

WASHINGTON STATE BOARD OF HEALTH

Date: November 10, 2021

To: Washington State Board of Health Members

From: Keith Grellner, Chair

Subject: Rulemaking Delegation to Washington Department of Health to Update Additional Statutory Citations as a Result of Substitute House Bill 2246, Reorganization of Title 70 RCW

Background and Summary:

The purpose of this agenda item is to consider adding to rulemaking authority previously delegated to the Washington Department of Health (Department) under RCW 43.20.050(4).

On January 13, 2021, the State Board of Health (Board) delegated rulemaking authority to the Department for the purpose of updating statutory citations in Board rules that changed as a result of SHB 2246 in the 2020 legislative session. The bill reorganized the chapters of Title 70 RCW into two titles, Title 70 RCW, Public Health and Safety, and Title 70A RCW, Environmental Health and Safety. Specifically, the Board delegated rulemaking authority to the Department to correct statutory citations in chapter 246-205 WAC, Decontamination of Illegal Drug Manufacturing or Storage Sites, and chapter 246-291 WAC, Group B Public Water Systems.

Subsequently, staff found another Board rule that requires updating, but was inadvertently overlooked previously, WAC 246-203-121, Disposal of Dead Animals. The following motion would correct this oversight by delegating rulemaking authority to the Department for the purpose of updating relevant statutory citations in WAC 246-203-121, in addition to chapters 246-205 and 246-291 WAC.

Recommended Board Actions:

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

The Board delegates to the Washington Department of Health rulemaking authority to correct citations in WAC 246-203-121 to accurately reference statutory authority in Title 70 RCW and Title 70A RCW.

Staff

Stuart Glasoe

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(continued on the next page)

Washington State Board of Health
November 10, 2021 Meeting Memo
Page 2

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