

POLICY

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Authority: [RCW 51.28.070](#), [WAC 296-14-970](#),
[29 CFR 825.306](#), [45 CFR 164.512](#)

Cancels:

See Also:

POL-U5950.13**ACCESSING WORKERS' COMPENSATION CLAIM INFORMATION**

This policy applies to any person or entity, public or private, requesting access to Western Washington University employee workers' compensation claim information.

Definitions:

Claim – An approved or pending request for benefits, filed with the Washington State Department of Labor and Industries, for a work-related injury or illness.

Claimant – For purposes of this policy a claimant is a university employee with an approved or pending claim.

External Requests – Requests for information from outside of the university that are not from a public employee in the performance of his/her official duties.

Internal Requests – Requests for information from within the university or from a public employee in the performance of his/her official duties.

Work-Related – Occurring or arising while the worker is in the course of employment as defined by [RCW 51.08.013](#) and case law.

1. Claim Information is Confidential

Confidentiality of claim information is maintained in accordance with [RCW 51.28.070](#).

The university is entitled to receive claim information which may be provided to it pursuant to HIPAA rules ([45 CFR 164.512 \(b\) \(1\) \(v\)](#)).

- a) Claim information is exempt from disclosure for requests made pursuant to the Public Records Act ([RCW 42.56](#)).

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The Washington State Department of Labor and Industries (L&I) is the official record keeper of university employee claim files.

No claim information, including verifying that there has or has not been a claim, shall be released to outside employers considering an individual for employment.

2. University May Access Employee Claim Files

The university, as the employer, may access employee claim files at L&I.

University personnel with access to employee claim files are limited to the:

- a. Director of Environmental Health and Safety; and
- b. Workers' compensation manager.

The workers' compensation manager will obtain and keep current authorization for access to the L&I online Claim and Account Center.

3. Director of Environmental Health and Safety (EHS) is University Records Coordinator or Custodian for Employee Claim Information.

The Director of EHS, or duly appointed designee, is responsible for determining access to university employee claim information.

4. External Requests Are Not Granted

The university does not grant external requests for claim access. The workers' compensation manager will refer these requests to L&I.

5. Claimant Requests Are Directed to L&I

The university does not grant claimant requests for claim access. The workers' compensation manager will:

- a. Refer these requests to L&I; and
- b. Provide assistance to claimants in drafting written requests or gaining access to the L&I online Claim and Account Center.

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6. Internal Requests May Be Granted

The university may grant internal requests on a case-by-case basis upon approval by the Director of EHS or duly appointed designee.

Authorization for access will be based on advice given by the university's Assistant Attorney General (AAG).

Exception: The workers' compensation manager may share limited medical information with the Human Resources disability/medical leave program without AAG authorization.

The workers' compensation manager is responsible for redacting all unnecessary information from that provided in all cases involving internal requests for information. The scope of redaction is determined by the nature of the request with guidance from [29 CFR 825.306](#) and/or the AAG office.