



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.31  
Do **NOT** use for expedited rule making

**Agency:** Health Care Authority (HCA)

**Subject of possible rule making:** WAC 182-61-0005 (new): Records including Health Care Information.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.05.021, RCW 41.05.160, and RCW 70.02.290

**Reasons why rules on this subject may be needed and what they might accomplish:**

RCW 70.02.290 requires HCA to adopt a rule on the subject of records that include health care information. All state or local agencies obtaining patient health care information pursuant to RCW 70.02.050 and 70.02.200 through 70.02.240 that are not health care facilities or providers shall adopt rules establishing their record acquisition, retention, destruction, and security policies that are consistent with this chapter.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rules regulate this subject. 45 CFR part 164 subparts C and E. The Health Care Information Act, chapter 70.02 RCW, does also, and includes the section requiring this rule.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

HCA welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact: George Taylor  
P.O. Box 42700  
Olympia, WA 98504-2700  
Phone: (360) 725-1116  
E-mail: george.taylor@hca.wa.gov

Fax: (360) 586-9727

TTY: 1-800-848-5429

**DATE**  
September 24, 2014

**NAME (TYPE OR PRINT)**  
Kevin M. Sullivan

**SIGNATURE**  
*Kevin M. Sullivan*

**TITLE**  
HCA Rules Coordinator

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FILED

**DATE: September 24, 2014**

**TIME: 10:39 AM**

**WSR 14-20-040**