

Appendix B

Exemption and Prohibition Statutes Not Listed in Chapter 42.56 RCW

RCW 42.56.070(2):

For informational purposes, each agency shall publish and maintain a current list containing every law, other than those listed in this chapter, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

MRSC will keep updating this list on our web site. If you become aware of additions or corrections that should be made to the list, please notify one of the staff attorneys at MRSC. Some of the exemptions and prohibitions on the list concern public record information that may not be relevant for your jurisdiction. For instance, cities would not normally have records regarding marriage license applications or adoption records.

Washington State Statutes

Citation Records

- RCW 2.64.111 Documents regarding discipline/retirement of judges
- RCW 2.64.113 Confidentiality - violations
- RCW 4.24.550 Information on sex offenders
- RCW 5.60.060 Privileged communications
- RCW 5.60.070 Court-ordered mediation records
- RCW 7.68.140 Victims' compensation claims
- RCW 7.69A.030(4) Child victims and witnesses – protection of identity
- RCW 7.69A.050 Rights of child victims and witnesses – addresses
- RCW 7.75.050 Records of Dispute Resolution Centers
- RCW 9.02.100 Reproductive privacy
- RCW 9A.82.170 Financial institution records – wrongful disclosure
- RCW 9.51.050 Disclosing transaction of grand jury
- RCW 9.51.060 Disclosure of grand jury deposition
- RCW 9.73.090(1)(c) Prohibition regarding specified emergency response personnel

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Citation Records Recordings

- RCW 10.27.090 Grand jury testimony/evidence
- RCW 10.27.160 Grand jury reports – release to public only by judicial order
- RCW 10.29.030 Organized crime special inquiry judge
- RCW 10.29.090 Records of special inquiry judge proceedings
- RCW 10.52.100 Records identifying child victim of sexual assault
- RCW 10.77.210 Records of persons committed for criminal insanity
- RCW 10.97.040 Criminal history information released must include disposition
- RCW 10.97.050 Conviction and criminal history information
- RCW 10.97.060 Deletion of certain criminal history record information, conditions
- RCW 10.97.070 Disclosure of identity of suspect to victim
- RCW 10.97.080 Inspection of criminal record by subject
- RCW 13.32A.090 Crisis residential centers notice to parent about child
- RCW 13.34.115 Court dependency proceedings
- RCW 13.40.217 Juveniles adjudicated of sex offenses – release of information
- RCW 13.50.010 Maintenance of and access to juvenile records

RCW 13.50.050 Juvenile offenders
RCW 13.50.100 Juvenile/children records not relating to offenses
RCW 13.60.020 Missing children information
RCW 13.70.090 Citizen juvenile review board – confidentiality
RCW 18.04.405 Confidentiality of information gained by CPA
RCW 18.19.060 Notification to clients by counselors
RCW 18.19.180 Confidential communications with counselors
RCW 19.215.020 Destruction of personal health and financial information
RCW 19.34.240(3) Private digital signature keys
RCW 19.215.030 Compliance with federal rules

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Citation Records

RCW 26.04.175 Name and address of domestic violence victim in marriage records
RCW 26.12.170 Reports of child abuse/neglect with courts
RCW 26.23.050 Child support orders
RCW 26.23.120 Child support records
RCW 26.26.041 Uniform Parentage Act – protection of participants
RCW 26.26.450 Confidentiality of genetic testing
RCW 26.33.330 Sealed court adoption records
RCW 26.33.340 Agency adoption records
RCW 26.33.343 Access to adoption records by confidential intermediary
RCW 26.33.345 Release of name of court for adoption or relinquishment
RCW 26.33.380 Adoption – identity of birth parents confidential
RCW 26.44.010 Privacy of reports on child abuse and neglect
RCW 26.44.020(19) Unfounded allegations of child abuse or neglect
RCW 26.44.030 Reports of child abuse/neglect
RCW 26.44.125 Right to review and amend abuse finding – confidentiality
RCW 27.53.070 Records identifying the location of archaeological sites
RCW 29A.08.720 Voter registration records – place of registration confidential
RCW 29A.08.710 Voter registration records – certain information exempt

Chapter 40.14 RCW Preservation and destruction of public records

RCW 42.23.070(4) Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7) Identity of local government whistleblower
RCW 42.41.045 Non-disclosure of protected information (whistleblower)
RCW 46.52.080 Traffic accident reports – confidentiality
RCW 46.52.083 Traffic accident reports – available to interested parties
RCW 46.52.120 Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2) Abstract of driving record

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Citation Records

RCW 48.62.101 Local government insurance transactions – access to information
RCW 50.13.060 Access to employment security records by local government agencies
RCW 50.13.100 Disclosure of non-identifiable information or with consent
RCW 51.28.070 Worker’s compensation records
RCW 51.36.060 Physician information on injured workers
RCW 60.70.040 No duty to disclose record of common law lien
RCW 68.50.105 Autopsy reports

RCW 68.50.320 Dental identification records – available to law enforcement agencies
Chapter 70.02 RCW Medical records – access and disclosure – entire chapter (HC providers)
RCW 70.05.170 Child mortality reviews by local health departments
RCW 70.24.022 Public health agency information regarding sexually transmitted disease investigations - confidential
RCW 70.24.024 Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.24.105 HIV/STD records
RCW 70.28.020 Local health department TB records – confidential
RCW 70.48.100 Jail records and booking photos
RCW 70.58.055 Birth certificates – certain information confidential
RCW 70.58.104 Vital records, research confidentiality safeguards
RCW 70.94.205 Washington Clean Air Act – confidentiality of data.
RCW 70.96A.150 Alcohol and drug abuse treatment programs
RCW 70.123.075 Client records of domestic violence programs
RCW 70.125.065 Records of rape crisis centers in discovery
RCW 71.05.390 Information about mental health consumers
RCW 71.05.395 Ch. 70.02 RCW applies to mental health records
RCW 71.05.400 Information to next of kin or representative

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Citation Records

RCW 71.05.425 Notice of release or transfer of committed person after offense dismissal
RCW 71.05.427 Information that can be released
RCW 71.05.430 Statistical data
RCW 71.05.440 Penalties for unauthorized release of information
RCW 71.05.445 Release of mental health information to Dept. of Corrections
RCW 71.05.620 Authorization requirements and access to court records
RCW 71.05.630 Release of mental health treatment records
RCW 71.05.640 Access to treatment records
RCW 71.05.650 Accounting of disclosures
RCW 71.24.035(5)(g) Mental health information system – state, county and regional support networks – confidentiality of client records
RCW 71.34.200 Mental health treatment of minors – records confidential
RCW 71.34.210 Court records for minors related to mental health treatment
RCW 71.34.225 Release of mental health services information
RCW 71A.14.070 Records regarding developmental disability – confidentiality
RCW 72.09.345 Notice to public about sex offenders
RCW 72.09.585(3) Disclosure of inmate records to local agencies – confidentiality
RCW 73.04.030 Veterans discharge papers exemption (see related RCW 42.56.440)
RCW 74.04.060 Applicants and recipients of public assistance
RCW 74.04.520 Food stamp program confidentiality
RCW 74.09.900 Medical assistance
RCW 74.13.121 Financial information of adoptive parents
RCW 74.13.280 Children in out-of-home placements - confidentiality
RCW 74.20.280 Child support enforcement – local agency cooperation, information
RCW 74.34.095 Abuse of vulnerable adults - confidentiality of investigations and reports

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Citation Records

RCW 82.32.330 Disclosure of tax information

RCW 84.36.389 Confidential income data in property tax records held by assessor
RCW 84.40.020 Confidential income data supplied to assessor regarding real property

Selected Federal Confidentiality Statutes and Rules

18 USC § 2721 - 2725 Driver and License Plate Information
20 USC § 1232g Family Education Rights and Privacy Act
23 USC § 409 Evidence of certain accident reports
42 USC 290dd-2 Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii)(I) Limits on Use and Disclosure of Social Security Numbers.
42 USC 654(26) State Plans for Child Support
42 USC 671(a)(8) State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7) State Plans for Medical Assistance
7 CFR 272.1(c) Food Stamp Applicants and Recipients
34 CFR 361.38 State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67) Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307 Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420 Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a(b)(2)(A) Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164 HIPAA Privacy Rule
46 CFR 40.321 USCG regulations regarding confidentiality of drug and alcohol test results done by marine employers