

RCW 43.71.075 Navigator not soliciting or negotiating insurance
—Health care information—Protection—Disclosure—Notification. (1) A person or entity functioning as a navigator shall not be considered soliciting or negotiating insurance as stated under chapter 48.17 RCW.

(2) (a) A person or entity functioning as a navigator may only request health care information that is relevant to the specific assessment and recommendation of health plan options. Any health care information received by a navigator may not be disclosed to any third party that is not part of the enrollment process and must be destroyed after enrollment has been completed.

(b) If a person's health care information is received and disclosed to a third party in violation of (a) of this subsection, the navigator must notify the person of the breach. The exchange must develop a policy to establish a reasonable notification period and what information must be included in the notice. This policy and information on the exchange's confidentiality policies must be made available on the exchange's website.

(3) For the purposes of this section:

(a) "Health care information" has the meaning provided in RCW 70.02.010.

(b) "Navigator" means a person or entity certified by the exchange to provide culturally and linguistically appropriate education and assistance and facilitate enrollment in qualified health plans and federal and state health care programs, in a manner consistent with applicable federal law. [2018 c 44 § 7; 2014 c 220 § 3; 2012 c 87 § 25.]

Effective date—2014 c 220: See note following RCW 70.02.290.