



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH

*PO Box 47990 • Olympia, Washington 98504-7990*

March 17, 2022

Jim Koch  
P.O. Box 6212  
Spokane, WA 99217

Sent Via Email

Dear Jim Koch:

Thank you for the rulemaking petition you submitted to the State Board of Health (Board) on January 28, 2022, requesting the repeal of WAC 246-100-040, Procedures for isolation and quarantine. Specifically, you requested the Board repeal this section of chapter 246-100 WAC as it conflicts with another federal, state, or local law or rule. The Board has the authority under RCW 43.20.050(2)(e) to adopt rules for the imposition and use of isolation and quarantine. The Board has adopted rules of this nature in WAC 246-100-040 through WAC 246-100-070.

The Board met on March 9, 2022 and after reviewing and discussing your petition, voted to deny your request. The Board denied the petition for the following reasons. The Board concluded that rules establishing procedures for the imposition and use of isolation and quarantine are necessary for the protection of the public's health. The Board referred to the due process protections engrained in the rule for those who may be subject to such an order. For these reasons, the Board denied your petition.

As you may be aware, under RCW 34.05.330, a petitioner may appeal an agency's decision to deny a petition to repeal or amend a rule. An appeal must be made to the Governor within 30 days of the petition denial.

If you require further assistance, please don't hesitate to contact Samantha Pskowski, Health Policy Advisor in our office, at (360) 789-2358, or at [Samantha.Pskowski@sboh.wa.gov](mailto:Samantha.Pskowski@sboh.wa.gov).

Sincerely,

Keith Grellner, Chair