

---

## Ways & Means Committee

---

### SSB 6171

**Brief Description:** Concerning savings in programs under the supervision of the department of health.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senator Prentice).

#### Brief Summary of Substitute Bill

- Eliminates the Department of Health's (Department) responsibility to regulate Group B public water systems and authorizes local governments to establish such requirements.
- Eliminates the requirement that the Department investigate all human cases of pesticide poisoning.
- Eliminates the requirement that the Department provide technical assistance regarding contaminated properties.
- Requires the Department to contract for an Internet-based adverse events reporting system only if specific funding is provided.
- Eliminates rulemaking requirements related to cord blood donation.

**Hearing Date:** 4/25/09

**Staff:** Chris Blake (786-7392)

#### **Background:**

The Department of Health (Department) is the primary agency responsible for statewide public health activities. These activities include epidemiology, health professions regulation, health promotion, disease and injury prevention, and environmental health monitoring and assessment. Each of these activities includes various programs to address particular health concerns.

#### Environmental Health Programs

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Division of Environmental Health at the Department of Health (Department) conducts several activities relating to environmental factors that may affect human health. These activities pertain to drinking water safety, shellfish and food safety, and community environmental health.

Group B public water systems provide drinking water for between two and 14 households and serve less than 25 people per day. Larger Group A public water systems must meet federal standards, but Group B systems are not regulated by the federal government. Under current law, the Department of Health (DOH) staff review and approve the systems, conduct water sampling activities, and respond to emergencies. There are about 4,200 Group A systems serving about 5.5 million people and about 13,000 Group B system serving 110,000 people. In addition, there are about 920,000 single-family wells in Washington that are not regulated.

The Department provides technical assistance to local health jurisdictions for the assessment of the degree of contamination at properties used as clandestine drug laboratories.

The Department conducts reviews of human cases of pesticide poisonings. The Department and several of the other agencies that conduct pesticide investigations report to the Pesticide Incident Reporting and Tracking (PIRT) Review Panel. The PIRT Panel reviews procedures for investigating and reporting pesticide incidents. The panel consists of ten members who are agency directors, university representatives, a toxicologist, and a member of the public.

#### Adverse Event Reporting

An "adverse event" is one of several of serious events that certain medical facilities must report to the Department. A medical facility must notify the Department within 48 hours of confirmation that an adverse event has occurred, and then it must submit notification of the event, date, type, and any additional contextual information to the DOH within 45 days. The Department must contract with an independent entity to develop a secure internet-based system for the reporting of adverse events and incidents. The independent entity is responsible for receiving and analyzing the notifications and reports, and developing recommendations for changes in health care practices for the purposes of reducing the number and severity of adverse events.

#### Cord Blood Banking

Chapter 56, Laws of 2008 (SHB 2431) expanded the information that physicians must provide to pregnant patients about the differences between and the potential benefits and risks of public or private cord blood banking, and the information must be sufficient to allow a pregnant woman to make a decision before her third trimester of pregnancy about whether to participate in a cord blood banking program. It requires the Department to update existing rules to include these provisions.

#### **Summary of Bill:**

The requirement that the Department of Health (Department) monitor water quality standards, and establish maintenance requirements related to Group B water systems is eliminated. Local governments may establish requirements for Group B water systems in addition to those established by rule or by the State Board of Health as long as they are at least as stringent as the state requirements.

The mandatory requirement that the Department investigate all human cases of pesticide poisoning is made permissive. The Department is no longer required to adopt rules regarding procedures for the prevention of recurring incidents of pesticide poisonings.

The requirement that the Department provide technical assistance in the assessment of contaminated properties is made permissive. The Department is also relieved of its duty to adopt rules regarding third party sampling standards for property contamination and qualifications for third party samplers.

The Department is only required to contract with an independent entity to establish an Internet-based adverse events reporting system if specific funding is provided in the budget. In addition, the Department is no longer required to report adverse events and incidents to the Washington State Quality Forum.

The rulemaking requirement for the Department relating to time limits and standards for providing information on cord blood donations is eliminated.

**Appropriation:** None.

**Fiscal Note:** Requested on April 23, 2009.

**Effective Date:** The bill contains an emergency clause and takes effect immediately, except for section 9 which takes effect 90 days after adjournment of the session in which the bill is passed.