

WAC 246-10-405 Protective orders. (1) The presiding officer shall issue a protective order to preserve confidentiality related to health care records or provider-client information as required under state and federal law including, but not limited to, chapter 70.02 RCW; Public Law No. 104-191, 110 Statute 1936 (Health Insurance Portability and Accountability Act (HIPAA)); and 45 C.F.R. Part 164.

(2) The presiding officer may issue additional protective orders at his or her discretion:

(a) To protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense;

(b) To protect examination processes;

(c) To protect the identity of a person supplying information to the department where the person indicates a desire for nondisclosure unless that person testifies or has been called to testify at an adjudicative proceeding; or

(d) To comply with applicable state or federal law.

(3) Parties submitting exhibits for administrative proceedings are required to redact all exhibits in a manner consistent with any protective order issued by the presiding officer. The clerk's office shall not accept documents that are not redacted consistent with the protective order.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-049, § 246-10-405, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 43.70.040. WSR 93-13-005 (Order 369), § 246-10-405, filed 6/3/93, effective 7/4/93.]