

WASHINGTON STATE BOARD OF HEALTH

Date: June 8, 2022

To: Washington State Board of Health Members

From: Keith Grellner, Board Chair

Subject: Policy Review, Policy 2015-001, Responding to Complaints Against a Local Health Officer or Administrative Officer

Background and Summary:

Under RCW 70.05.120, any person may file a complaint with the State Board of Health (Board) concerning the failure of the local health officer or administrative officer to properly carry out public health laws under chapters 70.05, 70.24, and 70.46 RCW and Board rules.

The Board previously adopted Policy 2015-001, Responding to Complaints Against a Local Health Officer or Administrative Officer, which establishes the procedure by which the Board will handle complaints under RCW 70.05.120.

Current policy states that when a complaint is received, the Board determines whether the complaint falls within its authority to review and, if so, whether it merits further action. If it is determined that the complaint merits further action, the Board may request a preliminary investigation be completed by members and/or staff. Following the completion of a preliminary investigation, the Board will hear the results of the investigation at a public meeting and may take action, including scheduling a hearing in accordance with the Administrative Procedures Act (APA).

Since adoption of the policy, the Board has received and heard three complaints. In reviewing these complaints, staff have identified potential gaps in the policy that need updating. Areas for possible update include clarification on who may conduct a preliminary investigation, removing gendered language, clarification of the Board sponsor role, and increased specificity about who may serve as the presiding officer for a hearing. The goal of these recommendations is to provide additional transparency and clarification on how the Board will process complaints received against local health officers or health administrators in accordance with RCW 70.05.120.

Recommended Board Actions

The Board may wish to consider, and amend, if necessary, one of the following motions:

The Board adopts the proposed revisions to Policy 2015-001, Responding to Complaints Against a Local Health Officer or Health Administrator.

OR

(continued on the next page)

The Board directs staff to make additional revisions based on the discussion today by members and return with recommended revisions at a future meeting.

Staff

Samantha Pskowski

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