

Statement of the Board on Possible Legislative Issues 2019-2020 Biennium

It is the policy (Policy 01-001) of the Washington State Board of Health (Board) to comment on legislative proposals that affect the Board's:

- [Statutory authority](#) and rules,
- [2018 State Health Report recommendations](#), and
- [2017-2022 strategic plan](#) activities

This statement represents the Sense of the Board and will guide staff and members in their communications on legislative and budget proposals, and is neither exhaustive nor prescriptive.

Foundational Public Health Services

The Board believes that [Public Health is Essential](#) and supports the [recommendations](#) developed by the Foundational Public Health Services (FPHS) Policy Workgroup and state and local public health leaders to modernize the public health system, and provide state funding for public health so that the costs of FPHS are covered in every community. The Board supports the Department of Health budget requests to:

- Increase local health jurisdiction capacity for monitoring communicable diseases; investigating outbreaks and identifying causes; preventing cases; and coordinating disease response across agencies.
- Increase local health capacity for monitoring impact and causes of chronic diseases and disease response coordination.
- Increase Department of Health capacity for communicable disease monitoring, outbreak investigation, and support to local health jurisdictions. Expand capacity at state public health laboratory to meet increased demand.
- Continue implementation of the plan to rebuild and modernize public health.
- Continue and increase the legislature's initial investment in FPHS. This includes increasing the Board's capacity to meet its statutory obligations under chapter 43.20 RCW and other state laws.

The Board **opposes** reductions to funding for public health, including changes in fee authority or reductions to fund sources such as the Model Toxics Control Act.

Health Impact Reviews

Under RCW 43.20.285 the Board conducts [Health Impact Reviews](#) (HIRs) at the request of the Governor or a Legislator. HIRs are objective, non-partisan, evidence-based analyses of proposed legislative or budgetary changes to determine the potential impacts on health and health equity. Ongoing funding for additional capacity (0.6 FTE) was provided through Foundational Public Health Services funding during the 2019 legislative session. The additional capacity allows the Board to conduct more HIRs, thereby improving the state's ability to use evidence to inform policy and to promote health and health equity. Additionally, the Board received

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additional policy capacity (1 FTE) through Foundational Public Health Services. The additional capacity will allow the Board to carry out its legal mandate to update and maintain critical public health and safety standards.

Board staff rely on access to peer-reviewed, published journal articles to conduct HIRs on a range of policy topics. Changes at the University of Washington in 2019 resulted in tenuous library access for staff, requiring staff to obtain Clinical Faculty appointments to regain access to the full range of published literature required to conduct HIRs. The Board would support Legislative action to ensure longer-term, sustainable solutions to obtain peer-reviewed journal access for HIR work in particular, but also for all state employees to have access to research to inform evidence-based policy and program development

[Modernizing the Control of Certain Communicable Diseases](#)

Washington State's communicable disease laws related to HIV have not been updated in decades. The Board endorses the [End AIDS Washington](#) recommendations, and supports the Department of Health's request legislation to remove HIV exceptionalism from statute to increase access to services such as screening health care and treatment for individuals that are at risk or living with HIV; Reduce HIV-related stigma and decriminalize HIV exposure. This legislation will also improve options for local health officers to address communicable disease.

[Preventing Smoking and Vaping](#)

In August 2016, the Board adopted [Resolution 2016-01](#) to increase the age of purchase for tobacco and vapor products from age 18 to 21. During the 2019 legislative session, EHB 1074 passed, which raised the legal sales age for tobacco and vapor products from 18 to 21. The Board supports strategies to prevent marketing, sales, and use of tobacco, e-cigarettes, smokeless tobacco, and marijuana to youth, including a flavored vapor and tobacco products ban and adding additional authority for product bans and allowing recalls. In response to the 2019 nationwide outbreak of vapor lung illness and injury, the Board would support legislation that improves regulation of Washington's vapor product industry including requiring vapor ingredient disclosure and lab testing for vapor products, requiring signage regarding health risks, removing the pre-emption of vapor product retail licensing, allowing for product bans and recalls, and instituting nicotine limits.

[Advancing Equity in State Government](#)

As part of its five year strategic plan the Board has committed to support the Governor's Interagency Council on Health Disparities and to incorporate the Council's recommendations in the Board's State Health Report.

In 2019, the Board supported legislation that would work toward creation of a State Equity Office. Through a proviso in the 2019-2021 operating budget, the Legislature directed the Council to convene an Office of Equity Task Force to develop an operations plan for a future Washington State Office of Equity. The Task Force's initial recommendations were included in its preliminary legislative report. The Board supports the inclusion of \$1 million for the

Washington State Office of Equity in the Governor's supplemental operating budget and supports legislation to create the office.

School Environmental Health and Safety

The Board believes that all children should be able to attend schools that are built, maintained and operated to assure a safe and healthy environment. The Board would like to see the budget proviso that suspends the school rule be lifted. Until the Board's suspended school environmental health and safety rules can be implemented, the Board supports the Department of Health's [November 2016 report](#) recommendations in response to the Governor's directive on lead as the relate to school environmental health and safety.

Governor's Directive on Lead

Governor Inslee issued [Directive 16-06](#) on May 2, 2016 to address lead remediation in the built environment. Environmental pathways for lead exposure include drinking water, homes, schools, and outdoor areas.

The Board supports the Department of Health's [November 2016 report](#) recommendations to the Governor, and continuing the initial investment made to test drinking water at schools, provide remediation funds to replace fixtures, improve remediation assistance for low income and rental properties, and targeted blood testing for children at greatest risk of exposure to lead and subsequent case management. The Board also supports:

- Updating the *Health and Safety Guide for K–12 Schools in Washington State*.
- Gathering data to evaluate and update chapter 246-366A WAC.
- Including environmental health and safety in funding formula for school construction and modernization.
- Encouraging health care providers to follow DOH blood lead screening recommendations.

Opioids

The Board supports the goals, strategies, and actions outlined in the [2018 Washington State Opioid Response Plan](#) to effectively combat the opioid epidemic. Its goals are to:

- Prevent opioid misuse and abuse.
- Identify and treat opioid use disorder.
- Reduce morbidity and mortality from opioid use disorder.
- Use data and information to detect opioid misuse and abuse, monitor morbidity and mortality, and evaluate interventions

On-Site Septic Systems

The Board recognizes that on-site sewage systems are an important and effective means of treating and dispersing effluent as long as the systems are properly permitted, sited, operated, and maintained. The Board supports legislation that preserves the authority of local health officers and boards of health to develop and implement on-site sewage system regulations and plans which protect public health and meet community needs. The Board supports efforts to assure local on-site site sewage management programs have adequate funding.

Food Safety

The Board recognizes that food service is evolving and there are efforts to increase food rescue and reduce food waste. The Board anticipates legislation including issues such as mobile food units, donated food, and microenterprise kitchens will likely emerge this legislative session. The Board's support of such legislation would depend on whether it includes critical public health safeguards that uphold essential food safety standards (including but not limited to permitting, inspections, plan review, time to temperature controls and other public health measures).

Maternal and Child Health

The Board supports enhancing systems and support for pregnancy, infants and children and the monitoring of maternal mortality. The Board supports the recommendations in the Council's [Literature Review on Inequities in Reproductive Health Access](#), as required by SSB 6219 (2018). The Board also supports the recommendations in the Department of Health's [Healthy Pregnancy Advisory Committee Report on Strategies for Improving Maternal and Infant Health Outcomes](#).

The Board supports legislative action to replace the Title X funding for family planning services in Washington State.

Oral Health

The Board would support legislation that will advance its 2015 oral health recommendations, including maintaining and building upon effective programs like Access to Baby and Child Dentistry and University of Washington's Regional Initiatives in Dental Education (RIDE). The Board would also support development of a state oral health director at the Department of Health.

Immunizations

The Board believes that immunizations reduce the incidence of vaccine preventable disease in our community, and protect those who are immunocompromised and those unable to be vaccinated. The Board would support legislation that reduces the number of children who are out of compliance with state immunization requirements, and efforts to increase immunization rates across all age groups. The Board would also support additional funding to increase school

nurse capacity and improve access to and utilization of the Washington State Immunization Information System.

Obesity Prevention

- Obesity prevention –The increase in obesity among Washington residents has slowed compared to other states but rates are still increasing. The Board supports efforts to increase access to healthy foods including fresh fruits and vegetables, reduce food insecurity, and increase opportunities for physical activity.
- The Board supports the Department’s budget request to maintain funding for the Fruit and Vegetable Incentive Program, which provides incentives to food insecure populations with limited incomes to select health food choices.

Increase Access to Health Care Coverage

The Affordable Care Act has increased access to affordable health care for people in Washington. The uninsured rate in our state has dropped 61 percent between 2013 and 2016. Access to care has helped significantly reduce the number of adults who delay accessing care. Timely access to care helps people live longer, healthier and more productive lives. It helps reduce and control health care costs. During the 2019 legislative session, the legislature passed legislation to make Public Option plans available in every county. Unfortunately, 7 counties have only one option for health care coverage, which limits access to care and reduces our ability to control costs. The Board would support legislation that will improve and will expand access to affordable health care plans.