

---

**SENATE BILL 5253**

---

**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senators Quigley, Moyer, Hargrove and C. Anderson; by request of Department of Health

Read first time 01/17/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to implementation of the public health improvement  
2 plan; amending RCW 41.05.240, 70.05.030, 70.05.035, and 70.46.020;  
3 adding new sections to chapter 43.70 RCW; providing an effective date;  
4 and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature declares its intent to  
7 implement the recommendations of the public health improvement plan by  
8 initiating a program to provide the public health system with the  
9 necessary capacity to improve the health outcomes of the population of  
10 Washington state and establishing the methodology by which improvement  
11 in the health outcomes and delivery of public health activities will be  
12 assessed.

13 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
14 otherwise, the definitions in this section apply throughout sections 1  
15 through 5 of this act.

16 (1) "Capacity" means actions that public health jurisdictions must  
17 do as part of ongoing daily operations to adequately protect and  
18 promote health and prevent disease, injury, and premature death. The

1 public health improvement plan identifies capacity necessary for  
2 assessment, policy development, administration, prevention, including  
3 promotion and protection, and access and quality.

4 (2) "Department" means the department of health.

5 (3) "Local health jurisdiction" means the local health agency,  
6 either county or multicounty, operated by local government, with  
7 oversight and direction from a local board of health, that provides  
8 public health services throughout a defined geographic area.

9 (4) "Health outcomes" means long-term objectives that define  
10 optimal, measurable, future levels of health status, maximum acceptable  
11 levels of disease, injury, or dysfunction, or prevalence of risk  
12 factors.

13 (5) "Public health improvement plan," also known as the public  
14 health services improvement plan, means the public health services  
15 improvement plan established under RCW 43.70.520, developed by the  
16 department, in consultation with local health departments and  
17 districts, the state board of health, the health services commission,  
18 area Indian health services, and other state agencies, health services  
19 providers, and residents concerned about public health, to provide a  
20 detailed accounting of deficits in the core functions of assessment,  
21 policy development, and assurance of the current public health system,  
22 how additional public health funding would be used, and to describe the  
23 benefits expected from expanded expenditures.

24 (6) "Public health" means activities that society does collectively  
25 to assure the conditions in which people can be healthy. This includes  
26 organized community efforts to prevent, identify, preempt, and counter  
27 threats to the public's health.

28 (7) "Public health system" means the department, the state board of  
29 health, and local health jurisdictions.

30 NEW SECTION. **Sec. 3.** The primary responsibility of the public  
31 health system, is to take those actions necessary to protect, promote,  
32 and improve the health of the population. In order to accomplish this,  
33 the department shall:

34 (1) Identify, as part of the public health improvement plan, the  
35 key health outcomes sought for the population and the capacity needed  
36 by the public health system to fulfill its responsibilities in  
37 improving health outcomes.

1 (2)(a) Distribute state funds that, in conjunction with local  
2 revenues, are intended to improve the capacity of the public health  
3 system. The distribution methodology shall encourage system-wide  
4 effectiveness and efficiency and provide local health jurisdictions  
5 with the flexibility both to determine governance structures and  
6 address their unique needs.

7 (b) Enter into with each local health jurisdiction performance-  
8 based contracts that establish clear measures of the degree to which  
9 the local health jurisdiction is attaining the capacity necessary to  
10 improve health outcomes. The contracts shall include provisions to  
11 encourage collaboration among local health jurisdictions. State funds  
12 shall be used solely to expand and complement, but not to supplant city  
13 and county government support for public health programs.

14 (3) Develop criteria to assess the degree to which capacity is  
15 being achieved and ensure compliance by public health jurisdictions.

16 (4) Adopt rules necessary to carry out the purposes of chapter  
17 . . . , Laws of 1995 (this act).

18 (5) Biennially, within the public health improvement plan, evaluate  
19 the effectiveness of the public health system, assess the degree to  
20 which the public health system is attaining the capacity to improve the  
21 status of the public's health, and report progress made toward  
22 improving health outcomes.

23 **Sec. 4.** RCW 41.05.240 and 1993 c 492 s 468 are each amended to  
24 read as follows:

25 Consistent with funds appropriated specifically for this purpose,  
26 the ((authority)) department shall establish in conjunction with the  
27 area Indian health services system and providers an advisory group  
28 comprised of Indian and non-Indian health care facilities and providers  
29 to formulate an American Indian health care delivery plan. The plan  
30 shall include:

31 (1) Recommendations to providers and facilities methods for  
32 coordinating and joint venturing with the Indian health services for  
33 service delivery;

34 (2) Methods to improve American Indian-specific health programming;  
35 and

36 (3) Creation of co-funding recommendations and opportunities for  
37 the unmet health services programming needs of American Indians.

1       **Sec. 5.** RCW 70.05.030 and 1993 c 492 s 235 are each amended to  
2 read as follows:

3       In counties without a home rule charter, the board of county  
4 commissioners shall constitute the local board of health, unless the  
5 county is part of a health district pursuant to chapter 70.46 RCW. The  
6 jurisdiction of the local board of health shall be coextensive with the  
7 boundaries of said county. The board of county commissioners may, at  
8 its discretion, adopt an ordinance expanding the size and composition  
9 of the board of health to include persons other than elected officials  
10 as members, however, the total number of such persons on a local board  
11 of health must be less than the total number of elected officials. An  
12 ordinance adopted under this section shall include provisions for the  
13 appointment, term, and compensation, or reimbursement of expenses, if  
14 any, for such persons.

15       **Sec. 6.** RCW 70.05.035 and 1993 c 492 s 237 are each amended to  
16 read as follows:

17       In counties with a home rule charter, the county legislative  
18 authority shall establish a local board of health and may prescribe the  
19 membership and selection process for the board. The county legislative  
20 authority may appoint to the board of health persons other than elected  
21 officials as members, however, the total number of such persons on a  
22 local board of health must be less than the total number of elected  
23 officials. The county legislative authority shall specify the  
24 appointment, term, and compensation or reimbursement of expenses, if  
25 any, for such persons. The jurisdiction of the local board of health  
26 shall be coextensive with the boundaries of the county. The local  
27 health officer, as described in RCW 70.05.050, shall be appointed by  
28 the official designated under the provisions of the county charter.  
29 The same official designated under the provisions of the county charter  
30 may appoint an administrative officer, as described in RCW 70.05.045.

31       **Sec. 7.** RCW 70.46.020 and 1993 c 492 s 247 are each amended to  
32 read as follows:

33       Health districts consisting of two or more counties may be created  
34 whenever two or more boards of county commissioners shall by resolution  
35 establish a district for such purpose. Such a district shall consist  
36 of all the area of the combined counties. The district board of health  
37 of such a district shall consist of not less than five members for

1 districts of two counties and seven members for districts of more than  
2 two counties, including two representatives from each county who are  
3 members of the board of county commissioners and who are appointed by  
4 the board of county commissioners of each county within the district,  
5 and shall have a jurisdiction coextensive with the combined boundaries.  
6 The boards of county commissioners may by resolution provide for  
7 persons other than elected officials as members of the district board  
8 of health, however, the total number of such persons on a local board  
9 of health must be less than the total number of county commissioners.  
10 A resolution adopted under this section must specify the provisions for  
11 the appointment, term, and compensation, or reimbursement of expenses,  
12 if any, for such persons.

13 At the first meeting of a district board of health the members  
14 shall elect a chair to serve for a period of one year.

15 NEW SECTION. Sec. 8. Sections 1 through 3 of this act are each  
16 added to chapter 43.70 RCW.

17 NEW SECTION. Sec. 9. If any provision of this act or its  
18 application to any person or circumstance is held invalid, the  
19 remainder of the act or the application of the provision to other  
20 persons or circumstances is not affected.

21 NEW SECTION. Sec. 10. This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and shall take  
24 effect July 1, 1995.

--- END ---