



DATE: November 2, 2016

TO: Washington State Board of Health Members

FROM: Keith Grellner, Chair

SUBJECT: COMPLAINT AGAINST ISLAND COUNTY PUBLIC HEALTH OFFICER AND ADMINISTRATOR

Background and Summary:

Under RCW 70.05.120, any person may complain to the State Board of Health (Board) concerning the failure of the local health officer or administrative officer to carry out the laws or the rules and regulations concerning public health, and the Board shall, if a preliminary investigation so warrants, call a hearing to determine whether the local health officer or administrative officer is guilty of the alleged acts.

On October 31, 2016, *Citizens of Ebey's Reserve For A Healthy, Safe and Peaceful Environment*, (COER), and Concerned Island Citizens (CIC), submitted a complaint to the Board against Dr. Brad Thomas, Island County Health Officer, and Keith Higman, Director and Administrator of Island County Public Health. This complaint alleges violations of Chapter 70.05 of the Revised Code of Washington (RCW); and neglect and refusal to obey or enforce specific rules, regulations or orders of the State Board of Health.

The complainant alleges that the local health officer and the administrative officer of Island County Public Health failed to:

1. Inspect schools in accordance with WAC 246-366-040 (2) (b).
2. Take action on a notation of “jet noise” listed on a school inspection report.
3. “Inform the public as to the ...prevention of disease...and...improvement of health...” in accordance with RCW 70.05.070(4).
4. “Prevent, control or abate nuisances which are detrimental to health” in accordance with RCW 70.05.070 (5).
5. “Take such measures as he or she deems necessary to promote public health...” in accordance with RCW 70.05.070 (9).

These allegations are in the context of Island County Public Health’s response to citizen complaints about jet noise associated with U. S. Navy EA18 Growler jet training flights.

This is a lengthy complaint and will require additional research by Board staff to determine whether it merits a formal investigation. For this reason, Board staff recommend that the Board

authorize staff to research the allegations in the complaint and report back to the Board their findings.

Recommended Board Action:

The Board may wish to consider, amend if necessary, and adopt the following motion:

The Board directs staff to work with the Department of Health to conduct a preliminary investigation under RCW 70.05.120 to determine the merits of the complaint.

Staff Contact: David DeLong, Public Health Advisor