



PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

CONTACT INFORMATION *(please type or print)*

Petitioner's Name _____

Name of Organization _____

Mailing Address _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm>.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: _____

1. NEW RULE - I am requesting the agency to adopt a new rule.

The subject (or purpose) of this rule is: _____

The rule is needed because: _____

The new rule would affect the following people or groups: _____

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: _____

I am requesting the following change: _____

This change is needed because: _____

The effect of this rule change will be: _____

The rule is not clearly or simply stated: _____

3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.

List rule number (WAC), if known: _____

(Check one or more boxes)

It does not do what it was intended to do.

It is no longer needed because: _____

It imposes unreasonable costs: _____

The agency has no authority to make this rule: _____

It is applied differently to public and private parties: _____

It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____

It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

Other (please explain): _____

ATTACHMENT

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: **WAC 246-100-036**

- I am requesting the following change:** WAC 246-100-036 should be amended to require the Local Health Officer to obtain the approval of the local board of health before instituting any disease control measure that deviates from the disease control measures instituted by the Washington State Health Department.
- This change is needed because:** The current rule allows for a single appointed Local Health Officer to act unilaterally without consultation from a broader and more diverse group of health professionals and elected officials who are accountable to the broader community and other stakeholders. The current rule was made prior to the COVID-19 pandemic was not intended to convey the types of broad powers currently being used (and likely used in the future) by a single Local Health Officer.
- The effect of this rule change will be:** To create accountability and prevent abuse of power by a single individual by requiring input from a variety of experienced health care professionals and elected officials before instituting disease control measures that differ from the State Health Department's measures. This is incredibly important especially in larger counties where such measures can and do affect the lives of millions of people and businesses.
- Each county in Washington has its own Board of Health that is responsible for setting county-wide public health policy, enact and enforce local public health regulations. These duties, which are enumerated in RCW 70.05.060, include enforcing state public health statutes, and preventing and controlling the spread of infectious disease. Why should an administrative code rule be allowed to take that power away from the boards of health and put it in the hands of a single unelected individual (the "Local Health Officer")?