



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH

PO Box 47990 • Olympia, Washington 98504-7990

January 12, 2024

Sent via email

Dear John Gehman:

This letter is to inform you that on January 10, 2024, the Washington State Board of Health (Board) reviewed your complaint against the Snohomish County Health Department (SCHD) Director and Local Health Officer. Your complaint alleged that these health officials had violated RCW 70.05.070(3) and refused or neglected to obey and enforce the Board's rules related to communicable disease control under WAC 246-100-036 and 040.

The Board determined that the complaint did not warrant further investigation and dismissed the complaint for the following reasons. When reviewing your complaint and the supplemental statement of authorities you provided, Board Members did not find a violation of RCW 70.05.070(3), or WAC 246-100-036 or -040 by the Local Health Officer or Director at SCHD. The Board stated that there are currently no statewide requirements for masking and that current guidance is aligned with the Centers for Disease Control. Board Members also clarified that guidance is not enforceable.

The Board also discussed the topic of quarantine and how WAC 246-100-040, procedures of isolation and quarantine, is only used under certain circumstances. Board Members also mentioned that during the pandemic, mandatory isolation and quarantine did not occur in Washington or elsewhere in the United States. Recommendations around isolation and quarantine for COVID-19 in the U.S. remain voluntary.

Board Members also expressed the importance of reviewing these complaints, as there may be situations where local health officials are not serving the needs of their communities. However, Board Members noted that in this case, the Local Health Officer and Director at SCHD have appropriately protected the public's health with respect to COVID-19 and remain involved in statewide discussions related to masking policies and other public health topics.

The Board now considers your complaint closed and will take no further action. Materials related to this matter are available on the Board's website.

Sincerely,

A handwritten signature in black ink that reads "Michelle A. Davis". The signature is written in a cursive style with a large, looped initial "M".

Michelle A. Davis
Executive Director

cc: John G. Gehman



STATE OF WASHINGTON
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PO Box 47990 • Olympia, Washington 98504-7990

January 26, 2024

Sent via email.

Dear John Gehman:

This letter is in response to your most recent submittal, received on Monday, January 22, 2024, alleging that the Snohomish County Health Department (SCHD) Director and Health Officer have failed to comply with provisions of Chapter 70.05 RCW in relation to COVID-19. It is substantially similar to the complaint you submitted on November 28, 2023, concerning alleged failure by the SCHD Director and Local Health Officer to control and prevent COVID-19 pursuant to public health statutes and rules. It asserts that the Board must conduct a preliminary investigation whenever it receives a complaint.

The Washington State Board of Health (Board) reviewed and discussed your previous, substantially similar complaint against the SCHD Director and Local Health Officer at its regular meeting on January 10, 2024. Consistent with the Board's procedure regarding complaints under RCW 70.05.120(1), the Board determined that your complaint did not merit a preliminary investigation. Materials related to this matter are available on the Board's website.

The Board may dismiss a complaint without a preliminary investigation if it lacks sufficient information to support a preliminary investigation or is frivolous— Washington State Board of Health Policy and Procedure, *Responding to Complaints Against a Local Health Officer or Administrative Officer Under RCW 70.05.120*, November 2022.

Your previous complaint was dismissed without a preliminary investigation for the reasons outlined in the letter sent to you on January 16, 2024. As noted in the letter, the Board considers your complaint closed and will take no further action.

Sincerely,

Michelle A. Davis
Executive Director