



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
*PO Box 47890 | Olympia, Washington 98504-7890*  
*360-236-4030 | 711 Washington State Relay*

February 24, 2026

**Re: Informative— Attorney General's Office Reporting Proviso**

Greetings Honorable Tribal Leaders, Partners, and Professionals:

In accordance with chapter [43.376 RCW](#), [the Washington State Centennial Accord of 1989](#), and [DOH Consultation and Collaboration Procedure](#), we are providing information on a proviso in the 2025-2027 biennial budget that requires the Department of Health (WA-DOH) to promptly notify the Attorney General's Office (AGO) whenever we receive a non-routine request for information from or on behalf of a federal agency or a federal, state, or local law enforcement agency pertaining to the following:

- Health care information, as defined in RCW 70.02.010
- Program eligibility information for individuals
- A health care provider's or facility's delivery of services to noncitizens
- A health care provider's or facility's delivery of gender-affirming treatment
- A health care provider's or facility's delivery of reproductive health care services

This requirement also applies to WA-DOH contractors, who must report the request to DOH within 5 business days of receiving the request. WA-DOH must report to the AGO any requests received by the department or its contractors within 5 business days of receiving a direct request or notification from a contractor. Please see the attached one pager for more details.

We are currently finalizing an internal agency policy to implement this new requirement. The new policy pertains only to reporting applicable requests to the AGO and does not specify how to respond to such requests. DOH staff are directed to follow pre-existing policies related to information sharing and to seek legal advice from the AGO if necessary.

For additional information, please contact Todd Mountin, Deputy Chief of Policy, Executive Office of Government & Community Affairs, at [todd.mountin@doh.wa.gov](mailto:todd.mountin@doh.wa.gov) or 360-764-0843 or Candice Wilson, Executive Director, Office of Tribal Public Health and Relations (OTPHR), at [candice.wilson@doh.wa.gov](mailto:candice.wilson@doh.wa.gov) or 360-819-7626.

Respectfully,

Kristin Peterson, JD

Chief of Policy

Executive Office of Government & Community Affairs

cc: Dennis E. Worsham, Secretary of Health, WA-DOH  
Jessica Todorovich, Chief of Staff, Office of the Secretary, WA-DOH  
Candice Wilson–Quatz'tenaut (Lummi), Executive Director, OTPHR, WA-DOH  
Callie Sechrist, Director, Office of Enterprise Risk Management, WA-DOH  
Michelle Campbell, Chief Data Officer, Office of Innovation & Technology, WA-DOH

# AGO Reporting Proviso

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## Background

A proviso in the 2025-2027 biennial budget requires the Department of Health (DOH) to promptly notify the Attorney General's Office (AGO) whenever the department receives a non-routine request for information from or on behalf of a federal agency or a federal, state, or local law enforcement authority pertaining to the following:

- Health care information, as defined in [RCW 70.02.010](#)
- Program eligibility information for individuals
- A health care provider's or facility's delivery of services to noncitizens
- A health care provider's or facility's delivery of gender-affirming services
- A health care provider's or facility's delivery of reproductive health care services

This requirement also applies to DOH contractors, who must report the request to DOH within 5 business days of receiving the request. DOH must report to the AGO any requests received by the department or its contractors within 5 business days of receiving a direct request or notification from a contractor.

**Non-routine request:** any request from or on behalf of a federal agency or a federal, state, or local law enforcement authority. Non-routine requests include surveys, requests for disclosure, subpoenas, search warrants and other mechanisms for obtaining data or information.

**Routine request:** requests that involve regular data requests or collection, typically as part of the standard processes for administering a particular program.

## Implementation

The Executive Office of Government and Community Affairs (OGCA) is currently working to develop an internal agency policy and procedure to implement the requirements in this proviso. That work includes determining internal points of contact for staff who receive non-routine requests, identifying programs and individuals within DOH who have access to relevant information and may therefore receive a non-routine request, and defining terminology, such as "program eligibility information for individuals," to support staff understanding of this requirement.

A large component of this work includes identifying relevant existing contracts held by DOH, including data sharing agreements. Contractors must either be notified of the new requirement or have their contracts amended to formally include this requirement. OGCA is also working with the Office of Financial Services to determine the best point of contact within the agency for contractors to notify upon receipt of a non-routine request for information.

# Interim Procedure

The proviso requirements went into effect in July 2025. Until the department finalizes its policy and procedure for this work, department staff should immediately report any non-routine requests for the information types outlined to [Callie Sechrist](#) (Director of Enterprise Risk Management, CFRA) or [Anna Kelsey](#) (Lead Policy Advisor, OGCA).

## Proviso Language

This proviso is found in [Engrossed Substitute Senate Bill 5167 \(2025\)](#), Section 221(10):

(10) The department shall promptly notify the office of the attorney general upon the receipt of a request from or on behalf of a federal agency or a federal, state, or local law enforcement authority for health care information, as defined in [RCW 70.02.010](#), program eligibility information for individuals, information that may identify a health care provider's or facility's delivery of health care services to noncitizens, or the delivery of protected health care services as defined in [RCW 7.115.010](#) where the request may impact expenditures for such services. The department shall require contracted entities to notify the department promptly upon receipt of a request from a federal agency or law enforcement authority as described in this subsection.

## Contact

For additional information, please contact Anna Kelsey, Lead Policy Advisor, [anna.kelsey@doh.wa.gov](mailto:anna.kelsey@doh.wa.gov).

To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email [doh.information@doh.wa.gov](mailto:doh.information@doh.wa.gov).