

Coding Sheet
(9-27-18)

Code	Statutory Exemption	Description	Explanation
[1a]	RCW 5.60.060(2) RCW 42.56.070(1)	Attorney-Client Privilege	Communication from a client to an attorney for the purpose of obtaining legal advice.
[1b]	RCW 5.60.060(2)(a) RCW 42.56.070(1)	Attorney-Client Privilege	Communication from an attorney to a client for the purpose of providing legal advice.
[1c]	RCW 4.60.060(2)(a) RCW 42.56.070(1)	Attorney-Client Privilege	Communication between an attorney and their client regarding litigation.
[1d]	RCW 4.60.060(2)(a) RCW 42.56.070(1)	Attorney-Client Privilege	Communication between attorneys that reflect attorney-client communications regarding advice.
[1e]	RCW 4.60.060(2)(a) RCW 42.56.070(1)	Attorney-Client Privilege	Communication between members of the client agency for the purpose of gathering information to obtain legal advice or to convey attorney-client communications.
[2a]	RCW 42.56.290	Attorney Work Product Privilege	Drafts, notes, memoranda, or research reflecting the opinions or mental impressions of an attorney or attorney's agent; prepared, collected, or assembled in litigation or in anticipation of litigation.
[2b]	RCW 42.56.290	Attorney Work Product Privilege	Notes, memoranda, statements, or records that reveal factual or investigative information prepared, collected or assembled in litigation or in anticipation of litigation.
[2c]	RCW 42.56.290	Attorney Work Product Privilege	Communication between an attorney and a client that reveals the opinions or mental impressions of the attorney, or information prepared, collected or assembled in litigation or in anticipation of litigation.
[2d]	RCW 42.56.290	Attorney Work Product Privilege	Communication between attorneys that reveal the opinions or mental impressions of the attorney, or information prepared, collected or assembled in litigation or in anticipation of litigation.
[2e]	RCW 42.56.290	Attorney Work Product Privilege	Communication between attorneys who have a common interest or a joint defense agreement that reveals opinions or mental impressions of the attorney, or information prepared, collected, or assembled in litigation or in anticipation of litigation.
[2f]	RCW 7.07 RCW 42.56.290 RCW 42.56.070(1)	Attorney Work Product Privilege	RCW 7.07.030 provides confidentiality relating to mediations. RCW 42.56.290 provides for an exemption from disclosure things that are not discoverable when an agency is a party to a controversy.
[3a]	RCW 42.53.280	Deliberative Process	Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended.
[4a]	RCW 42.56.230(5)	Financial Information	Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information as defined in RCW 9.35.005 including social security numbers.
[4b]	RCW 42.56.230(7)	Personally Identifiable Information	Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicaid.
(4c)	RCW 42.56.050	Public Employee – Personal Information in Personnel Files	Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy (information regarding misconduct is not exempt).

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(4d)	RCW 68.50.105(1) RCW 42.56.510	Autopsy Reports/Postmortems	Reports and records of autopsies or postmortems shall be confidential, except that the following persons may examine and obtain copies of any such report or record: The personal representative of the decedent as defined in RCW 11.02.005, any family member, the attending physician or advanced registered nurse practitioners, the prosecuting attorney or law enforcement agencies having jurisdiction, public health officials, the department of labor and industries in case in which it has an interest under RCW 68.50.103, or the secretary of the department of social and health services or his or her designees in cases being reviewed under RCW 74.13.640.
(5a)	RCW 42.56.230(5) RCW 9.35.005	Financial Information	Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, social security numbers, bank or other financial information identified in RCW 9.35.005. Information in RCW 9.35.005 is information identifiable to an individual that concerns the amount of conditions of an individual's assets, liabilities or credit: account numbers and balances; transactional information concerning an account; codes, passwords, social security numbers, tax identification numbers, driver's license or permit numbers, state indenticard numbers issued by the Department of Licensing, and other information held for the purpose of account access or transaction initiation.
(5f)	RCW 42.56.230(3)	Employee Performance Evaluation	Routine employee performance evaluation with no discussion of specific instances of misconduct.
(6h)	RCW 42.56.070(1)	Health Care Information – Medical Records	Any health care record obtained from a health care provider utilized to determine compliance with state or federal licensure, certification or registration rules or laws, or to investigate unprofessional conduct or ability to practice with reasonable skills and safety shall be exempt from public inspection and copying pursuant to chapter 18.130 RCW and 42.56 RCW.
[12a]	RCW 42.56.420(5)	Security – Computer and Telecommunications Networks	Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities.

- 9/27/18 – Documents prior to October 2018 that contain Autopsy Reports/Postmortems (RCW 68.50.105(1) and RCW 42.56.510) information could be marked as code (4c) or (4d) due a change in coding structure.
- 3/6/18 – Per Sally Brown, AAG, regarding Date of Birth disclosure – Because dates of birth are considered personally identifiable information, the commission should err on the side of exempting such date from disclosure.
- 5/21/18 - Per Sally Brown, AAG, regarding Toxicology information that has been provided in a police report. The PRA would not expect the agency to redact that information.
- 5/22/18 – Per Brett Shearer, AAG, regarding Vehicle license plates - Vehicle licenses are exempt under 42.56.230(7)(c) and probably under RCW 42.56.050 as well. It's not a blanket exemption for all instances involving license plates, but the PRA exempts situations where vehicle license records provide individually identifiable information. I cannot think of a practical situation where a personal license plate number would be on a document and not include personally identifiable information.
- 5/22/18 – Per Brett Shearer, AAG, regarding EIN numbers - The PRA exempts EINs under 42.56.230(4), 42.56.230(5), 42.56.210, and, maybe, 42.56.050. An EIN is taxpayer information and considered private. The IRS and DOL both warn about potential complications if an EIN is lost/misplaced/stolen. In practice, an EIN should generally be treated the same as a social security number.
- 11/10/16 – Per Julian Beattie, AAG, regarding Suicide Notes – Suicide notes are exempt under the same law as Coroner Reports, i.e., RCW 68.50.105(1) RCW 42.56.510 (see 4d above).

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