

WASHINGTON STATE

BOARD OF HEALTH

Summary of Public Comments Chapter 246-90 WAC, Local Board of Health Membership

| Comment | Staff Recommendation |
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| <p>I only hope there is representation by people with varying views of issues and concerns. The whole Board cannot think the same way or the same thing. That's not diverse and doesn't represent the community nor is that fair or unbiased. What is the cost to this update if the members have their expenses reimbursed?</p> | <p>No proposed changes. Reimbursement of member expenses is outside the Board's scope of authority. While the proposed rules mirror language from Engrossed Second Substitute House Bill (E2SHB) 1152 about inclusion of compensation information in local ordinances, the decision whether to compensate or reimburse expenses for nonelected members of local boards of health is up to the county legislative authority.</p> |
| <p>While the specifications within the WACs appear inarguably fair and diverse in the make-up of our local boards, the issue still at hand is that these representatives will be chosen by our County Commissioners. Therefore, all power and choice lie in the hands of a few individuals who do not necessarily represent all of the community members. I do not think appointment of local board members should be left to the majority vote of the county commissioners. I would like to see a more divers representation of elected officials on our board and assisting with these decisions.</p> | <p>No proposed changes. E2SHB 1152 requires local board of health members be approved by a majority vote of the board of county commissioners. The Board does not have statutory authority to change this decision-making process.</p> |
| <p>WAC 246-90-025, number 5 currently reads: "A local board of health shall also assess whether the applicant identifies with a historically underrepresented community when being considered as a non-elected member representing consumers of public health." This should be stricken and replaced with the following or similar standard non-discrimination language: "A local board of health shall not discriminate potential applicants based on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status."</p> | <p>No proposed changes. Local governments are subject to chapter 49.60 RCW, which prohibits discrimination based on race, creed, color, national origin, citizenship or immigration status, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability. The provisions of chapter 49.60 RCW apply to selection of potential applicants for local boards of health. WAC 246-90-025(5) as proposed is intended to ensure local boards of health consider</p> |

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| | applicants with a diversity of expertise and lived experience. |
| In WAC 246-90-015(2) change “usual and accustomed areas” to “ceded lands” and include the following language in the section “For those counties or health districts that have multiple Tribes and/or a 501(c)(3) organization, they must include a representative from each of the tribes and 501(c)(3) organization. 501(c)(3) shall have the same meaning as Urban Indian Organizations as defined under RCW 43.71B.010 (20).” | Proposed changes. Staff recommend omitting language regarding requirements for tribal representatives on local boards of health and instead cite applicable statutes for clarity. The Board does not have statutory authority to determine the recruitment, selection, or appointment process for tribal representatives on local boards of health. |

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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