

HCA is subject to the Public Records Act (chapter 42.56 RCW).

If Submitter wants to protect any Proprietary Information that is included in its application or patient decision aid from disclosure, the information must be clearly identified by Submitter as Proprietary Information. Each page claimed to be exempt from disclosure must be clearly identified by the word "Proprietary" printed on the lower right hand corner of the page.

HCA will maintain the confidentiality of all information marked Proprietary to the extent consistent with the Public Records Act. If a public disclosure request is made to view Submitter's Proprietary Information, HCA will notify Submitter of the request and of the date that the Proprietary Information will be released to the requester unless Submitter obtains a court order from a court of competent jurisdiction enjoining that disclosure. If Submitter fails to obtain the court order enjoining disclosure, HCA will release the Proprietary Information, on the date specified.

HCA's sole responsibility shall be limited to maintaining Submitter's identified Proprietary Information in a secure area and to notify Submitter of any request(s) for disclosure for so long as HCA retains Submitter's information in HCA records. Failure to so label such materials or failure to timely respond after notice of request for public disclosure has been given shall be deemed a waiver by Submitter of any claim that such materials are exempt from disclosure.