

WAC 192-15-540 Consent to release of records or information.

(1) Consent to release of information or records deemed private and confidential under RCW 50.13.100 shall be liberally interpreted so that the department may release information or records to third parties who supply the department with reasonable written or oral assurances of their identity and the department already has a release on file that meets the requirements of subsection (2) of this section.

(2) The release provided by a third party must include:

(a) Specifically identifying information of the data to be disclosed;

(b) Acknowledgment that department information will be accessed to obtain the information;

(c) The specific purpose or purposes for which the information is sought and a statement that information obtained under the release will only be used for that purpose or purposes;

(d) The parties who may receive the information disclosed;

(e) A written or electronic signature by the individual or employer being represented;

(f) A statement that provides the purpose of the release, which shall be limited to:

(i) Providing a service or benefit to the individual signing the release; or

(ii) Carrying out the administration or evaluation of a public program.

(3) In cases where a certain record contains information about more than one individual or employing unit:

(a) All individuals or employing units concerned must give consent before a record may be released or disclosed to other than the individuals or employing units;

(b) Records for individuals or employing units that give consent may be provided if the records for individuals or employing units that do not give consent are redacted; or

(c) The request may be denied if all individuals and employing units do not provide consent and records are not able to be redacted in order to protect the privacy of individuals or employing units that do not give consent.

(4) An attorney who can provide reasonable written assurance that they represent an interested party, as defined by WAC 192-04-040, in a proceeding before the appeal tribunal or commissioner, may have access to confidential information or records that are material to the issues in that proceeding.

[Statutory Authority: RCW 50.12.010, 50.12.040, 50.13.030, and chapter 50.13 RCW. WSR 20-21-070, § 192-15-540, filed 10/16/20, effective 11/16/20.]