

**Washington State Board of Health
Policy & Procedure**

Policy Number:	2000-001
Subject:	Considering Delegation of Rules to Department of Health
Approved Date:	November 8, 2000 (Revised June 13, 2012)

Policy Statement

In some instances, the Washington State Board of Health may determine it is appropriate to delegate its authority for rulemaking to the Department of Health (RCW 43.20.050). The Board and the Department recognize the need to balance both broad constituent participation and administrative efficiency when making decisions about any rule delegation. For this reason, the Board and the Department have agreed upon a set of criteria to assist Board members in their decisions related to rule delegation.

The Board's decision to delegate a specific rule will be made on a case-by-case basis. The Board will determine the breadth of the delegation, which may range from specific aspects of a single rule section to a broader body of regulatory authority, such as an entire chapter of rules. Each Board delegation is for a single rule making process unless specified in an approved motion to be a continuing delegation until rescinded. Once a rule has been delegated, the Department will keep the Board informed about the rule making process through periodic progress reports. The Board may rescind its delegation at any time.

When considering delegation of authority to modify or adopt a rule, the Board may consider the following criteria:

- The extent to which the proposed rule revision is expected to include editorial and/or grammatical changes that do not change the substance of the rule;
- The extent to which the proposed rule seeks to adopt federal requirements in which the state has little or no discretion;
- The extent to which the substance and direction of the proposed rule is expected to have broad public and professional consensus;
- The extent to which the proposed rule may make significant changes to a policy or regulatory program; and
- The extent to which the rule revision process would benefit from the Board's role as a convener of interested parties.

Procedure

When the Board receives a request from the Department to delegate authority for rule making, the Executive Director will review the request compared with the above policy criteria. The Executive Director will prepare or direct staff to prepare a recommendation for the Board to consider at its next most convenient meeting. The Executive Director will consult with the Board Chair and members of any appropriate policy committee to formulate the recommendation. The Board may take action to delegate authority to the Department as requested or may otherwise specify rule-making authority it delegates.

If the Board is not scheduled to meet again within two months and the Department justifies a pressing need to begin rule making, the Board's Chair may delegate the Board's rule making authority to the Department without a vote of the Board. The Board's Chair will consider recent actions of the Board that inform the collective philosophy of the Board, along with recommendations from the Executive Director and an appropriate policy committee of the Board before deciding to delegate authority to the Department without a vote of the Board. The Chair will limit any such delegation to a single rule making process.

Washington State Board of Health Policy & Procedure

Policy Number: 2001-001

Subject: Monitoring and Communicating With the Legislature about
Legislation Relevant to the State Board of Health

Approved Date: January 10, 2001 (Revised June 13, 2012)

Policy Statement

The Washington State Board of Health monitors and communicates with the Legislature on proposed legislation that:

- Has a direct impact on the Board's statutory powers and duties;
- Runs counter to the Board's intent or direction as stated in existing rule;
- Is directly related to priorities established by the Board each biennium, supported by a Board-approved strategic plan, work plan, interim document, or final report;
- Is directly related to a policy issue addressed in the Board's "Statement on Likely Legislative Issues."
- May adversely impact the public health system.

Procedure

Prior to each legislative session, Board staff, under the direction of the Executive Director, will identify policy issues that are likely to come before the Legislature that have any bearing on the Board's broad statutory authority, its rule making activities, or its priorities. The Executive Director will present a list of these issues to the Board for discussion at a meeting prior to legislative session. The Board may choose to adopt a "Statement on Likely Legislative Issues" that reflects the Board's position on those issues.

During legislative session, Board staff will routinely review legislative bill introductions, committee agendas, and monitor legislative meetings. The Executive Director will provide regular legislative updates to Board members, which may include: upcoming hearings or work sessions, staff activities, bill summaries and recommendations, and budget information.

Action on Bills of Interest

Board staff, in consultation with the Executive Director, shall prepare a summary of concerns, draft messages, and suggested technical solutions for the Chair's approval that Board members or staff may use to communicate the Board's position to a bill's sponsor, appropriate committee chairs, other legislators, and legislative staff.

The Executive Director and the Board Chair or his or her designee must review and approve all correspondence to legislators and legislative staff that conveys the Board's position on legislation or other issues before the Legislature. The correspondence should routinely be copied and sent to the Office of the Secretary – Policy, Legislative, and Constituent Relations.

Responsibility for Communicating with the Legislature

The Board Chair may recommend a specific amendment or other action on proposed legislation to legislators or legislative staff on behalf of the Board, if the Chair believes the position is generally consistent with the wishes of the majority of the Board. The Executive Director or Board staff may transmit or deliver these communications for the Chair.

A Board member may communicate his or her views on Board letterhead and may ask Board staff to help communicate his or her views only if the communication is consistent with Board position and this policy.

This policy is not intended to prevent a Board member from communicating with the Legislature on proposed legislation or other matters of personal interest to the member. However, in these cases, the Board member must clarify that his or her communications do not necessarily reflect the views of the Board and that he or she is acting on his or her own personal behalf.

Agency Request Legislation

Board staff must prepare agency request legislation according to Office of Financial Management (OFM) guidelines and schedules. The Executive Director shall work closely with other state agencies to assure the bill does not conflict with other agency authorities. Consistent with OFM guidelines, all agency request legislation must receive Governor's approval before the Executive Director may seek sponsors or promote the bill to legislators.

Recommendations to the Governor

If the Legislature passes a bill that the Board has testified on or sought amendments to, Board staff, in consultation with the Executive Director and Board Chair, may develop a recommendation to the Governor to sign, partially veto, or veto the legislation. The memo must briefly describe the bill, the Board's position, and recommend Governor's action (sign, partial veto, or veto). Prior to submitting a memo to the Governor's office, staff must complete an enrolled bill analysis for the Governor's executive policy analyst assigned to the legislation.

PDC Reporting

Any Board or staff member who has in-person contact with legislators or legislative staff, including in meetings and at hearings, regarding legislation on behalf of the Board must report the activity to the Executive Director. This report must include the date of the communication, length of time spent with the individual(s), and the topic of discussion, including bill numbers. The Executive Director may need to include these reports in the Board's consolidated quarterly lobbying report as required by the Public Disclosure Commission under RCW 42.17A.635.

**Washington State Board of Health
Policy & Procedure**

Policy Number: 2001-002
Subject: Payment for Professional Development Expenses
Approved Date: March 14, 2001 (Revised June 13, 2012)

Policy Statement

The Washington State Board of Health encourages Board members and staff to participate in activities that further professional development as it relates to the Board's work. Professional activities may include conferences, workshops, classes or memberships in professional organizations.

Procedure

The Executive Director may approve payments, consistent with the Office of Financial Management policies and guidelines, for Board or staff member professional development activities. Board members and staff must submit requests in writing to the Executive Director. The request should include information about the activity including registration and other related costs, as well as a description of anticipated benefit and relevance to the Board work. The Executive Director may deny the request based on any number of factors including, but not limited to, the budget, workload distribution or lack of relevance to the Board's work.

Board members and staff are responsible for payment of membership fees, dues, or other charges for professional associations, societies, fraternities, or other groups. The Executive Director may grant payment of a membership fee if the requesting member or staff can demonstrate the membership provides a clear and specific benefit to the Board, for example, professional organizations that offer substantial discounts to individuals or their agencies for seminars, conferences, publications, etc. In these cases, the Board benefits directly from the participation in the organization and may pay for memberships.

The Board will pay for professional development activities that staff are required to participate in as part of their assigned job duties.

Nothing in this policy statement should be construed to limit individual Board members or staff from making payments of their own funds to sponsor professional meetings or to become members of professional groups or in any other way to restrict their professional collaborations within the limits of state law and related codes of professional ethics.

**Washington State Board of Health
Policy & Procedure**

Policy Number:	2001-003
Subject:	Travel and Transportation Policy
Approved Date:	March 14, 2001
Revised:	May 14, 2008

Policy Statement:

The Washington State Board of Health follows the travel and transportation guidelines provided by the Office of Financial Management (OFM) (10.10 and 10.50). OFM regulation 10.10.10(a)(3) states that agencies shall establish an effective system for management and control over travel-related costs, and this system should include written internal policies and procedures which cover the items required in this chapter. The following shall stand as the SBOH travel and transportation policy.

Procedure:

All Board-related travel by Board members and staff will be coordinated through the SBOH administrative staff to ensure that OFM guidelines are met and for the purposes of verifying that funds are available.

No prior authorization or coordination for travel is required when traveling within 75 miles of duty station or residence if no lodging or other expenses will be incurred.

Process:

1. Privately-owned motor vehicle use
 - a. Reimbursement
 - i. At the current private vehicle mileage reimbursement rate (.505 as of 1/08). (10.50.20a)
 - ii. Point-to-point mileage will be calculated using the official Department of Transportation (DOT) highway map. (10.50.20b)
 - iii. Vicinity miles, as determined by odometer readings, are to be shown on the travel expense voucher as a separate figure. (10.50.20b)
 - b. Restrictions
 - i. Daily commute mileage between the traveler's residence and duty station is NOT reimbursable for staff (Board members are an exception). (10.50.25a)
 - ii. Ensure all claims for personal vehicle mileage are for travel that is both critical and necessary for Board business. (10.50.25b)
 - iii. Reimbursement is limited to one traveler when two or more people are traveling in the same motor vehicle on the same trip. (10.50.25c)

2. Rental motor vehicle
 - a. A rental motor vehicle may be used when:
 - i. A state owned motor vehicle is not available,
 - ii. It is advantageous or more economical, and
 - iii. Necessary Board business may not be accomplished otherwise.
(10.50.35)
 - b. Conditions
 - i. Reservations will be made at least 24 hours in advance on local rentals, 7 calendar days in advance on one-way rentals. (Enterprise contract, page 11)
 - ii. No additional drop fee shall be allowed, in either direction, between the following cities:
 1. Seattle and Olympia, WA
 2. Spokane and Pullman, WA
 3. Portland and Eugene, OR
 4. Port Angeles and Seattle, WA
(Budget Contract, page 3)
 - c. Restrictions
 - i. **Rent from state contracted rental agency only** (Enterprise) unless the rental firm has no office in that area. In that case, use of personal credit card to obtain a rental car is acceptable with an attached receipt. (10.50.35b)
 - ii. **May not be used for any purpose other than Board business.** If traveler couples other business or personal use, traveler is expected to execute a personal contract to rent a motor vehicle for the non-Board business portion. (10.50.35d)
 - iii. The state will not reimburse travelers for additional insurance coverage. (10.50.35f)

Executive Director and/or Administrative Staff Responsibilities:

1. Board administrative staff will verify that travel costs incurred are:
 - a. Directly work related,
 - b. Obtained at the most economical price, and
 - c. Both critical and necessary for state business
(10.10.10a)
2. Select the travel alternative that is most economical to the state: (10.10.20(1))
 - a. Car-pooling and greater use of public transportation. (10.10.25)
 - b. Whenever it is feasible for two or more persons to travel on official state business in one vehicle, they are to do so. (10.10.30.a)
3. Select the travel alternative that is most advantageous to the state.
The personal travel plans of the traveler shall not influence the travel arrangements in such a way that causes an additional expense to the SBOH. (10.10.20(2))
4. Use the State Travel Charge Card System for the purchase of air travel (10.10.45) arrangements, other common carrier travel (10.50.45), and the authorized motor vehicle rental company (Enterprise).
(10.10.45.a)

5. Purchasing airfare:
 - a. Use the state contracted air carrier for air travel services (exceptions may apply for less expensive airfare or if contracted carrier is unable to meet time requirements). (10.50.45)
 - b. Use a state qualified travel agency for air travel arrangements. (10.50.45)
 - c. Use the State Travel Charge Card System for the purchase of air travel. (10.50.45.)
 - d. A traveler may only use personal financial resources to purchase common carrier transportation in emergency situations. If this should occur, original receipt must be provided. (10.50.75)

Traveler Responsibilities:

All Board members and staff traveling on official state business are responsible for:

1. Being familiar with state and agency travel and transportation regulations before embarking on travel.
2. Exercising the same care in incurring expenses and accomplishing the purposes of the travel that a prudent person would exercise if traveling on personal business. Excess costs, circuitous routes, delays, or luxury accommodations unnecessary or unjustified in the performance of official state business travel are not acceptable.
3. Paying any excess costs and any additional expenses incurred for personal preference or convenience.
4. Returning as promptly as possible to either the official station or official residence when the state business is completed. (10.10.15)
5. If travel plans are changed due to hazardous inclement weather and other situations that could threaten the health and safety of SBOH personnel, traveler should:
 - a) Promptly notify the Board office of change in travel plans, and
 - b) Note the reason for any additional expense on the traveler's expense voucher. (10.10.35)
6. Where state travel charge card system receipt is issued, attaching the original receipt to the travel expense voucher. (10.10.45.b)

**Washington State Board of Health
Policy & Procedure**

Policy Number: 2001-004
Subject: Letters of Support from the Washington State Board of Health
Approved Date: March 14, 2001 (Revised June 13, 2012)

Policy Statement

The Washington State Board of Health is authorized to explore ways to improve public health and the health status of the people of Washington. In some instances this is accomplished through public statements in support of programs, policies, grant or funding initiatives proposed by other governmental units or private non-profit entities. This policy provides a set of criteria to assist Board members in their decisions related to issuing letters of support.

Procedure

Any state, local, or tribal government or any private non-profit entity with a mission related to public health, health care, or the social determinants of health may ask the Board for a letter of support for a program, policy, grant or funding initiative. For the purposes of this policy and procedure providing a letter of support may also include adding the Board's name to a letter signed by multiple organizations. Recognizing that requests for letters of support often need to be acted upon in a short time frame, the Board authorizes the Chair to approve or deny a request on behalf of the Board. The chair may consult with individual members or submit the request to the entire Board for its consideration. Board staff may follow up with the requester to obtain more information about the proposal to assist the Board with decision making.

The Chair or Board may consider the following criteria when approving or disapproving a request:

- The program, policy or funding initiative is consistent with one or more of the Board's approved priorities, or the project advances the public's health in a way the Board finds to be particularly important because of some emerging public health threat or inadequately addressed health issue, and
- In the Board's opinion, the requester's proposed program, policy or budget initiative is thoughtfully conceived, contains realistic goals and outcome targets, and seems within the requester's capability to accomplish.

The Board may approve more than one request for a letter of support for a competitive grant, as long as each request satisfies the criteria for approval. The Board may not approve requests containing conflicts of interest as described in RCW 42.52.020.

**Washington State Board of Health
Policy & Procedure**

Policy Number:	2002-001
Subject:	Publications of the State Board of Health
Effective Date:	June 12, 2002 (Revised June 13, 2012)

Policy Statement

The Washington State Board of Health is committed to producing clear, accurate, high-quality publications in an economic, cost-effective manner that effectively communicates the Board's policy recommendations and fulfills statutory requirements.

Policy

- (1) RCW 43.20.050 authorizes the Board to “explore ways to improve the health status of the citizenry” and to “advise the secretary on health policy issues pertaining to the department of health and the state.” The Board will post policy recommendations and reports on its website. The Board will alert interested parties about new reports, significant research findings and policy recommendations.
- (2) For the purpose of this policy, state publications are defined in chapters 40.06 and 40.07 RCW as annual and biennial reports, special reports required by law, state agency newsletters, periodicals, magazines, and other printed informational material intended for general dissemination to the public or the Legislature. Publications do not include business forms, preliminary draft reports, working papers, typewritten correspondence, interoffice memoranda, staff memoranda, or news releases sent exclusively to the media.
- (3) The Board will produce only those publications required by law or those for which the Executive Director, in accordance with RCW 40.07.030, has determined that the benefits to the public clearly exceed the costs of preparation, printing, and distribution. Publications required of the Board by law are:
 - (a) The biennial state health report to the governor as defined in RCW 43.20.100;
 - (b) Other reports to the Legislature or legislative committees on specific health policy issues as required by legislation.

- (4) Any Board publication prepared for the Legislature must be reviewed and approved by the executive policy and budget divisions of the Office of Financial Management (OFM).
- (5) Distribution of Board publications to the Legislature shall be done in accordance with OFM's Agency Publications Guide (<http://www.ofm.wa.gov/reports/pubguide.asp>). The Board may not distribute publications directly to the members of the Legislature unless:
 - (a) The document was specifically required by act of the Legislature;
 - (b) The document was specifically requested by a legislator, legislative committee, or legislative staff;
 - (c) Distribution of the document is necessary to convey the governor's policy positions; or
 - (d) Distribution of the document is essential for Board operations.
- (6) It is the intent of the Board, when feasible, to reduce costs, improve access, and comply with RCW 43.41A.115 and RCW 43.41A.125 by making its publications available in electronic format on its website.
- (7) The Board will strive for consistency in the use of style and grammar. Its primary style and grammar reference shall be the "Executive and General Correspondence Guidelines" (Executive Assistants Group, revised 2010 (http://www.executiveassistantsgroup.com/index_files/Exec_Gen_Corresp_Guidelines_August_2010b.pdf)). Issues not addressed in this document can be researched using the following hierarchy of sources:
 - (a) Webster's II New College Dictionary
 - (b) Chicago Manual of Style
- (8) All Board publications available to the public shall contain language that conforms to the Americans with Disabilities Act by informing individuals with special needs how they can request alternative formats or special accommodations. The preferred phrasing is; "For people with disabilities, this document is available in other formats on request."
- (9) The Board shall produce and distribute its publication in accordance with the Agency Publications Guide (<http://www.ofm.wa.gov/reports/pubguide.asp>).

**Washington State Board of Health
Policy & Procedure**

Policy Number:	2005-001
Subject:	Responding to Petitions for Rule Making
Approved Date:	November 9, 2005 (revised June 13, 2012)

Policy Statement

RCW 34.05.330 allows any person to petition a state agency to adopt, repeal, or amend any rule within its authority. Agencies have 60 days to respond. The agency can deny the request—explaining its reasons and, if appropriate, describing alternative steps it is prepared to take—or it must initiate rule making. If denied, a petitioner can appeal the agency’s decision to the Governor.

This policy defines who must be notified and consulted when the Board is petitioned, who may respond on behalf of the Board, and whether Board action is required.

- **Board Response:** When the Board receives a written petition for rule making within its authority that clearly expresses the change or changes requested, the Board will respond within 60 days. The response may be made at the direction of the Board or under the authority of the Board’s Chair. The response will be in the form of a letter from the Chair denying the petition or informing the petitioner the Executive Director has been directed to initiate rule making.
- **Chair Authority:** The Chair may place a petition for rule making on the agenda for a Board meeting scheduled to be held within 60 days of receipt of the petition. Alternatively, the Chair may respond to a rule making petition without formal action by the full Board if the Board does not meet within 60 days of receipt of the petition or the Board chooses not to discuss and take action at a scheduled meeting.
- **Board Action:** A Board member who has been notified of a petition may request that the Chair place the petition on the agenda of a scheduled Board meeting for discussion and possible action by the Board. The Chair will honor the request unless asking the full Board to consider the petition would defer more pressing matters or prevent the Board from responding within 60 days. If the Chair declines, a Board member may introduce a motion to have the full Board consider the petition.

Procedure

- **Notifications:** Board staff, in consultation with the Executive Director, will respond to the petitioner within one business day acknowledging receipt of the petition and informing the petitioner whether the request is clear. The Executive

Director or staff will notify Board members that a petition for rule making has been received. This may be done by mentioning the petition during the next regularly scheduled Board meeting and by including a copy of the petition with materials distributed to Board members in attendance. If no meeting is scheduled before the 60-day response deadline, the Executive Director or staff will send an e-mail to Board members with an electronic version of the letter attached.

- **Consultation:** The Executive Director will recommend a response to the Chair. In developing this recommendation, the Executive Director will consult with the Board member who sponsored the most recent revisions to the rule being challenged or the appropriate policy committee. The Executive Director may also consult with appropriate representatives of the implementing agency or agencies, and may consult with stakeholders as appropriate.

**Washington State Board of Health
Policy & Procedure**

Policy Number:	2005-002
Subject:	Media Guidelines: Guidance for news media relations and reporter contacts
Approved Date:	December 7, 2005 (Revised June 13, 2012)

Policy Statement

Public perception of the Washington State Board of Health will be influenced by the reports that people read, hear, and see in newspapers, on the Internet and in social media, and on radio and television news. The Board's goal in media and public relations is to be an open, professional, and responsive organization. A media policy predicated on access will help Washington residents understand the value of the Board's work.

This policy's purpose is to define who must be notified when the Board or its staff is contacted by the media and who should best respond on behalf of the Board.

Procedure

- 1) Media requests for information and interviews should receive high-priority attention. Reporters and editors usually work on deadlines, and timely responses should be the standard. If another priority prevents a prompt response, a courtesy call should be made to the reporter confirming what information is requested and advising when the requested information will be available.
- 2) The main point of contact for the media is the communications consultant, who is responsible for initiating contacts, developing news releases and other media outreach, tracking and responding to requests, providing information that is a matter of record, obtaining details about the reporters' deadlines and the nature of their stories, and ensuring that the appropriate person responds promptly to interview requests.
- 3) The Board member who is most knowledgeable on a particular issue is generally the best person to respond to an interview request. This is usually the chair of the appropriate policy committee, the sponsor of a particular rule, or the Board Chair. A Board member may recommend that a staff member respond instead. The communications consultant is available to offer advice, to counsel those being interviewed, and, if circumstances permit, to sit in on interviews.
- 4) The Executive Director is the main media spokesperson for the staff and will usually respond to an interview request at the suggestion of a Board member or when no Board member is readily available. The Executive Director may delegate this responsibility to the most knowledgeable staff person.

- 5) Staff members may exercise their judgment about granting interviews and providing information on behalf of the agency when they are approached by a reporter and it is not practical to involve a Board member or the Executive Director; however, no employee is required to consent to an interview. Any employee who speaks on behalf of the agency is responsible for what is said. Employees are encouraged to ask the reporters questions about their news stories, and to take time to prepare before answering. It is often advisable to get their numbers and to call back after preparing.
- 6) Staff members must notify the Executive Director and the communications consultant after participating in a media interview. A short summary of the kind of questions and the answers provided, sent by e-mail, is the easiest and most effective method of reporting a media contact.
- 7) No staff members are prohibited from talking about their work while clearly representing themselves as individuals. Employees should understand, however, that their comments on public issues are likely to be interpreted as the State Board of Health's point of view.
- 8) Staff members who comment as private citizens about issues related or unrelated to their work should recognize that their remarks may reflect on the Board. Employees with questions should consult with the Executive Director.
- 9) In the event that a Board member responds to a direct reporter request about Board business, she or he should provide a summary of the interview by e-mail to the communications consultant.
- 10) At times, interview requests may deal with topics that concern both the State Board of Health and the Department of Health. Although it isn't necessary to gain permission from the Department of Health before doing an interview, it often may be helpful to consult with the department's communications office and/or program employees. In part, this is a courtesy. In part, it may be useful in developing and delivering strong, consistent public health messages.
- 11) It's important to make sure reporters understand the Board's role, making clear that the State Board of Health and the Department of Health are not one and the same. Taking a few moments to clarify can help avoid confusion and erroneous information about the Board appearing in news stories. If an interview request deals with subject matter outside the Board's areas of responsibility, the best course of action may be to refer the reporter to the Department of Health.