



**Minutes of the State Board of Health  
October 14, 2009**

**Cherberg Building, SHR 3, Capitol Campus, 304 15th Ave SW, Olympia, WA 98501**

**SBOH members present:**

The Honorable John Austin, PhD  
Maxine Hayes (in the morning)  
Keith Higman, MPH, Chair  
Frankie T. Manning, MN, RN  
Patricia Ortiz, MD

Mel Tonasket  
Karen VanDusen  
Bill White (in the afternoon)  
The Honorable Donna Wright  
Diana T. Yu, MD, MSPH

**State Board of Health Staff present:**

Craig McLaughlin, Executive Director  
Desiree Robinson, Executive Assistant  
Heather Boe, Communications Consultant

Ned Therien, Health Policy Analyst  
Tara Wolff, Health Policy Analyst  
Melissa Burke-Cain, Assistant Attorney General

**Guests and Other Participants:**

Janna Bardi, Department of Health  
Steve Baruchowitz, Department of Health  
Garner Churchill, Citizen  
Ann Clifton, Mercury Awareness Team  
Michelle Davis, Department of Health  
Dennis Dennis, Department of Health  
Christy Diamond, Uninformed Consent  
Mamdouh El-Aarag, Department of Health  
John Erickson, Department of Health  
David Freels,  
Thom Gessford, Frank & Martin Co.  
Tony Gillingham, Premier Plastics  
Maryanne Guichard, Department of Health  
Suzanne Hidde, Department of Health

Jay Kolman, Infiltrator Systems, Inc.  
David Lenning, Citizen  
Brown McDonald, Department of Health  
Melissa McEachron, Department of Health  
Tracy Mikesell, Department of Health  
Dan Millington, Willamette Gray Store  
John Peppert, Department of Health  
Bat-Sheva Stein, Department of Health  
Jay Shincke, Sound Placement Services  
Mark Soltman, Department of Health  
Christy Spice, Department of Health  
Carl Thompson, Infiltrator Systems, Inc.  
Tami Thompson, Department of Health  
Jim Wolfe, Evergreen Pre-cast

Keith Higman, SBOH Chair, called the public meeting to order at 9:05 a.m. and read from a prepared statement (on file).

**1. APPROVAL OF AGENDA**

*Motion: Approve October 14, 2009 agenda*

*Motion/Second: Ortiz/Austin. Approved unanimously*

**2. ADOPTION OF AUGUST 12, 2009 MEETING MINUTES**

*Motion: Approve the August 12, 2009 minutes*

*Motion/Second: Tonasket/Wright. Approved unanimously*

### 3. SBOH ANNOUNCEMENTS AND OTHER BOARD BUSINESS

Craig McLaughlin, SBOH Executive Director, announced that Keith Higman has been appointed by the Governor as the Board's new Chair through the end of his current term. He also noted that Dr. Patricia Ortiz has been reappointed to the Board for another three-year term. The consumer position is still vacant and the Governor's Office is still accepting applications.

Mr. McLaughlin reported to the Board that the *Research Review: School-based Health Interventions and Academic Achievement* report will be co-released next week by the Department of Health (DOH), the Office of Superintendent of Public Instruction (OSPI), and the Board. Staff, will provide Board members with a link to the report when it is released.

Mr. McLaughlin discussed the progress of federal health reform legislation. He reported that the Board's letter to county commissioners about supporting public health seems to have been helpful. Mr. McLaughlin pointed out the October 8, 2009 memo from Governor Gregoire to state employees about state revenue forecasts (behind Tab 3). Another \$1 to \$1.25 billion dollars will need to be saved in the state's biennial budget. He reported on the status of rule making and conferences staff have attended or will be attending. He also noted that the Governor has awarded the Warren Featherstone Reid Award to Joyce Jackson of the Northwest Kidney Center and Community Health Care of Tacoma.

Mr. McLaughlin gave an overview of a September report from the Governor's Natural Resources Subcabinet about possible options for reorganizing state natural resources and environmental protection agencies, or otherwise improving collaboration. He said that some of the ideas include moving certain environmental health programs from DOH to one or more other agencies. He asked whether the Board wished to provide input. The deadline for comments is October 28. Karen VanDusen, SBOH Member, commented that she has concerns about a philosophical shift of environmental health programs to an agency tasked with protection of the environment. Diana Yu, SBOH Member, commented that she thinks it is important for environmental health programs to remain in public health agencies, especially local programs. Frankie Manning, SBOH Member, also expressed concern about moving health programs into an agency without a health focus. Dr. Maxine Hayes, State Health Officer, commented that she just returned from a meeting of the Institute of Medicine where water quality issues were discussed and related to health. Chair Higman noted that Karen VanDusen has replaced him as chair of the Board's Environmental Health Committee, but he will remain on the committee. He said he sees a need for better coordination between various agencies, rather than transferring authorities. Mel Tonasket, SBOH member, commented that he would hope that tribal representatives be at the table for discussions about proposals, especially regarding water issues. Chair Higman directed staff to work with the Board's Environmental Health Committee to prepare a letter to the Governor. In response to a request from Patricia Ortiz, SBOH Member, Mr. McLaughlin said staff would e-mail members an index for portions of the report likely to be of most interest to the Board.

### 4. DEPARTMENT OF HEALTH UPDATE

Dr. Hayes gave the DOH update. She reported that Washington this year has seen the highest number of cases (28 confirmed cases) of West Nile virus infection in people so far. She said Secretary Selecky temporarily suspended the requirement that vaccines for children under three and pregnant women be free from the thimerosal mercury preservative for H1N1 vaccines. This was done to provide more options if H1N1 vaccines are scarce. She said that this decision has drawn criticism. She stated that prudence indicates that thimerosal free vaccines should be the first choice,

but that vaccines with the preservative should also be available to physicians in a shortage situation when the patient has consented.

Dr. Hayes mentioned that Washington received federal stimulus money to purchase childhood vaccines and help increase vaccination rates. Some grant money will be used to help local health jurisdictions bill services provided for immunizations and some will be used to build and improve an electronic reporting system for school immunizations. She commented that the state is behind the national average immunization rate for teens, except for Human Papillomavirus (HPV). She reported that the 2008 behavioral risk survey determined that the adult smoking rate in Washington is at an all time low and is one of the lowest in the country. She said that youth smoking rates are also down.

## **5. BRIEFING ON H1N1 INFLUENZA AND RELATED PUBLIC HEALTH PREPAREDNESS ACTIVITIES**

Dr. Hayes handed out materials available from DOH to educate the public about H1N1 flu. She said 90% of flu cases occurring now are caused by H1N1. Sixteen people have died of it in Washington. She encouraged sharing information to increase public education and confidence about protection from H1N1. She said there is still a lot of public anxiety about the safety of flu vaccine. She mentioned that seasonal flu vaccine is in short supply this year.

She introduced John Erickson, Special Assistant to the Secretary for Emergency Response and Preparedness at DOH, who reported on H1N1 response activities. Mr. Erickson reviewed the history of public health preparedness work since 2001. When H1N1 flu hit in April 2009, the earlier planning efforts proved worthwhile. He mentioned several examples, highlighting an effective public health response to H1N1 such as recent DOH communication with OSPI and local school administrators, and the work of the Public Health Response Assessment Teams.

Dr. Yu commented on local health agency efforts to fight H1N1. Despite having undergone huge staff reductions, local public health is responding to H1N1 effectively, she said. She said that the Thurston County Health Department has lost the capacity to be able to run flu clinics and must rely on community resources. Health providers look to public health officials for guidance. She commented that the H1N1 vaccines are safe and noted that pregnant women are particularly susceptible to H1N1. She advised them to get vaccinated even if the only vaccine available contains thimerosal. She explained that the risks H1N1 pose are much higher than any risks people might think are associated with the vaccine. She reminded Board members that we are just six months into this pandemic and that younger people have no immunity. Unless preventive steps are taken, there will be deaths. Dr. Yu noted that local physicians are helping educate the community, vaccines are being delivered, and eventually there should be enough supply for everyone. Dr. Hayes said the H1N1 vaccine is being released in batches and DOH is developing a Web site where consumers can find out where vaccines are available, but the best source of such information is the local health departments. Dr. Hayes and Dr. Yu stated that the priority target groups for H1N1 immunization are first responders, health care workers, pregnant women, children up to 24 years of age. They also reminded people to cover their cough and stay home when ill.

*The Board took a break at 10:33 a.m. and reconvened at 10:45 a.m.*

## **6. BOARD MEMBER COMMENTS AND CONCERNS**

John Austin, SBOH Member, described a conversation with a restaurant employee concerned about the safety of flu vaccines. He suggested it might be good to have high profile celebrities do public

service announcements. Dr. Hayes responded that research indicates the most important and accepted source of advice about vaccines is a person's own health care provider. Member Austin said he has a concern for the many members of the population who have no regular physician. Chair Higman commented that the media seems to provide a mixed message. He said that Island County Public Health Department has decided to support community clinics for flu vaccinations for those who do not have regular access to health care. Member Manning suggested developing new ways to get the message out about flu vaccinations, such as having a shot clinic at Seahawks games. She said the H1N1 crisis is an example of why public health needs continual support. Dr. Yu reported on attending an immunization congress about universal vaccine purchase. Donna Wright, SBOH Member, said Snohomish County was mobilizing its emergency management agency to help provide vaccine clinics. She said that tribes are also involved in the effort. Member VanDusen, congratulated DOH on its 20<sup>th</sup> anniversary and the excellent leadership it has provided in public health for those years. She noted the emergency for people living along Hwy 410 who are isolated by a landslide and suggested asking Yakima County to report on its emergency response at a future meeting. She also noted that Member Manning recently received a lifetime achievement award.

#### **7. WAC 246-105-040, UPDATE ON REQUIREMENTS BASED ON NATIONAL IMMUNIZATION GUIDELINES**

Dr. Yu, introduced Tara Wolff, Board Staff, who explained the need to update the Board's immunization rule to reference the 2009 version of the Advisory Committee on Immunization Practice Recommended Childhood and Adolescent Immunization Schedule. Ms. Wolff indicated that expedited rule making could be used and explained the process. If there are no objections within 45 days of publication, staff can file a CR-103, but if someone objects staff will need to file a CR-102 and the Board would need to hold a public hearing before filing the CR-103. She indicated that this contingency is reflected in the motion before the Board. She introduced Janna Bardi, Department of Health, who explained that the update being proposed was technical in nature and would merely change the reference from the 2008 schedule to the 2009 schedule in the rule. Member Austin asked whether parents could opt out from the vaccinations. Ms. Bardi replied that parents can opt out by claiming a philosophical, religious, or medical exemption.

***Motion:** As long as no objections are received by the Department of Health or the State Board of Health during the public comment period, the Board approves the amendments to revise WAC 246-105-040 as published in WSR 09-18-124 and asks that a CR-103 be filed to adopt the amendments.*

***Motion/Second:** Yu/Manning. Approved unanimously*

#### **8. WAC 246-100-202(1)(e), OPHTHALMIC AGENTS FOR NEWBORNS, RECONSIDERATION OF FINAL RULE LANGUAGE IN RESPONSE TO NATIONAL ERYTHROMYCIN SHORTAGE**

Dr. Ortiz introduced this agenda item. She reminded Board members that this rule involves instilling agents in newborns eyes to prevent potentially serious complications. She explained that there is a national shortage of the agents cited in proposed rule language so there is a need to revisit the rule language adopted in July. She also called members' attention to a typo in paragraph three of the memo, which should have said "CR-103" rather than "CR-102." Ms. Wolff explained that there were two proposed motions for the Board to consider. She also pointed out that there was a language redundancy in OTS 2335.2 (in tab 8). Bat-Sheva Stein, Department of Health, discussed the national shortage of erythromycin ophthalmic ointment and called Board members' attention to CDC guidance in Tab 8. DOH proposes that the Board's rule be amended to have health care providers follow CDC guidance when a national shortage of ophthalmic agents is declared by the FDA, she said. Member VanDusen asked whether the state experts agree with CDC guidance on the

shortage of erythromycin ointment, even though some products seem to have problems. Ms. Stein and Dr. Hayes responded that DOH does not have the expertise and capacity to evaluate the recommendations from CDC and, therefore, accepted those recommendations. Member VanDusen questioned use of “shall” versus “will” in the last sentence of the proposed rule language. Melissa Burke-Cain, Legal Counsel to SBOH, replied that the two words are interchangeable in the context used in the sentence.

No one had signed up to give public testimony about the rule change.

***Motion 1:*** *The Board rescinds its July 8, 2009 adoption of revised WAC 246-100-202(1)(e) as published in WSR 09-11-110.*

***Motion/Second:*** *Austin/VanDusen. Approved unanimously*

***Motion 2:*** *The Board adopts revised WAC 246-100-202(1)(e) as published in WSR 09-11-110 with the amendatory language reflected in OTS-2335.2 and to include in line 7 of paragraph (1)(e) deletion of the words “Health care providers shall..”*

***Motion/Second:*** *Ortiz/Manning. Approved unanimously*

## **9. CHAPTER 246-100 WAC, BRIEFING ON PROPOSED HIV COUNSELING, TESTING AND PARTNER SERVICES**

Dr. Ortiz, explained that this item had come before the Board before. She said that the goal of these proposed rule revisions would be to make it easier for people in the general public to be tested and therefore to receive adequate treatment for HIV. Ms. Wolff, pointed out the supportive materials in the Board’s packet under Tab 9 and complemented the Department of Health on its comprehensive stakeholder work. John Peppert, Department of Health, spoke to the presentation included under Tab 9. Member Manning asked how DOH reached out to Latino and African-American communities during its stakeholder process. Mr. Peppert responded that DOH used its existing network of AIDS service organizations and the Governor’s Advisory Council on HIV/AIDS to help reach these communities. Chair Higman asked when this rule revision would go to hearing. Ms. Wolff responded that the hearing is scheduled for November 4 in SeaTac. Member VanDusen asked if DOH is hearing concerns about the rule proposal. Mr. Peppert responded that he has not been hearing significant opposition, as long as confidentiality is respected. Dr. Hayes commented that DOH had an excellent record regarding confidentiality. Chair Higman complemented Mr. Peppert on the clarity and organization of his presentation and the good work of the program he heads up.

## **10. WAC 246-491-039, BRIEFING ON PROPOSED CHANGES TO BIRTH CERTIFICATE INFORMATION REQUESTS**

Dr. Ortiz explained that these proposed revisions to the rule change the way birth certificate information is used. Ms. Wolff said Substitute House Bill 1510 (2009) allows an individual the right to request information about himself (or herself) contained in the confidential section of his (or her) birth certificate. The legislation further specifies that the identity of the individual who is the subject of the birth certificate should be confirmed in a manner approved by the Board. She explained that the Board would also need to identify the items in the confidential section of the birth certificate that pertain only to the individual. On August 20, 2009, the Board filed a CR-101 to open the rule in response to the legislation. Dr. Ortiz introduced Christie Spice, Department of Health, who briefed the Board further on the bill and the need for rule making (presentation under Tab 10). Dr. Yu asked if a person could find out from the birth certificate’s confidential section whether he/she might have been exposed to alcohol or drugs from the birth

mother. She suggested that it is unclear whether such information should be kept confidential or is part of the medical history of the person. Ms. Spice responded that the law appears to require that confidential parent information not be made available. What should remain confidential will be a major part of consideration for the Board and discussion during rule proposal development. Dr. Yu asked about the intent of this legislation. Mr. McLaughlin said we often do not have this information and need to rely on the literal language of the rule. Member Tonasket asked what kind of input was being received from stakeholders and who could get information as a researcher. Ms. Spice responded that the stakeholder work was just beginning. She also responded that researchers could only get aggregate information from the confidential portion of the birth certificate. She said the purpose of the legislation is to make some information available to a person from his/her own birth certificate that previously required a court order to obtain. Member VanDusen asked about data collected on the abnormal conditions of a newborn. Ms. Spice said there are seven such conditions but that the list does not include fetal alcohol syndrome. Member VanDusen suggested that there seems to be a conundrum about how a person documents identity to obtain a birth certificate because a birth certificate is often the primary basis of determining identity. She suggested talking to law enforcement about the best way to confirm identity. Dr. Hayes asked what other states rules were like for this issue. Ms. Spice reported that DOH checked with other states, and five of the 33 states that responded indicated they had similar provisions. Dr. Ortiz asked about the history of how information was originally included in the confidential section. She wondered why the law would only allow child-specific information to be made available. Ms. Spice indicated that one explanation might be that when children are adopted, the public portion of the record is changed to reflect the adoptive parent's information. However, the confidential section still contains the birth parent information and provision of this information to an adopted child may violate adoption law. Dr. Ortiz and Member Manning asked more questions about the intent of the legislation. Mr. McLaughlin said staff would research the legislative process and report back to the Board. Dr. Yu clarified that it was possible to have all of the confidential information in the birth certificate through a court order. She said she would also like to have the Board receive the list of abnormal conditions and congenital anomalies of the newborn contained in the confidential section of the birth certificates.

*The Board recessed for lunch at 12:00 a.m. and reconvened at 1:30p.m.*

## **11. CHAPTER 246-272C WAC, HEARING ON SEWAGE TANK DESIGN RULES**

Member VanDusen introduced this agenda item. She explained that these proposed sewage tank rules would add a new chapter to go along with two other chapters of on-site sewage rules. She said that existing rules contain a requirement that DOH approve sewage tank construction. DOH has guidelines for construction of sewage tanks. This new chapter would further develop the technical standards for tanks and would be more enforceable than guidelines. She said Washington would be the first state to have such standards in rule. Ned Therien, Board Staff, pointed out the supporting documents behind Tab 11 of the Board's packet, including a presentation from Maryanne Guichard, Department of Health. Ms. Guichard explained the rule proposal. She also introduced members of her staff Mamdouh El-Aarag, engineer, and Melissa McEachron, rule development lead. She described the stakeholder process and noted that based on comments received, DOH took out its earlier proposal to require tank watertightness testing in the field. She said DOH decided that watertightness testing is an issue better considered for inclusion in chapter 246-272A WAC and chapter 246-272B WAC regarding installation of on-site systems.

After Ms. Guichard's presentation, Member VanDusen stated that the Board's EH Committee has recommendations for some amendments to the text of the rule proposal to improve clarity. She said several of the changes were to clarify that the Board was not mandating that DOH charge fees, because charging fees is dependent on authority provided by the Legislature to DOH. She said, however, it was appropriate to reference any applicable fees if charged. She said the EH Committee recommended the following changes to the rule text:

- 246-272C-0120(3)(c) amend to read "Bill the applicant for any applicable fees; and"
- 246-272C-0120(3)(d) amend to read "Upon receipt of payment of any required fees..."
- 246-272C-0130(5)(e) amend to read "Pay any applicable fees"
- 246-272C-0130(5)(f) delete subsection and move "and" from end of -130(5)(e) to end of -130(5)(d)
- 246-272C-0210(6) delete introductory phrase for second sentence "To ensure the entire on-site sewage system is watertight," because the drainfield part of the system is not supposed to be watertight
- 246-272C-0220(1)(a) amend to read "The capacity of the first compartment must accommodate at least one half..."
- 246-272C-0220(1)(b) amend to read "The capacity of the second compartment must accommodate the remaining..."
- 246-272C-0520(2)(c) amend to read "Denial, suspension, modification, or revocation of approvals or tank registrations"

Member Tonasket noted there was another reference to fees in the rule text that may need changing to be consistent. Mr. McLaughlin suggested some language. Member VanDusen said she agreed with both of their comments and recommended the following additional change in the proposed rule text:

- 246-272C-0140(3)(c) amend to read "Any required fee payments, which may include a late fee"

Deputy Secretary Bill White asked for clarification on Member VanDusen's motion to amend the rule proposal. Mr. McLaughlin clarified that approving the motion would mean the Board would be taking testimony on the amended rule proposal.

***Motion:** The Board amends the proposed rule language published in WSR 09-18-123 as recommended by the Board's Environmental Health Committee this day before considering adopting the proposal.*

***Motion/Second:** VanDusen/White. Approved unanimously*

### **Public Testimony:**

David Freels, a sewage tank supplier in Okanogan County, testified in opposition to a watertightness test. He said that concrete may crack, but the sludge in the tank will help seal small leaks. He expressed concern about the cost to tank suppliers and homeowners for any new rule requirements. He said if he has to do watertightness testing in the field, it would double the cost for him to provide a tank. He said high costs encourage people to install illegal systems.

Member Tonasket asked Mr. Freels if he had specific recommendations about the rules. Mr. Freels said that there are more problems with installers than with tank manufacturers. He said he would recommend homeowners use better installers. He said that most people are careful not to put tanks in locations where traffic would drive over it.

Member VanDusen asked Mr. Freels for clarification about minimal tank leaks. He responded that small leaks seal quickly and that testing in the field would add significant cost. Maryanne Guichard clarified that this proposed rule would require testing at the manufacturer's site, not in the field. Mr. Freels said that he cannot test at the manufacturing facility because filling the tank with water would cause the tank to crack. Mamdouh El-Aarag commented that manufacturers could certify watertightness by two methods, either filling with water or applying a vacuum. He said these two methods are part of an ASTM standard.

Member Austin asked how testing could be done in the field and whether normal leakage would be enough to contaminate groundwater. Chair Higman commented that testing in the field would be done by filling with water. He said that if there is a high water table, a little leakage could be significant. Member Tonasket commented that local conditions should be taken into consideration. Chair Higman said that fits with putting any requirements for on-site watertightness testing into the on-site installation rules (chapter 246-272A and chapter 246-272B).

Deputy Secretary White commented that we have detailed requirements for installation of drainfields and there is a plumbing code requiring smoke testing the pipes in buildings. This rule addresses a missing piece related to the integrity of sewage tanks.

Deputy Secretary White asked what the intended effective date of this rule is. Mr. Therien responded that it would have a standard effective date 31 days after filing of the CR-103. He asked his staff if they are ready to implement the requirements. Ms. Guichard responded that her staff is. Member VanDusen noted a phase-in period in the rule language.

Member Tonasket asked why these rules are being proposed. Maryanne Guichard responded that DOH only has guidelines now and this proposed rule would provide a level playing field for all tank manufacturers. She said that DOH believes the cost-benefit analysis justifies the rule.

***Motion:** The Board adopts chapter 246-272C WAC, On-site Sewage System Tanks, as published in the rule making proposal filed as WSR 09-18-123 and amended by the Board this day.*

***Motion/Second:** VanDusen/ Austin. Approved unanimously*

## **12. CHAPTER 246-260 WAC, WATER RECREATION FACILITIES – REQUEST FOR RULE MAKING DELEGATION TO DEPARTMENT OF HEALTH FOR VIRGINIA GRAEME BAKER ACT PROVISIONS**

Member VanDusen introduced this agenda item and explained that DOH was requesting authority to revise the Board's water recreation rules to incorporate provisions of the federal Virginia Graeme Baker act. She said delegation of this rule making seemed to fit with the Board's delegation policy. Mr. Therien pointed out supporting documents behind Tab 12. Mark Soltman, DOH, gave a presentation summarizing some of the provisions of the federal act; federal efforts to enforce it; and DOH efforts to develop guidelines and otherwise educate stakeholders about overlap between federal and state rules (see presentation).

Deputy Secretary White asked if the federal law and current Board rules generally applied to the same public water recreation facility types. Mr. Soltman responded that there are some differences. Deputy Secretary White said those differences would need to be taken into consideration during rule making. He noted recent news reports about CPSC increasing enforcement of the federal act. Chair

Higman asked Mr. Soltman to explain the differences in the types of facilities to which the federal and state rules applied. Mr. Soltman responded that he did not know and would have to get back to the Board with that information. He said they both applied to health club facilities.

***Motion:** The Board delegates authority to the Department of Health to adopt revisions to chapter 246-260 WAC and chapter 246-262 WAC, regarding water recreation facilities and recreational water contact facilities, for the sole purpose of incorporating requirements of the Virginia Graeme Baker Act.*

***Motion/Second:** Austin/VanDusen. Approved unanimously*

### 13. PUBLIC TESTIMONY

Anne Clifton, co-chair of Mercury Awareness Team of Washington, testified that her group's goal is to ban all use of mercury in products. She said the primary source of exposure for humans is dental amalgam. Her group is also opposed to mercury in vaccines. She said that her group is appalled at the recent suspension of the state ban on mercury in vaccines for H1N1 vaccine. She provided written testimony and asked the Board to review it.

Christy Diemond, member of an independent journalist organization called Uninformed Consent, testified with concern for mercury in vaccines for pregnant women and children under 3 years old. She said that she filmed the 2004 hearing of the Institute of Medicine (IOM) on thimerosal in vaccines. She said she was surprised by the conclusion of that panel, based on what she heard from scientists who gave presentations to the panel at that hearing. She offered the Board a DVD of the IOM hearing.

Chair Higman said that the Board would welcome receiving her DVD and having it available for Board member review. Ms. Diemond asked whether she could have dialogue with the Board after they had seen the DVD. Chair Higman said that because time was limited at meetings, it would work best for Board members to individually respond to her after they had a chance to see the materials. He said the Board could also decide to have a conversation later as a group.

Member VanDusen asked Dr. Yu whether vaccines available in Washington today contain mercury. Member Yu responded that the nasal H1N1 vaccine available now does not contain mercury. She said the H1N1 flu vaccine shots would come in preparations with and without thimerosal. She said that other childhood vaccines available in the state are thimerosal-free.

*The Board took a break at 2:55 p.m. and reconvened at 3:10 p.m.*

### 14. STRATEGIC PLANNING

Craig McLaughlin presented a staff proposal for updating the Board's strategic plan for 2009-11. He summarized materials behind Tab 14 in the Board's packet. He said that it is less than an ambitious plan because of staff reductions for this biennium and possible additional cuts due to continuing state budget shortfalls. He highlighted changes in the proposed updated plan (see draft plan).

Dr. Yu suggested an action item related to adolescent access to health services. She also suggested a briefing on environmental health issues affecting children. Mr. McLaughlin commented that Activity 2.1.2.1 regarding promoting a medical home might help address adolescent health services. Deputy Secretary White commented that the Governor's Subcabinet on Natural Resources might result in moving some of the environmental health programs out of DOH to one or more other agencies. This could require new links for the Board. He also suggested exploring collaborations with the new

Department of Commerce and the Building Code Council. Member VanDusen suggested having a briefing about tuberculosis as an emerging health threat, especially related to higher education. Dr. Yu said the DOH tuberculosis committee is on hold due to H1N1. Member VanDusen asked whether the Washington Health Foundation should be mentioned under Objective 1.2. Mr. McLaughlin said that the Foundation seems to be moving away from programmatic activities, and the plan does not list all Board partners. Drs. Ortiz and Yu commented, regarding Objective 1.2, that the general issue of shrinking public health budgets might mean we can expect to do no more than help maintain and support the public health system, rather than strengthen it. Member Austin suggested more partnerships with national organizations. Member VanDusen suggested expanding Activity 1.2.4.5 about collaborative relationships and Activity 1.2.1.3 about supporting prevention funding in legislation. She suggested the Board be briefed about federal health care reform outcomes that might affect the Board's strategies.

Member Manning suggested modifications about preventive health services for youth by adding something about adolescents. Member VanDusen suggested a briefing about immunization rates and barriers. Dr. Yu said there are multiple groups working on this issue who could bring information to the Board. Member VanDusen commented that the Board might want to include seniors in Goal 4, healthy behaviors. Chair Higman responded that he thinks the activities in this goal are focused on children because the Board can only tackle a limited number of issues. Mr. McLaughlin said he thinks the strategies are broad enough to include seniors, even though most activities are focused on children. Member Manning suggested adding something related to youth drug use. Chair Higman expressed concern for trying to take on too many activities. Member VanDusen suggested hearing from local environmental health directors about the implementation of various Board rules. Dr. Yu suggested some briefings could be on paper only.

Member Manning said she hoped this strategic plan would be adjusted as needed to be realistic for staff workload. Member Tonasket said he understands the Board's role as primarily making and revising rules and does not see how things in the strategic plan fit into the Board's role unless he can figure out an appropriate rule for each issue. Mr. McLaughlin said the statutory authority of the Board includes both rule making and recommending policy. He said the Board decided several years ago to pick a limited number of policy issues to work on at any one time. Chair Higman noted that several changes to the plan had been proposed by members. He asked Mr. McLaughlin to consider these comments and come back in November with a revised proposal. Board members supported further discussion about limiting the number of policy initiatives. Mr. McLaughlin agreed to provide criteria developed previously and a list highlighting parts of the plan that he considered to be significant policy development initiatives.

## ADJOURNMENT

Keith Higman, SBOH Chair, adjourned the meeting at 5:00 p.m.

## WASHINGTON STATE BOARD OF HEALTH

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Keith Higman, Chair