



# Listening Session: Local Board of Health Composition Rulemaking

November 17, 2021

# Legislative Background

- ESSHB 1152 was passed by the Legislature during the 2021 session and, among other things, made changes to the composition of local boards of health (LBOH).
  - Legislation requires certain LBOH to include an equal number of elected and non-elected members.
- Non-elected members must be representative of three categories:
  - Public health, health care facilities, and providers
  - Consumers of public health
  - Other community stakeholders

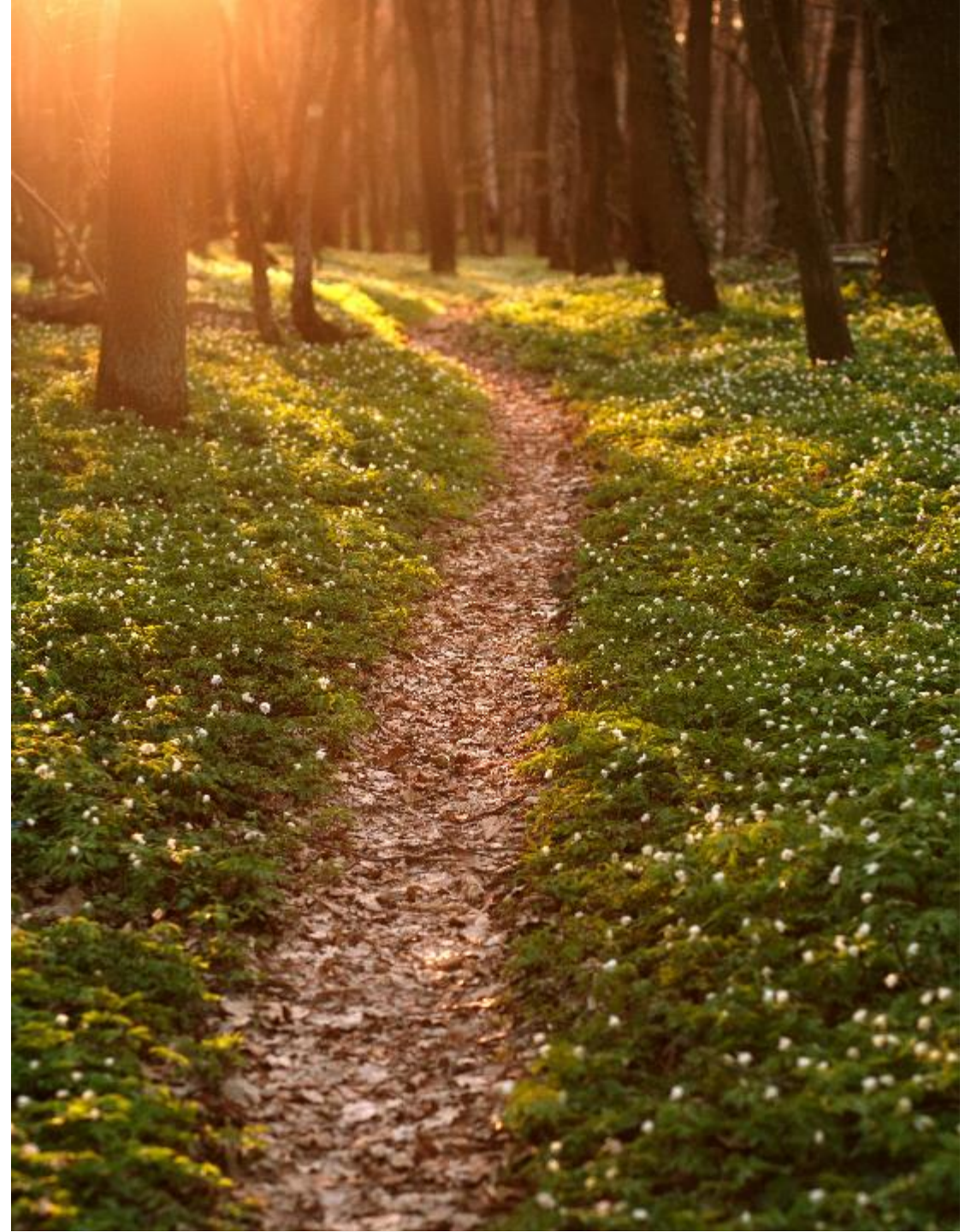
# State Board of Health Rulemaking

- ESSHB 1152 directs the Board to establish the selection and appointment process for non-elected members of LBOH
- The Board filed a CR-101 in June 2021 to initiate the rulemaking process
- The Board is required to adopt rules by July 25, 2022.



# Informal Draft

- Board staff have worked to develop an informal draft of rules for informal comment. The draft was distributed on October 22, 2021.
- Today's session is to discuss this informal draft and hear feedback from interested parties.



# WAC 246-90-005 Purpose, scope, and applicability of chapter

This section does the following:

- Establishes the purpose of the chapter
- Describes the scope of the chapter
- Describes whom the chapter applies to



# WAC 246-90-010 Definitions



This section does the following:

- Defines terms for purposes of this chapter
- Uses definitions consistent with statute

# **WAC 246-90-015 Local boards of health – Non-elected members**

This section does the following:

- Requires applicable local boards of health to have an equal number of elected and non-elected members
- Describes instances for when a local board of health must have tribal representation
- Describes requirements for any resolution, ordinance, or other action to change the size or composition of the LBOH

# **WAC 246-90-020 Local boards of health – Non-elected members – Recruitment**

This section does the following:

- Describes the recruitment activities that local boards of health must engage in to identify non-elected members
- Describes where and how vacancy announcements must be announced
- Allows a local board of health to require residency
- Establishes interview requirements for candidates for vacancies of non-elected positions on local boards of health

# **WAC 246-90-025 Local boards of health – Non-elected members - Selection**

This section does the following:

- The selection process for non-elected members of a local board of health
- Describes the required representation from the three categories in various scenarios
- Provides criteria to be used for when considering an applicant for selection
- Prohibits those persons with a conflict of interest from selection to a local board of health

# WAC 246-90-030 Local boards of health – Non-elected members – Appointment

This section does the following:

- Describes the process for appointment of a non-elected member to a local board of health
- Requires a majority vote of the local legislative authority



# WAC 246-90-035 Local boards of health – Non-elected members - Exceptions

This section does the following:

- Describes the exceptions to prior sections of the chapter
  - These exceptions are articulated in statute



# Next steps

- Informal comment period is open through **November 19, 2021**
- Board staff will review comments and incorporate revisions where appropriate
- Staff anticipate a second informal draft being available for review mid-December

# Have additional comments?

Please e-mail any additional questions or comments to  
[LBOHComposition@sboh.wa.gov](mailto:LBOHComposition@sboh.wa.gov)



# | THANK YOU