

# WASHINGTON STATE BOARD OF HEALTH BYLAWS

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## ARTICLE I: MEMBERSHIP

### Members

- The Governor appoints nine members of the Washington State Board of Health (the Board) as described in RCW 43.20.030.
- The Secretary of Health or a designee is the tenth member of the Board.

### Terms of Office

- A term of office is three years. The Governor may re-appoint members to additional terms.
- A member whose term has expired may continue to serve until the Governor appoints his or her successor.
- A Board member may resign if he or she is no longer able to participate in Board meetings or complete his or her term, the member must submit a letter of resignation to the Board Chair, and complete the Governor's on-line resignation form.
- As vacancies occur on the Board by resignation, death, incapacity, etc., the vacancy shall be filled by appointment by the Governor for the remainder of the term.

### Reimbursement for Expenses

- Board members appointed by the Governor may receive \$50 for each day they attend official Board or committee meetings, or participate in other Board-approved activities. This will be done in accordance with RCW 43.03.240.
- A Board member who works full-time for any federal, state, or local government agency may not be paid for a day of service if they are also paid by their employer for working that day. Appointed

Board members may be reimbursed for expenses associated with Board-approved meetings or activities. Reimbursements will be made consistent with RCW 43.03.050 and 43.03.060.

- As resources allow, meetings or activities for which members may be paid include participation in ad hoc committees; meetings with other government agencies, stakeholders and community groups; or testifying or presenting on behalf of the Board, at legislative meetings or professional conferences.

## ARTICLE II: BOARD OFFICERS

### Officers

- The officers of the Board consist of the Chair, Vice Chair, and the Chair Pro-Tem.

### Elections/Terms of Office

- The Governor will appoint the Chair from among the nine appointed members consistent with RCW 43.20.030.
- The Chair shall serve for the duration of his or her appointment, or until the Governor appoints a successor.
- The Board shall elect a Vice Chair from the remaining eight appointed members. The election shall take place at a Board meeting, by a vote of the Board, preceding the end of the term or resignation of the sitting Vice Chair.
- The Vice Chair's term starts upon election and continues until the end of his or her appointment, until the Vice Chair resigns, or upon the request for replacement by the Chair that receives the concurrence of a majority of the Board.
- If both the Chair and Vice Chair are absent or have recused themselves from a meeting or agenda item, Board members shall elect one of the remaining members present to serve as Chair Pro-Tem.
- The Chair Pro-Tem shall serve for the duration of the absence or recusal.

correspondence that reflects the Board's position on matters that aren't purely administrative in nature. This includes correspondence with the Legislature and other government agencies on matters of policy. The Chair may ask the Executive Director to sign correspondence as appropriate.

- The Vice Chair acts in the capacity of the Chair when the Chair is absent or recused because of a conflict of interest, or is otherwise unable to serve.
- The Chair Pro-Tem presides during Board meetings when the Chair and Vice Chair are absent or are otherwise unable to preside.

### Duties of Officers

- The Chair provides overall leadership to the Board, presides at all meetings and has all powers and duties conferred by law and these bylaws. The Chair or a designee shall represent the Board at official functions. The Chair shall approve and sign

## ARTICLE III: MEETINGS OF THE BOARD

### Regular Board Meetings

- All Board meetings are subject to the Open Public Meetings Act Chapter 42.30 RCW.
- The Board shall adopt an annual schedule of dates and locations for regular meetings for each calendar year, and shall file it for publication with the Code Reviser. Agendas for regular meetings shall be posted to the Board's website 24 hours in advance, as required by RCW 42.30.077
- Regular meetings will generally take place on the second Wednesday of the month. As resources allow, meetings will occur at locations across the state.
- Any changes to the annual schedule shall be made at the discretion of the Board Chair, with the approval of the Board.
- The Chair or Executive Director may cancel a regular Board meeting for justifiable reasons, including the lack of sufficient agenda items.
- If the Board is unable to meet at a meeting location due to natural disaster including but not limited to fire, flood, earthquake, or other emergency, and the Board needs to meet to address the emergency, the Chair may move the meeting site to a place other than the published meeting site. Board staff will post the new meeting location to the Board's website and will send notice to interested parties at least one day before the meeting at the new site.

### Special Board Meetings

- The Chair may call a special meeting of the Board at any time.
- Notice of a special meeting shall be provided in accordance with the Open Public Meetings Act, Chapter 42.30 RCW. Board staff will post the meeting announcement on the Board's website and will send notice by electronic mail to interested parties, 24 hours in advance of the meeting. The public notice will include a brief description of the meeting topics and specify the time and place.
- The Board may not take final action on any item that is not listed in the public notice.

### Adjournment

- The Board may postpone a portion of any meeting already in progress and reconvene at another time and/or place by adopting a motion to adjourn. The motion must specify where and when the meeting will resume.
- A majority vote of the Board members at a meeting can approve a motion to adjourn even if there is not a quorum present. If all members are absent from a meeting, the Chair or Board staff may adjourn the meeting to a stated time and place.
- Whenever the Board adjourns a meeting, a notice of adjournment shall be conspicuously posted immediately on or near the door of the room where the meeting was held. The notice should include when and where the meeting will resume.

## ARTICLE III: MEETINGS OF THE BOARD (CONT'D)

### Hearing Continuances

- The Board may continue any hearing to a subsequent meeting by adopting a motion to continue consistent with RCW 42.30.100.
- For rulemaking, the Board must specify the place and time of a continued hearing in the motion to continue consistent with RCW 34.05.325(5).
- The Board must provide notice on the subsequent meeting agenda whether it is continuing public testimony or comment, or whether there will only be Board member discussion and possible action. Based on Board discussion, the Chair may choose to take additional comment or testimony.
- The Board will provide notice of a continuance consistent with RCW 42.30.090.

### Meetings to be Open and Public

- All meetings of the Board, except for executive sessions are open to the public.
- The Board may meet in executive session, and exclude the public only under special circumstances listed in RCW 42.30.110. Before convening in executive session, the Chair will publicly announce the reason for excluding the public and the time when the executive session will end. If the meeting continues beyond the stated time, the Chair must publicly announce the extension and a new ending time.
- The Board may adopt a resolution, rule, order, or directive only in an open public meeting that has been properly noticed.
- The Board shall hold all meetings in facilities that are accessible to individuals with disabilities.
- The Board may not require a member of the public to register his or her name and other information, complete a questionnaire, or perform any other action as a precondition for attending a Board meeting.

### Meetings Interrupted by Group or Groups of Persons

- If the disorderly conduct of a person or group of people makes it impractical to continue a Board meeting, the Chair of the Board should first order that the individuals interrupting the meeting leave the room. If that action fails to restore order, the Chair of the Board can clear the room. It can also adjourn the meeting and reconvene at another place selected by a majority vote of the Board members.
- If the Board clears the room or adjourns to another location, it may only act (vote) on matters that appeared on the approved meeting agenda.
- Representatives of the press or other news media, except those participating in the disturbance, must be allowed to attend even if the room has been cleared or the Board has reconvened elsewhere.
- The Board may determine how it might readmit any individuals who were not disrupting the meeting.

### Meeting Minutes and Agendas

- Board staff shall take written minutes of all regular and special Board meetings. Board staff shall accurately capture the action of the Board on each question, and shall prepare the minutes for Board approval at the next regularly scheduled meeting.
- Board staff shall retain meeting minutes, agendas and materials consistent with record retention schedules and shall then transfer these records to the State archives for permanent retention.
- Board staff shall post a preliminary draft of the agenda for the next regularly scheduled Board meeting on the Board's website at least 14 days prior to meeting.
- Board staff shall post the final proposed agenda for the next regularly scheduled Board meeting on the Board's website at least seven days prior to the meeting.

## ARTICLE III: MEETINGS OF THE BOARD (CONT'D)

- Board staff shall post minutes for the previous Board meeting and materials for the next regular meeting to the website at least five days prior to the next regular Board meeting date.
- Board members should review all posted meeting materials prior to the meeting.
- Minutes approved by the Board shall be made available on the Board's web site and distributed on request within three business days of adoption.
- Public notices and agendas regarding Board meetings shall include a statement that accommodations may be provided with advance written notice to Board staff. The public notice shall include contact information for making such requests.

### Meeting Attendance

- All Board and Committee meetings should be attended by at least one member of the Board staff.
- Board staff taking the minutes shall record member attendance.

## ARTICLE IV: MEETINGS PROCEDURES

### Quorum

- A quorum is six (6) members of the Board.
- The Board may discuss issues and deal with administrative matters in the absence of a quorum, but it may adopt any resolution, rule, order, or directive during a meeting only if a quorum is present.
- The Board may entertain a motion to adjourn without a quorum.
- Anyone participating in the meeting, including a member of the public in the audience, may call for a roll call at any time after a quorum has been established. If a quorum is not present at the time of the roll call, no further actions can be taken by the Board unless additional members enter the room and re-establish a quorum.

### Order of Business

- The final agenda will detail the order of business. The Chair has discretion to modify the agenda during the meeting to manage time. The Chair may not eliminate items from the agenda without concurrence of the Board.

### Public Comment

- The Board Chair may solicit public comment on any agenda items during regular Board meetings.
- The Chair may determine the amount of time for public comment by each speaker based on the number of speakers, time available, and topics to be addressed.
- All regular meeting agendas shall include an item allowing for public comment. During these public comment periods, speakers may address any issue related to the Board's authority or public health.

## ARTICLE IV: MEETINGS PROCEDURES (CONT'D)

### Motions, Resolutions, and Rules

- All Board actions must be expressed by motion.
- To be accepted (passed), a motion must receive a majority of votes of the Board members present to be valid.
- Staff shall record all motions in the minutes.
- In the event that the Board takes an action that directly impacts a specific person or organization (such as a complaint, petition for rulemaking, or request for variance), staff shall notify the person or organization impacted in writing.
- No Board member or staff may use his or her position with the Board to endorse or oppose an issue unless a majority vote of the members of the Board approve of the position on the issue.
- The Board may adopt a policy that authorizes the Chair or a designee to represent the Board on issues before the Legislature.

### Manner of Voting

- All votes, including those for elections, motions, and resolutions shall be voice vote.
- In lieu of voice vote, a Board member may request a roll call or show of hands vote.

### Rules of Procedure

- The procedures used to conduct Board business will be determined by these bylaws, the Administrative Procedures Act, the Open Public Meetings Act, and the Board's authorizing statute, Chapter 43.20 RCW.
- If a procedural issue arises that is not covered by these bylaws and applicable state laws, and the Board cannot reach consensus on how to proceed, the Board will follow the procedures contained in the most current version of Robert's Rules of Order.
- Board staff shall provide a copy of Robert's Rules of Order at all Board meetings.

## ARTICLE V: COMMITTEES OF THE BOARD

### Policy Committees

- The Board may establish policy committees to help execute its work. Committees are advisory in nature and may make recommendations to the Board for Board action.
- Policy committees may consist of up to five Board members who volunteer to serve on the committee. Standing committees do not include members of the public as members.
- Each policy committee must select a Committee Chair.
- The Executive Director shall identify a lead staff person to support each policy committee.
- Board staff shall create a written summary of each policy committee meeting, and shall prepare the summary for policy committee approval at the next committee meeting.
- Board staff shall retain the summary and agendas consistent with record retention schedules, and shall then transfer these records to the State archives for permanent retention.

### Ad Hoc Committees

- The Board may establish Ad-Hoc Committees to fulfill specific tasks.
- Ad-Hoc Committees shall be comprised of members recommended by Board members or staff.
- The committee must disband when it completes its assigned task(s).
- Each Ad-Hoc Committee shall select a Committee Chair unless one is selected by the Board.
- Ad-Hoc Committees may include subject matter experts or members of the public.
- All committee meetings are open and will be conducted as special meetings under the Open Public Meetings Act in accordance with RCW 42.30.080.



## ARTICLE VI: AMENDMENTS

### Amendment to the Bylaws

- Board Bylaws may be amended upon a two-thirds majority vote of the Board.

## ARTICLE VII: CONSTRUCTION

### Liberal Construction of Rules

- The Board will interpret these bylaws in a manner that best protects the public's health and furthers the intents of Chapter 43.20 RCW.