



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH

PO Box 47990 • Olympia, Washington 98504-7990

March 17, 2022

Arne Christensen
arnolfini@earthlink.net

Sent Via Email

Dear Arne Christensen:

Thank you for the rulemaking petition you submitted to the State Board of Health (Board) on February 23, 2022, requesting amendment to WAC 246-100-036, Responsibilities and duties – Local health officers. Specifically, you requested the Board amend WAC 246-100-036 to make local health officers subject to oversight of the local board of health, including the power to veto local health officer actions.

The Board has the authority in RCW 43.20.050(2)(f) to adopt rules to prevent and control disease and has adopted such rules in chapter 246-100 WAC.

The Board met on March 9, 2022 and after reviewing and discussing your petition, voted to deny your request for the following reasons. The Board concluded that by statute the local board of health already provides oversight to the local health officer. It referred to RCW 70.05.070(3), which states that the local health officer acts under the direction of the local board of health or administrative officer when working to control and prevent contagious diseases. The Board also noted that the local health officers' qualifications as persons holding medical licenses is an important part of the local health framework.

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.

Sincerely,

Keith Grellner, Chair