
Health Care Committee

HB 2542

Brief Description: Requiring the development of performance measures for emergency preparedness.

Sponsors: Representatives Schual-Berke, Moeller, Morrell, Appleton, Ericks and Green.

Brief Summary of Bill
<ul style="list-style-type: none">• Requires the Secretary of Health to develop performance measures for local health jurisdictions in the areas of emergency preparedness and communicable disease.• Authorizes the Department of Health to distribute funds to local health jurisdictions to assist them in complying with the emergency preparedness and communicable disease performance measures.

Hearing Date: 12/7/06

Staff: Chris Blake (786-7392).

Background:

The primary authority for matters of public health in Washington is divided between the Washington State Department of Health (Department) and Board of Health (Board) at the state level and 35 local health jurisdictions on the local level. While the state agencies and the local health jurisdictions coordinate efforts on many issues, each local health jurisdiction operates independently, not as a subdivision of the Department. The activities of local health jurisdictions vary, but some of the statutory duties include: (1) controlling and preventing the spread of disease; (2) informing the public of disease prevention and health promotion programs; (3) inspecting water systems; (4) preventing nuisances that are detrimental to the public health; and (5) enforcing state and local public health laws.

Since 1994 the Department of Health has published a Public Health Improvement Plan (Plan) every two years. By statute, the Department must develop the Plan in consultation with the Board, local health jurisdictions, area Indian health services, and other organizations. The Plan must establish standards for public health protection, strategies and schedules for improving public health programs, and recommended levels of dedicated funding for public health services. From this plan, common standards have been developed to measure the performance of local health jurisdictions with respect to the primary functions of public health.

The 2004 version of the Plan recommended the formulation of a specially organized group to study alternative financing strategies for the public health system. In 2005, the Legislature passed HCR 4410 which created the Joint Select Committee on Public Health Finance (Committee) to review spending on public health services and potential future funding sources. The report of the Committee is due July 1, 2006.

Summary of Bill:

The Secretary of Health (Secretary) must develop performance measures for emergency preparedness and protection from communicable disease by December 1, 2006. The performance measures must establish ways to assess the ability of the Department and each local health jurisdiction to achieve an adequate and consistent level of statewide protection in the areas of emergency preparedness and communicable disease protection.

The Secretary must develop a biannual process for assessing the compliance of the Department and each local health jurisdiction. Within 90 days of determining that a local health jurisdiction is not in substantial compliance with the performance measures, the Secretary must determine appropriate remedial measures by issuing a notice of noncompliance to the local health jurisdiction. The notice of noncompliance must be accompanied by a statement of specific actions that are necessary to achieve compliance and any necessary interim actions. Within two weeks of receipt of a notice of noncompliance, the local health officer must respond with a plan of correction with specific actions for achieving compliance. The Secretary must either approve a plan of correction or return it to the local health jurisdiction to change and resubmit.

If a local health jurisdiction does not submit an acceptable plan of correction or does not comply with an approved plan of correction, the Secretary may order additional remedial measures. These measures may include: (1) assignment of a monitor to the local health jurisdiction; (2) censure or reprimand; (3) suspension or refund of payments to the local health jurisdiction; or (4) removal of the local health officer.

The Department is authorized to distribute funds to assist local health jurisdictions in meeting the performance measures. Twenty million dollars is appropriated from the General Fund to the Department for these purposes. Each local health jurisdiction must submit to the Department a spending plan that details the expenditures required to achieve and maintain substantial compliance with the Secretary's performance measures. The Secretary must review the spending plans and prioritize requests for funding. The Secretary must immediately notify the Governor when funds for local health jurisdictions are not adequate to maintain substantial compliance with the performance measures. The Secretary may not issue a notice of noncompliance where the Secretary has notified the Governor of the inadequacy of funds and the local health jurisdiction's failure to comply with the performance measures is the result of the inadequate funds.

Appropriation: \$20 million.

Fiscal Note: Requested on January 19, 2006.

Effective Date: The bill contains an emergency clause and takes effect immediately.