
SENATE BILL 5786

State of Washington

66th Legislature

2019 Regular Session

By Senators Brown and Palumbo

1 AN ACT Relating to administrative efficiencies in research in
2 public institutions of higher education; and amending RCW 42.48.010.

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

4 **Sec. 1.** RCW 42.48.010 and 2018 c 58 s 20 are each amended to
5 read as follows:

6 For the purposes of this chapter, the following definitions
7 apply:

8 (1) "Individually identifiable" means that a record contains
9 information which reveals or can likely be associated with the
10 identity of the person or persons to whom the record pertains.

11 (2) "Legally authorized representative" means a person legally
12 authorized to give consent for the disclosure of personal records on
13 behalf of a minor or a legally incompetent adult.

14 (3) "Personal record" means any information obtained or
15 maintained by a state agency which refers to a person and which is
16 declared exempt from public disclosure, confidential, or privileged
17 under state or federal law.

18 (4) "Research" means a planned and systematic sociological,
19 psychological, epidemiological, biomedical, or other scientific
20 investigation carried out by a state agency, by a scientific research
21 professional associated with a bona fide scientific research

1 organization, or by a graduate student currently enrolled in an
2 advanced academic degree curriculum, with an objective to contribute
3 to scientific knowledge, the solution of social and health problems,
4 or the evaluation of public benefit and service programs. This
5 definition excludes methods of record analysis and data collection
6 that are subjective, do not permit replication, and are not designed
7 to yield reliable and valid results.

8 (5) "Research record" means an item or grouping of information
9 obtained for the purpose of research from or about a person or
10 extracted for the purpose of research from a personal record.

11 (6) "State agency" means: (a) The department of social and health
12 services; (b) the department of corrections; (c) ~~((an institution of
13 higher education as defined in RCW 28B.10.016; (d))~~) the department
14 of health; or ~~((e))~~ (d) the department of children, youth, and
15 families.

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