

LOCAL BOARDS OF HEALTH - TRIBAL MEMBERSHIP (ESHB 1946)

Engrossed Substitute House Bill (ESHB) 1946 passed during the 2025 legislative session. This law requires the State Board of Health (Board) to clarify its local board of health (LBOH) composition rules and timelines for including Tribal representation on local boards of health (**Chapter 246-90 WAC**), while maintaining a balance between elected and non-elected members, as required by law. The law reinforces Tribal Sovereignty and self-determination by shifting the appointment of Tribal members from the American Indian Health Commission (AIHC) to the Tribes and Urban Indian organizations within a health jurisdiction.

This law is effective July 27, 2025. LBOHs must follow this law when adding non-elected individuals, including Tribal representatives to their boards. After July 27, 2025, LBOHs must add Tribal members to their local boards of health within 60 days of receiving an appointment by a Tribe or Urban Indian health organization. The law requires the Board to establish timelines for modifying local board of health membership in chapter 246-90 WAC by July 27, 2026.

This law:

- Gives the Board 12 months to complete the update of the local board of health (LBOH) composition rules to reflect the changes required by ESHB 1946.
- Clarifies the requirements for Tribal representation on LBOHs.
- Requires the Board to adopt rules to establish timelines for adjusting LBOH membership to keep a balanced mix of elected and non-elected members when Tribal representatives are added.
- Expands representation to ensure Tribes and Urban Indian organizations recognized by the Indian Health Service and registered as a 501(c)(3) within a jurisdiction, choose their representative for LBOHs or health district boards.
- Shifts the appointment authority from the American Indian Health Commission (AIHC) to the Tribes and Urban Indian organizations, respecting Tribal sovereignty and self-determination.
- Requires that LBOH notify the AIHC when a Tribe or Urban Indian organization appoints a Tribal representative. Previously, the law required the AIHC to select Tribal representatives for LBOHs, where applicable.