



## Board Policies, Procedures, and Bylaws Committee

### Purpose, Scope, Background

#### Committee Purpose

Per the Washington State Board of Health's (SBOH) bylaws, 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.

At its June 2022 meeting, Board members discussed proposed revisions to its policy regarding Responding to Complaints Against a Local Health Officer or Administrative Officer (Policy Number 2015-001). Board members expressed interest in continued work on updating this policy through an ad-hoc committee. Board staff consider this ad-hoc committee the Policies, Procedures, and Bylaws committee.

#### Committee Scope

The Policies, Procedures, and Bylaws committee will be tasked with reviewing and finalizing recommended revisions to the Board's Responding to Complaints Against a Local Health Officer or Administrative Officer policy (Policy Number 2015-001). Committee recommendations will be brought to the full Board at a future meeting for potential adoption.

This committee may also consider revisions to the Board's bylaws and other policies and procedures (e.g., the Board's policy for handling rulemaking petitions). In addition to selecting a committee chair, the scope of the committee should be confirmed by committee members during their first meeting.

#### Complaint Policy

Under RCW 70.05.120, any person may file a complaint with the 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 future complaints received against local health officers or health administrators in accordance with RCW 70.05.120.