiality of patient discharge data collected under sub (1) of the section | 1995  2014 c 220 s 2 |
| 43.70.056(2)(e)(ii) |  | | Hospital reports and information on health care-associated infections | 2007 |
| 43.70.075 |  | | Identity of whistleblower who makes a complaint to the Dept. of Health re: improper care | 1995 |
| 43.70.510 |  | | Information and documents created, collected and maintained by a quality assurance committee | 2005 |
| 43.70.695(5) |  | | Healthcare workforce surveys identifying individual providers | 2006 |
| 43.101.400 |  | | Criminal justice training commission records | 2001 |
| 43.190.110 |  | | Complaint and investigation records of long-term care ombudsman | 1983 |
| 43.235.040(1) |  | | Domestic violence fatality review info | 2000 |
| 43.330.062 |  | | Protocols may not require release of information that associate development organization client company has requested remain confidential | 2011 c 286 s 1 |
|  | 43.---.--- | | All matters under investigation by the developmental disabilities ombuds are confidential. No x-ref to chapter 42.56 RCW. | 2016 c 172 s 9 |
| 43.370.050(2) |  | | Individual identification in released health care data for studies and analysis | 2007 |
| Motor Vehicles | 46.12.635 |  | | Names and addresses of motor vehicle or vessel owners except for "business" & other purposes | 1984  2010 c 161 s 1210  2016 c 80 s 2 |
| 46.20.041 |  | | Info on physically or mentally disabled person demonstrating ability to drive | 1965 |
| 46.20.118 |  | | Photos on drivers’ licenses & identicards | 1981 |
| 46.35.030(1)(a) |  | | Information obtained by a court order pursuant to discovery is not subject to public disclosure | 2009 c 485 s 3 |
| 46.52.065 |  | | Blood sample analyses done by state toxicology | 1971 |
| 46.52.080 & 46.52.083 |  | | Most info in police accident reports | 1937 |
| 46.52.120 |  | | Individual motor vehicle driver records | 1937 |
| 46.52.130 |  | | Abstracts of motor vehicle driver records | 1963 c 169 s 65 |
| 46.70.042 |  | | Application for vehicle dealer licenses, for 3 years | 1967 |
| 47.28.075 |  | | Info supplied to DOT to qualify contractors for highway construction | 1981 |
| 47.28.760 |  | | Info supplied to DOT to qualify contractors for ferry construction | 1983 |
| 47.60.760 |  | | Financial info submitted to qualify to submit bid for ferry construction contracts | 1983 |
| Insurance | 48.02.065(1) |  | | information provided in the course of an insurance commissioner examination | 2007 |
| 48.02.120 |  | | Insurance company actuarial formulas, statistics, & assumptions held by Insurance Commissioner | 1985 |
| 48.03.040(6)(a) & 48.03.050 |  | | Examinations & investigations by state Insurance Commissioner | 1937 |
| 48.05.385(2) |  | | Docs and info in support of the statement of actuarial opinion | 2006 |
| 48.05.465 |  | | Insurance risk base capital reports & plans | 1995 |
| 48.05.510(4) |  | | Insurer’s reports to Insurance Commissioner | 1995 |
| 48.13.151 |  | | Information related to investment policies provided to the insurance commissioner is confidential and not a public record | 2011 c 188 s 16 |
| 48.17.595(6) |  | | Information of insurer termination of business relationship with insurance producer or title insurance agent given to insurance commissioner | 2007 |
| 48.19.040(5)(b) |  | | Information in a filing about the usage-based component in determining rates on usage-based insurance is confidential | 2012 c 232 s 1 |
| 48.20.530 |  | | Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents | 1991 |
| 48.21.330 |  | |
| 48.44.470 |  | |
| 48.46.540 |  | |
| 48.30A.060 |  | | Insurance company antifraud plans submitted to Insurance Commissioner | 1995 |
| 48.31.405(1) |  | | Commissioner info relating to supervision of any insurer | 2005 |
|  | 48.31B.015(1)(b) | | Filing by controlling person of insurer seeking to divest its controlling interest is confidential until conclusion of the transaction | 2015 c 122 s 3 |
| 48.31B.015(2)(b) |  | | Source of consideration for loan associated w. acquiring an insurance company | 1993 |
| 48.31C.130 | Repealed | | ~~Health care company proprietary and trade secret info~~ | 2001  2015 c 122 s 21(13) |
| 48.32.110(2) |  | | Request for examination into insurer's financial condition | 1971 |
| 48.37.080 (1) & (3) |  | | Insurance market conduct oversight information | 2007 |
| 48.43.200(4) |  | | Reports of material transactions by certified health plans | 1995 |
| 48.43.335(1) |  | | Insurance risk base capital reports & plans | 1998 |
|  | 48.43.730 | | Provider compensation agreements are confidential | 2013 c 277 s 1 |
| 48.44.470 |  | | Current licensure of nonresident pharmacies through which an insurer provides coverage | 1991 |
| 48.44.530(4) |  | | Reports of material transactions by health care service contractors | 1995 |
| 48.46.540 |  | | Current licensure of nonresident pharmacies through which an insurer provides coverage | 1991 |
| 48.46.600(4) |  | | Reports of material transactions by health maintenance organizations | 1995 |
| 48.62.101(2) |  | | Local govt self-insurance liability reserve funds | 1991 |
| 48.74.025(4) | Sub (4) eliminated | | ~~Memo in support of life insurance co. reserves~~ | 1993  2016 c 142 s 5 |
|  | 48.74.---(6) | | Information obtained in the course of an actuarial examination/investigation; (1) defines “confidential information” for the section | 2016 c 142 s 6 |
|  | 48.74.---(1)(a) | | The opinion and memorandum in support of the opinion submitted to the commissioner under RCW 48.74.025 are confidential and privileged. | 2016 c 142 s 7 |
| 48.94.010 |  | | Summary of Insurance Commissioner’s refusal to issue reinsurance intermediary license | 1993 |
| 48.102.140(5)(a) |  | | Documents and evidence provided regarding life settlement act fraud investigations are confidential and not public records | 2009 c 104 s 17 |
| 48.104.050 (1) |  | | Holocaust insurance company registry records | 1999 |
| 48.110.040 |  | | Financial reports files with the Insurance Commissioner | 2005 |
| 48.130.070 |  | | Records of the Interstate Insurance Product Regulation Compact involving privacy of individuals and insurers trade secrets | 2005 |
| 48.135.060(1) |  | | Insurance fraud investigative and identity info | 2006 |
| Labor Regulations | 49.17.080(1) |  | | Name of employee of company seeking Industrial Safety & Health Act | 1973 |
| 49.17.200 |  | | Trade secrets reported to L&I under Wash. Industrial Safety & Health Act | 1973 |
| 49.17.210 |  | | Identification of employer or employee in L&I studies | 1973 |
| 49.17.250(3) |  | | Info obtained by L&I from employer-requested consultation re. Industrial Safety & Health Act | 1991 |
| 49.17.260 |  | | L&I investigative reports on industrial catastrophes | 1973 |
| 49.60.240 |  | | Option for Human Rights Commission complaints not to be made public | 1993 |
| 49.70.119(6)(a) |  | | Name of employee seeking records of agricultural pesticide applications | 1973 |
| 49.76.040 |  | | Employee’s information regarding domestic violence is confidential | 2008 c 286 s 4 |
| 49.76.090 |  | | Domestic violence leave information in files and records of employees is confidential and not open to public inspection | 2008 c 286 s 10 |
| 49.86.020(4) |  | | Individual information in records of the family leave insurance program | 2007 |
|  | 50.13.015, 50.13.020, 50.13.040, 50.13.050, &.50.13.100 |  | | Most info supplied to Employment Security Dept | 1977 |
|  | 50.13.060(8) |  | | Welfare reform info in WorkFirst program | 2000 |
| Industrial Insurance |  | 51.04.063 | | Information relating to individual claims resolution structural settlement agreements submitted to the board of industrial appeals (cross referenced in RCW 42.56.230(8)) | 2014 c 142 s 2 |
| 51.16.070(2) |  | | Info in employer’s records obtained by L&I under Industrial Insurance | 1957 |
| 51.28.070 |  | | Info in industrial insurance claim files | 1957 |
| 51.36.110(1) |  | | Info in audits of health care providers under Industrial Insurance | 1994 |
| 51.36.120 |  | | Financial or valuable trade info from health care providers, if request | 1989 |
|  | 53.31.050 |  | | Financial & Commercial info & records supplied to port district export trading company | 1986 |
|  |  | 63.29.300(4) | | Material obtained during an examination under chapter 63.29 RCW is confidential and may not be disclosed to any person except as provided in RCW 63.29.380 | 2015 3rd sp.s. c 6 s 2107 |
|  | 63.29.380 |  | | Info relating to unclaimed property that is furnished to the Dept of Revenue | 1983 |
|  | 66.16.090 | Repealed | | ~~Records of purchases by individuals from state liquor stores~~ | 1933  2016 c 182 s 1 |
|  | 68.50.105 |  | | Records of autopsies and post mortems; conditions, limitations on exemption | 1953  2013 c 295 s 1 |
|  | 68.64.109 |  | | Certain information released to tissue or organ procurement organization is confidential | 2008 c 139 s 21 |
| Food, Drugs, Cosmetics, and Poison | 69.41.044 |  | | Pharmaceutical manufacturer info obtained by the Board of Pharmacy Pharmacy; renamed pharmacy quality assurance commission by 2013 c 19; reference fixed by 2016 c 148 | 1989  2016 c 148 s 14 |
| 69.41.280 |  | | Info on legend drugs obtained by the ~~Board of Pharmacy~~ pharmacy quality assurance commission | 1989  2013 c 19 s 62 |
| 69.45.090 |  | | Records and info supplied by drug manufactures to the ~~Board of Pharmacy~~ pharmacy quality assurance commission | 1987  2013 c 19 s 85 |
| 69.51.050 |  | | Names of persons participating in controlled substances therapeutic research programs | 1979 |
|  | 70.02.020, 70.02.050, et. al. |  | | Health care info disclosed to health care provider w/o patients’ permission | 1991 |
|  |  | 70.02.220 through 70.02.260 | | Health care information | 2013 sp.s c 200 ss 6-10 |
|  | 70.05.170 |  | | Medical records re: child mortality review | 1992 |
|  | 70.24.022 |  | | Info gathered by health care workers from interviews re. sexually transmitted diseases | 1988 |
|  | 70.24.024 |  | | Records of hearings on orders related to sexually transmitted diseases | 1988 |
|  | 70.24.034 |  | | Records on hearings on dangerous sexual behavior of sexually transmitted disease carriers | 1988 |
|  | ~~70.24.105~~ | Repealed | | ~~Limitations on disclosure of info on sexually transmitted diseases of inmates~~ | 1988  2013 c 200 s 34 |
|  | 70.28.020 |  | | Tuberculosis records | 1899 |
|  |  | 70.39A.--- | | Personally identifiable information used to develop quarterly expenditure reports for certain long-term care services providers receiving payment for more than 40 hrs/wk | 2016 1st sp.s. c 30 s 3 |
|  | 70.41.150 |  | | Dept of Health info on inspections of hospitals | 1955 |
|  | 70.41.200(3) |  | | Info maintained by a health care services quality improvement committee | 1986 |
|  | 70.41.220 |  | | Hospital records restricting practitioner’s privileges in possession of medical disciplinary board | 1986 |
|  | 70.42.210 |  | | Identity of person from whom specimens of material were taken at a medical test site | 1989 |
|  | 70.47.150 |  | | Records of medical treatment | 1990 |
|  | 70.48.100 |  | | Jail register records | 1977 |
|  | 70.54.250 |  | | Cancer registry program | 1990 |
|  |  | 70.54.--- (1) and (4)  Expires 6/30/2020 | | (1) Information collected or maintained by the maternity mortality review panel or the department of health in support of the panel or department. (4)Meetings may be confidential and conducted in exec session at discretion of panel. X-ref 42.56.360(4) | 2016 c 238 s 1 |
|  | 70.58.055(2) |  | | Info on birth & manner of delivery kept in birth certificate records | 1991 |
|  | 70.77.455 |  | | Fireworks license records | 1995 |
|  | 70.94.205 |  | | Info provided to DOE on processes or if may affect competitive position relating to air quality | 1967 |
|  | 70.95.280 |  | | Proprietary info on solid waste management practices in possession of DOE | 1989 |
|  | 70.95C.040(4) |  | | Proprietary info re. waste reduction in possession of DOE | 1988 |
|  | 70.95C.220(2) |  | | Waste reduction plans | 1990 |
|  | 70.95C.240(1) |  | | Some info in executive summaries of waste reduction efforts | 1990 |
|  | 70.95N.140(4) |  | | Proprietary info in electronic product recycling reports | 2006 |
|  | 70.96A.150 | Repealed | | ~~Records of treatment for alcoholism~~ | 1972  2016 1st sp.s. c 29 s 601 |
|  | 70.104.055 |  | | Reports on pesticide poisoning | 1989 |
|  | 70.105.170 |  | | Manufacturing or business info re: Hazardous waste management in possession of DOE | 1983 |
|  | 70.118.070 |  | | Trade secret info re: On-site sewage disposal in possession of DOE | 1994 |
|  | 70.124.100 |  | | Name of whistleblower in nursing home or state hospital | 1997 |
|  | 70.125.065 |  | | By implication records of community sexual assault program or underserved populations provider | 1981  2012 c 29 s 11 |
|  | 70.127.190 |  | | Hospice records | 1988 |
|  | 70.129.050 |  | | Personal and clinical records of long-term care residents | 1994 |
|  | 70.148.060(1) |  | | ~~Examination & proprietary information and reports~~ Only proprietary reports or information obtained when soliciting bids for cleanup of underground petroleum storage tanks | 1989  2015 c 224 s 5 |
|  | 70.149.090 |  | | Heating oil tank info | 1995 |
|  | 70.158.050 |  | | Tobacco product manufacturers’ information required to comply with chapter 70.58 RCW is confidential and shall not be disclosed | 2003 |
|  | 70.168.070 |  | | Limitations on disclosure of reports made by hospital trauma care on-site review teams | 1990 |
|  | 70.168.090 |  | | Patient records and quality assurance records associated with trauma care facilities | 1990 |
|  | 70.170.090 |  | | Charity care information in hospitals | 1989 |
|  | 70.230.110 |  | | Ambulatory surgical facilities data related to the quality of patient care | 2007 |
|  | 70.230.170 |  | | Information received by dept. of health regarding ambulatory surgical facilities | 2007 |
|  | ~~71.05.385(3)(c)~~ | Repealed | | ~~Mental health information is confidential~~ | 2009 c 320 s 2  2013 c 200 s 34 |
|  | 71.05.390 –71.05.440 | ~~71.05.390, 71.05.420, 71.05.427, & 71.05.440~~ repealed | | ~~Records on persons receiving treatment for mental illness~~ | 1973  2013 c 200 s 34 |
|  |  | 71.05.425 | | Persons receiving notice & the notice of release or transfer for a person committed under RCW 71.05.280(3) or 1.05.320(3)(c) following dismissal of offense under RCW 10.77.086(4) | 2013 c 289 s 6 |
|  | 71.05.620 |  | | Records on mental health treatment | 1989 |
|  | ~~71.05.630~~ | Repealed | | ~~Records on mental health treatment~~ | 1989  2013 c 200 s 34 |
|  | ~~71.05.640~~ | Repealed | | ~~Records on mental health treatment~~ | 1989  2013 c 200 s 34 |
|  | 71.09.140(2) |  | | Names of victims, next of kin, or witnesses who are notified when sexually violent predator escapes, on parole, or released | 1995 |
|  | 71.24.035(5)~~(g)~~(h) | Relettered (5)(h) | | Mental health records confidentiality | 1982  2016 1st sp s. c 29 s 503 |
| 71.34.335 |  | | Minors’ mental health treatment records | 1985 |
| 71.34.340 |  | | Minors’ mental health treatment records | 1985 |
|  | 71.34.350 | Repealed | | ~~Minors’ mental health treatment records~~ | 1985  2013 c 200 s 34 eff. 7/1 214 |
|  | 71A.14.070 |  | | Confidential info re. developmentally disabled persons | 1988 |
|  | 72.05.130(1) |  | | Reports regarding children with behavioral problems | 1951 |
|  | 72.09.116 |  | | Info from correctional industries work program participant or applicant | 2004 |
|  | 72.09.345(4) |  | | Certain info on sex offenders held in custody | 1997  2011 c 338 s 5 |
|  | 72.09.710 |  | | Names of witnesses notified when drug offenders released | 1991  2008 c 231 s 56 (recod) |
|  | 72.09.712 |  | | Names of victims, next of kin, or witnesses who are notified when prisoner escapes, on parole, or released | 1995  2008 c 231 s 56 (recod) |
|  | 74.04.060 & 74.04.062 |  | | Public assistance records | 1941 |
|  | 74.04.520 |  | | Names of recipients of food stamps | 1969 |
|  | 74.09.290(1) |  | | Medical records of persons on public assistance | 1979 |
|  | 74.13.075(5) |  | | A juvenile’s status as a sexually aggressive youth and related information are confidential and not subject to public disclosure by DSHS | 2009 c 250 s 2 |
|  | 74.13.280(2) |  | | Info on child in foster care & child’s family | 1990 |
|  | 74.13.500 – 74.13.525 |  | | Disclosure of child welfare records | 1997 |
|  | 74.13.640 |  | | Child fatality reports are subject to disclosure but confidential information may be redacted | 2011 c 61 s 2 |
|  | 74.13A.045 |  | | Info from adoptive parents of kids receiving public assistance | 1971  2009 c 520 s 95 (recod) |
|  | 74.13A.065 |  | | Adoption support records | 1971  2009 c 520 s 95 (recod) |
|  | 74.18.127(1) |  | | Personal info maintained by the dept. of services for the blind | 2003 |
|  | 74.20.280 |  | | Limited access to information in DSHS registry concerning parents of dependent children | 1963 c 206 s 13 |
|  | 74.20A.360 & 74.20A.370 |  | | Certain records in division of child support | 1997 |
|  |  | 74.34.035(10) | | In an investigation relating to a vulnerable adult, access to records subject to attorney-client privilege not permitted without a court order | 2013 c 263 s 2 |
|  | 74.34.040 |  | | Identify of person making report on abuse of vulnerable adult | 1984 |
|  |  | 74.34.067 | | Secondary disclosure of shared confidential information regarding vulnerable adults is prohibited | 2013 c 263 s 3 |
|  | 74.34.090 |  | | Identity of persons in records of abused vulnerable adults | 1984 |
|  | 74.34.095(1) |  | | Info concerning the abuse of vulnerable adults | 1999 |
|  | 74.34.180(1) |  | | Name of whistleblower reporting abuse of vulnerable adults in various facilities | 1997 |
|  | 74.34.300 |  | | Files, etc. used or developed for vulnerable adult fatality reviews | 2008 c 146 s 10 |
|  | 74.42.080 |  | | Records on nursing home residents | 1979 |
|  | 74.42.640 |  | | Information and documents created, collected and maintained by a quality assurance committee | 2005 |
|  | 74.66.030 |  | | Information furnished pursuant to the Medicaid fraud false claims act is exempt until final disposition and all court ordered seals are lifted | 2012 c 241 s 203 |
|  | 74.66.120 |  | | Documentary material, answers to written interrogatories, or oral testimony provided under a civil investigative demand | 2012 c 241 s 212 |
|  | 78.44.085(5) |  | | Surface mining info | 2006 |
|  | 78.52.260 |  | | Well logs on oil capable of being produced from a “wildcat” well | 1951 |
|  | 78.60.230 |  | | Geothermal records filed w/DNR | 1974 |
|  | 79A.60.210 |  | | Certain boating accident reports provided to the Parks & Recreation Commission are confidential | 1984 |
|  | 79A.60.220 |  | | Certain boating accident reports provided to the Parks & Recreation Commission are confidential | 1984 |
|  | 80.04.095 |  | | Utility records filed with UTC containing valuable commercial information | 1987 |
|  | 81.104.115~~(2)~~(4) | Renumbered sub (4) | | Rail fixed guideway system security and emergency preparedness plan | 1999  2016 c 33 s 8 |
|  | 81.112.180(4) |  | | Rail fixed guideway system security and emergency preparedness plan | 1999 |
|  | 82.32.330(2) |  | | Certain tax return and tax information | At least 1935 |
|  | 82.32.585 |  | | Taxpayer info supplied for survey is not disclosable. Amt of tax deferral is not subject to 82.32.330 confidentiality provisions | 2010 c 114 s 102(4) |
|  |  | 82.32.808 | | Amounts less than $10,000 claimed in a tax preference are confidential; other claims are not confidential if the reporting period is at least 24 months before disclosure unless the department of revenue waives the noncofidentiality | 2013 2nd sp.s. c 13 s 1702 |
|  | ~~82.36.450 (4)~~ | Repealed | | ~~Info from tribes or tribal retailers received by the state under a motor vehicle fuel taxes agreement~~ | 2007  2013 c 225 s 501 |
|  | 82.38.310 (4) |  | | Info from tribes or tribal retailers received by the state under a special fuel taxes agreement | 2007 |
|  | 84.08.210 |  | | Tax info obtained by Dept of Revenue if highly offensive to a reasonable person and not a legitimate concern to public or would result in unfair competitive disadvantage | 1997 |
|  | 84.36.389 |  | | Income data for retired or disabled persons seeking property tax exemptions | 1974 |
|  | 84.40.020 |  | | Confidential income data in property tax listings | 1973 |
|  | 84.40.340 |  | | UTC records containing commercial info a court determines confidential | 1961 |
|  | 90.64.190 |  | | Livestock producer info | 2005 |
|  | 2007 c 522 § 149 (3) (uncodified) |  | | Names and identification data from participants in survey to identify factors preventing the widespread availability and use of broadband technologies | 2007 |

**Related Statutes Formerly on Table 2**

| RCW | Former Description | Description | Date Removed from Table 2 |
| --- | --- | --- | --- |
| Chapter 19.180 RCW | Equitable remedies to preserve secrecy of trade secrets | Does not create an exemption from chapter 42.56 RCW (but exemption is in chapter 42.56 RCW) | July 2016 |
| 70.95.280 | Proprietary info on solid waste management practices in possession of DOE | Requires adoption of guidelines for keeping proprietary information confidential | July 2016 |

**Disposition of RCW Sections on Table 1 but not Table 2**

| RCW Number | Disposition | New RCW Number | Date |
| --- | --- | --- | --- |
| Chapter 42.17 RCW | Recodified | Chapter 42.56 RCW | 2005 c 274 |
| 42.56.360(1)(f) | Text moved | 42.56.360(3) | 2010 c 128 s 3 |
| 9.94A.610(1)(b) formerly 9.94A.154(1)(b) | Recodified | 72.09.710 | 2008 c 231 s 56 |
| 9.94A.612(1)(b) formerly 9.94A.155(2) | Recodified | 72.09.712 | 2008 c 231 s 56 |
| 10.29.030 | Repealed | --- | 2009 c 560 s 24 |
| 10.29.090 | Repealed | --- | 2009 c 560 s 24 |
| 19.10.075 | Recodified | 11.110.075 | 1984 c 149 s 152 |
| 28C.18.020 | Exemption eliminated | --- | 2010 c 128 s 6 |
| 39.10.100(2) | Recodified | 39.10.470 | 207 c 474 s 511 |
| 41.04.364 | Repealed; text moved | 42.56.360(1)~~(i)~~(j) | 2010 c 128 s 5 (rep)  2010 c 128 s 3 (amd 42.56.360) |
| 43.19.1911(8) | Repealed; exemption slightly changed and moved | 39.26.030(2) | 2012 c 224 s 29 (rep)  2012 c 224 s 4 (New 39.26.030) |
| 43.41.350 | Recodified | 43.19.781 | 2011 1st sp. s. c 43 s 535 |
| 46.12.380(1) | Recodified | 46.12.635 | 2010 c 161 s 1210 |
| 47.64.220 | Repealed | --- | 2010 c 283 s 20 |
| 48.102.030 | Repealed | --- | 2009 c 104 s 27 |
| 66.28.180 | Exemption eliminated | --- | 2009 c 506 s 10 |
| 71.34.200 | Recodified | 71.34.340 | 2005 c 371 s 5 |
| 71.34.210 | Recodified | 71.34.335 | 2005 c 371 s 5 |
| 71.34.220 | Recodified | 71.34.350 | 2005 c 371 s 5 |
| 74.13.121 | Recodified | 74.13A.045 | 2009 c 520 s 95 |
| 74.13.133 | Recodified | 74.13A.065 | 2009 c 520 s 95 |
| 76.09.230 | Repealed | --- | 2010 c 210 s 41 |
| 79.76.230 | Recodified | 78.60.230 | 2003 c 334 s 567 |
| 79A.25.150 formerly 43.99.130 | Exemption eliminated | --- | 2010 c 128 s 8 |
| 82.82.020 | Provision eliminated and moved | 83.32.585(4) | 2010 c 114 s 148 |
| 88.12.165 formerly 88.12.140 | Recodified | 79A.60.210 | 1999 c 1601 |
| 88.12.175 formerly 88.12.150 | Recodified | 79A.60.220 | 1999 c 1601 |