

December 20, 2023

Michelle Davis
Executive Director
Washington State Board of Health
PO Box 47990
Olympia, WA 98504-7990

RE: Complaint response (WSBOH complaint 002)

To Executive Director Davis and the Washington State Board of Health:

Thank you for the opportunity to respond to the concerns shared in the November 28 complaint by John Gehman. Our priority is, and will remain, the health and safety of all Snohomish County residents. The actions we are taking to address COVID-19 are carefully considered and in alignment with state guidance.

The complainant has previously submitted concerns to the State Board of Health regarding local health officials, alleging that they failed to take steps to control COVID-19 and did not comply with public health regulations. The State Board of Health [in January 2023](#) voted unanimously that the complaint did not merit investigation. In their deliberation on the matter, Board members noted that the complainant was not specific about what they believed should be done, and one Board member expressed that she was perplexed by the complaint after seeing the hard work and proactive efforts of Snohomish County's health officers throughout the course of the pandemic. Others acknowledged the many challenges of the pandemic, and that public health officials navigated the crisis admirably given the push and pull from many directions when it came to prevention and intervention measures.

In the November 28 complaint, there appears to be more specificity. The complainant outlines three remedies sought. We would like to address those three items.

- 1) Complainant seeks, "Immediate implementation and enforcement of the State of Washington's current COVID-19 masking guidance throughout all of Snohomish County."

Snohomish County has consistently been in alignment with statewide masking requirements and guidance. The Secretary of Health's previous mask order has been rescinded for quite some time. Washington State Department of Health (DOH) guidance does still recommend masking in certain settings or circumstances, and the Snohomish County Health Department has repeatedly supported and aligned with those recommendations in public messaging, conversations, media interviews, and within our own programs and building.



A key setting where masking has been recommended is in healthcare environments, and the Snohomish County Health Department (Dr. Lewis in particular) was directly involved in efforts by regional healthcare organizations and public health leaders to identify thresholds for disease activity for COVID-19, influenza, and respiratory syncytial virus (RSV) for which masking should be required by healthcare organizations in patient care areas. We [issued a statement](#) in support of those thresholds and maintain [a public facing data dashboard](#) accompanied by regular messaging to update people on disease activity and when they should be prepared to mask up. The work of local health officials, including Dr. Lewis, on updating approaches to masking and protecting those at risk of severe illness [has been published in the Annals of Internal Medicine](#). In short, Snohomish County's public health leaders have diligently worked to align with state guidance while being at the forefront of data-informed, carefully considered regional masking recommendations to reduce the spread of illness.

- 2) Complainant seeks: "Immediate implementation and enforcement of the State's 'Procedures for isolation or quarantine' under WAC 246-100-040."

As with masking guidance, the Snohomish County Health Department has consistently aligned our local guidance with statewide guidance for isolation and quarantine. [DOH guidance](#) as of the writing of this response states that, "People who test positive for COVID-19 or those who have symptoms of COVID-19 and are awaiting test results should isolate at home away from others except to get medical care." We have and will continue to share that information and remind people to stay home and away from others if they have tested positive and/or have symptoms. The current DOH guidance document states "should" rather than "must" isolate.

The WAC cited by the complainant focuses on the health officer's authority to order emergency detention of a person or group of persons for the purposes of isolation and quarantine. This WAC is not utilized often, and when it is, it is done in collaboration with CDC and DOH isolation and quarantine requirements for whatever infection is in question. An illness such as tuberculosis (TB) would be the most likely example. This authority is only used after other measures have been exhausted in terms of working with the individual or group to voluntarily quarantine or isolate.

- 3) Complainant seeks: "Any other action necessary to control and prevent the spread of dangerous, contagious, or infectious diseases within Snohomish County."

This is a broad category and encompasses the day-to-day work of local public health. The Snohomish County Health Department has many programs focused on reducing disease in our community, from foodborne illnesses to sexually transmitted infections to respiratory viruses. Our health officer, director, and other staff working in their areas of expertise within the Health Department will continue to evaluate illness activity in Snohomish County and take action to prevent the spread of infectious diseases.



COVID-19 is one of many notifiable conditions the Health Department monitors and is prepared to respond to. As of the writing of this response, COVID-19 activity based on data from hospitals in Snohomish County is low – it is below the threshold set for masking in healthcare, and notably lower than the levels reported at the same time last season or the season before. We will continue to monitor disease activity and will focus on additional guidance and preventive measures in the event of a surge in transmission or severity of the disease.

Thank you for your time and consideration of this response.

Sincerely,



James Lewis, MD MPH
Health Officer
Snohomish County Health Department



Dennis Worsham
Health Director
Snohomish County Health Department