

SENATE BILL REPORT

SB 5477

As Reported By Senate Committee On:
Law & Justice, February 28, 1995

Title: An act relating to the production of family medical history.

Brief Description: Providing a family health history for children upon the dissolution of a marriage.

Sponsors: Senators Spanel, Smith, Haugen, Winsley and Franklin.

Brief History:

Committee Activity: Law & Justice: 1/31/95, 2/28/95 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5477 be substituted therefor, and the substitute bill do pass.

Signed by Senators C. Anderson, Vice Chair; Hargrove, Haugen, Long, McCaslin, Rinehart and Schow.

Staff: Cynthia Runger (786-7717)

Background: In a dissolution of marriage action, legal separation proceeding, proceeding to obtain a declaration of invalidity, or paternity action, the court is not required to instruct the parents to provide a family medical history.

It is believed that knowledge of a child's medical history can facilitate the provision of health care for the child, as well as influence preventive care. There is concern that this is sometimes overlooked by the court or the parties.

Summary of Substitute Bill: In a dissolution of marriage action, legal separation proceeding, proceeding to obtain a declaration of invalidity, or paternity action, the court must require each parent to produce a family medical history so that proper health care can be provided to the child. Additionally, a party may seek to modify a decree at any time to require a parent to provide a family medical history.

The information in the medical report is confidential. The records may only be open to inspection by the parent or guardian of the minor, the child after he or she reaches age 18, or the child after he or she is emancipated.

Substitute Bill Compared to Original Bill: The substitute bill addresses privacy concerns.

Appropriation: None.

Fiscal Note: Requested on January 24, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Knowledge of a child's family medical history may serve useful for the proper health care of a child.

Testimony Against: This bill invades privacy rights of individuals. The information provided by the parents may be abused.

Testified: Bob Hoyden, Michele Dew, WASH Families (pro); Jamara Fiko (pro); Jerry Sheehan, ACLU (con).