

**WAC 246-455-085 Data files—Release of data files and data use agreements.**

(1) The department may create and release data files with patient discharge information as allowed under RCW 43.70.052 and this chapter. The type of information contained in the file, including direct and indirect patient identifiers, determines the category and permitted release of the data file.

(2) The department may aggregate data from patient discharge information, and may release such aggregated data with either direct patient identifiers or indirect patient identifiers, or both, in accordance with RCW 43.70.052 and this chapter.

(3) In order to maintain the confidentiality of patient discharge data, for individual requests for data the department in its discretion may designate any of the patient discharge data collected under RCW 43.70.052 and this chapter as either a direct patient identifier or an indirect patient identifier in addition to the elements already designated by the department in subsection (6) of this section.

(4) The department may distribute a data file with direct patient identifiers only to:

(a) Government agencies after entering into a data use agreement; or

(b) Researchers with approval from the Washington state institutional review board and a signed confidentiality agreement with the department.

(5) The department may distribute a data file that contains indirect patient identifiers only to agencies, researchers, and other persons upon receipt of a signed data use agreement with the department.

(6) Direct and indirect patient identifiers are as follows:

Patient Discharge Data Element	Direct or Indirect Patient Identifier
Patient control number	Direct
Patient medical record number	Direct
Patient first name	Direct
Patient middle initial	Direct
Patient last name	Direct
Patient Social Security number	Direct
Patient address	Direct
Patient city	Indirect
Patient county	Indirect
Patient zip code and four digits	Direct
Patient zip code (five digits only)	Indirect
Patient state	Indirect
Patient country code	Indirect
Patient's date of birth (month, day, year)	Direct
Age in years	Indirect
Sex assigned at birth	Indirect
Race	Indirect
Ethnicity	Indirect
Gender identity	Indirect
Sexual orientation	Indirect
Preferred language	Indirect

Patient Discharge Data Element	Direct or Indirect Patient Identifier
Disability	Indirect
Admission date (month, day, year)	Direct
Admission hour	Indirect
Type of admission	Indirect
Point of origin for admission	Indirect
Patient discharge status	Indirect
Discharge hour	Indirect
Statement covers period (from... through...)	Direct
Type of bill	Indirect
Revenue code	Indirect
Units of service	Indirect
Total charges	Indirect
Payer identification	Indirect
Principal diagnosis code	Indirect
Other diagnosis code	Indirect
External cause of injury code	Indirect
Principal procedure code	Indirect
Other procedure code	Indirect
Admitting diagnosis code	Indirect
Patient's reason for visit ICD code (1-3)	Indirect
Procedure date (month, day, year)	Direct
Present on admission status	Indirect
Service date (month, day, year)	Direct
Insured last name, first name, middle name, suffix	Direct
Patient's relationship to insured (code)	Indirect
Insured ID	Direct
Facility federal tax number	Indirect
National Provider Identifier for provider(s)	Indirect
First and last name of provider(s)	Indirect
Health care provider taxonomy code	Indirect
Health care common procedure coding system	Indirect

(7) In order to comply with 42 U.S.C. Sec. 290dd-2 and 42 C.F.R. Part 2, for any hospitalization that includes substance abuse disorder related diagnosis or procedure codes or any diagnosis related groups or major diagnosis category to the extent collected by the department, the department will remove substance abuse disorder related diagnosis or procedure codes or any diagnosis related groups or major diagnosis category from the direct patient identifier data file.

(8) Information and records related to mental health services will be disclosed consistent with both RCW 43.70.052 and chapter 70.02 RCW.

(9) In order to comply with WAC 246-490-110 protecting the identity of facilities that provide abortions, for any hospitalization

that includes a diagnosis or procedure code indicating an induced termination of pregnancy, the data file with direct patient identifiers will not include patient name, facility ID, provider identifiers, or geographic identifiers less than state.

(10) The department may provide the fewest data elements necessary for the stated purpose of the project.

(11) The department may release an unrestricted public data file that does not contain direct or indirect patient identifiers to anyone. The department may create a public file by:

(a) Removing all data elements designated as indirect in subsection (6) of this section; or

(b) Aggregating or anonymizing data designated as indirect in subsection (6) of this section so that each combination of indirect patient identifiers remaining in the public file must appear at least 10 times; and

(c) Removing all data elements designated as direct in subsection (6) of this section.

[Statutory Authority: 2021 c 162 and RCW 43.70.052. WSR 22-13-187, § 246-455-085, filed 6/22/22, effective 10/1/22. Statutory Authority: RCW 43.70.052, 2014 c 220. WSR 15-19-152, § 246-455-085, filed 9/22/15, effective 10/23/15.]