

WASHINGTON STATE BOARD OF HEALTH

HEALTH PROMOTION COMMITTEE SPECIAL MEETING SUMMARY NOTES

What: Health Promotion Committee

When: December 14, 2022

Participating via Zoom: Board Members Patty Hayes, Stephen Kutz, and Kelly Oshiro; Board Staff, Molly Dinardo, Cait Lang-Perez, Mikayla Leezy, Hannah Haag, Melanie Hisaw; and one member of the public, Erika Clough.

Summary Notes:

Opening and Introductions

Molly Dinardo, Board Staff, opened the meeting with a brief overview of the policy subcommittee structure, a review of the meeting agenda, and had Board Members introduce themselves.

Committee Chair Selection

Ms. Dinardo noted per the Board's bylaws, each policy subcommittee must select a Committee Chair. The bylaws are silent on the process of selecting a committee chair, so staff opened it up to Board members to decide. Member Stephen Kutz volunteered as the Committee Chair for this meeting.

Rulemaking Update – Handling of Human Remains, Chapter 246-500 WAC

Board Staff Molly Dinardo, Cait Lang-Perez, and Mikayla Leezy recapped the Board's authority in developing standards for health and safety measures for the handling and final disposition of human remains and updates made to the rule in 2020. Staff also provided information on the implementation of this rulemaking and the next steps identified based on information collected through post-implementation follow-up with regulated entities. Staff also asked if there was a Board member present who would be willing to sponsor this rulemaking and if Board members thought post-implementation surveys should be incorporated into future Board practices.

Member Patty Hayes asked for clarification about the initial testing parameters outlined in WAC 246-500-055 and whether it included testing for medical implants. Staff clarified that under the rule, facilities must analyze all instances of Natural Organic Reduction (NOR) for physical contaminants, such as medical implants and dental fillings, and then send the first 80 instances of NOR to a third-party lab to test for metals and other items

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listed in Table 500-A of the rule. Member Hayes volunteered to be the sponsor for this exception rulemaking.

Members Kelly Oshiro and Hayes noted that a potential unintended consequence of a post-rulemaking survey is that people could see a post-implementation survey as another opportunity to influence changes in rulemaking. Staff would need to be very clear about when a post-implementation survey should be conducted and the exact scope and purpose of the survey.

Informational Briefing – Recreational Use of Kratom

At a previous subcommittee meeting, a Board Member requested an informational briefing on the origin and recreational use of Kratom in the U.S. Mikayla prepared an educational briefing on this topic and presented it to Board members. Mikayla also noted that the Board does not have the authority to regulate Kratom.

Member Oshiro asked which agency could be responsible for regulating Kratom. Staff responded that the product is not currently regulated but maybe could be under the Liquor and Cannabis Board (LCB).

Member Kutz expressed a strong interest in regulating Kratom and would like the Board to take action on it. He shared that it's an abused substance, easily accessible, and kids are getting access to it. Member Kutz also had a staff member about 5-6 years ago die of a Kratom overdose, and since then has been asking about what can be done regarding substance regulation. Member Kutz is curious if the Board could put together a proposal on this. He feels it's likely too soon for this session but is interested in continuing discussions.

Member Hayes raised a question regarding which states have banned Kratom and when these bans occurred. Member Hayes also noted that even though the Board doesn't have direct authority, possible avenues to address Kratom and other emerging health issues could be through upcoming Board strategic planning or perhaps through a policy statement – could check with the Attorney General's Office about what's possible.

Member Oshiro asked if Kratom was cultivated or grown locally in Washington, or other areas of the U.S. Mikayla noted she did not come across this information in her research. Member Oshiro said she would support mentioning that Kratom is a substance that the Board is concerned about – would like to see some sort of bill released to start conversations.

HP Committee Members requested that the Board and Board staff consider adding Kratom regulation to the Board's legislative statement or strategic plan.

2023 Legislative Session Preview

This agenda item was skipped. Staff responsible for this item couldn't attend the meeting. Staff will provide updates as the session starts.

Staff Updates and Announcements

Ms. Dinardo announced to Board members that staff will send a survey to assess their interest in leadership opportunities in 2023, such as participation and leading Board subcommittees, participation in ad hoc committees, and rulemaking sponsorship. She explained that subcommittee meetings have been focused on preparing for the Board meetings, and agendas have been set by Board staff. Ms. Dinardo noted today's Kratom briefing is a good example of a topic that is important and could serve as space for emerging health topics outside of the Board's authority. The survey will ask about Board member interests and priorities that could be incorporated into the Board's work. Survey open 12/16/22 – 1/15/23 and will guide the development of committee agendas and meeting schedules. Molly mentioned staff will present survey findings to the Board sometime in early 2023.

Member Kutz shared that sponsoring rulemaking projects and other Board initiatives is a great learning experience. He encouraged members to sign up and said it's not overburdensome.

Member Hayes said she thought the survey was a good idea and wished more Board members were present for today's meeting. She expressed concern about current member participation. Unrelated to the survey topic, Member Hayes added that she sits on a newly developed Public Health Advisory Board with another Board staff member. She questioned whether the advisory board's work might fall with the Board's future work and if there is a place for a briefing on this to the Board, and how we might align strategies and priorities.

Member Kutz noted that if Board members are newer to public health or want to have conversations on the health side of things, the Health Promotion committee is a great place to bring this conversation to. He commented that it's a great opportunity to learn more about environmental health and health promotion, regardless of your background in public health.

Committee Member Comments, Questions, and Next Steps

Member Oshiro thanked staff for leading this meeting.

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