

WASHINGTON STATE BOARD OF HEALTH

Date: April 13, 2022

To: Washington State Board of Health Members

From: Temple Lentz, Board Member

Subject: Rules Hearing – Chapter 246-90 WAC, Local Board of Health Composition

Background and Summary:

During the 2021 legislative session, the Legislature passed Engrossed Second Substitute House Bill (E2SHB) 1152, Supporting measures to create comprehensive public health districts. Among other changes, the legislation creates new requirements for local board of health membership, requiring equal representation by elected and non-elected members. Newly required non-elected members must come from a prescribed list of health care, public health, and community groups. Sections of the bill that directly affect counties go into effect on July 1, 2022.

E2SHB 1152 directs the State Board of Health (Board) to adopt rules to establish the appointment process of non-elected members. This process must be in a manner that is fair and unbiased, and which ensures, to the extent possible, a balanced representation of elected and non-elected peoples with a diversity of expertise and experience. The Board's rules must go into effect no later than July 25, 2022.

On June 9, 2021, the Board filed a CR-101, Preproposal Statement of Inquiry,¹ to establish chapter 246-90 WAC, a new chapter, to implement E2SHB 1152. Board staff developed proposed rules in close collaboration with interested parties via two informal comment periods and a community listening session.

A CR-102, Proposed Rule,² was filed on February 25, 2022, opening the formal public comment period which ended on March 30, 2022. The proposed new chapter includes provisions related to:

- Purpose, scope, applicability of chapter
- Definitions used throughout the chapter
- Requirements to include non-elected members on local boards of health
- Recruitment, selection, and appointment of non-elected members
- Exceptions to these rules

I have invited Sam Pskowski and Kaitlyn Donahoe, Board Staff, to provide a summary of the proposed rules, share comments that were received during the public comment

¹ Published as WSR 21-13-024

² Published as WSR 22-06-063

period, and provide staff recommendations on how to address those comments. Following their presentation, we will hold a public hearing on the proposed rules.

Recommended Board Actions:

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

The Board adopts the proposed rules establishing chapter 246-90 WAC as published in WSR 22-06-063, with revisions agreed upon at today's meeting, if any. The Board directs staff to file a CR-103 and establish a July 1, 2022 effective date.

Staff

Sam Pskowski

Kaitlyn Donahoe

To request this document in an alternate format or a different language, please contact Kelie Kahler, Washington State Board of Health Communication Manager, at 360-236-4102 or by email at kelie.kahler@sboh.wa.gov. TTY users can dial 711.

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