

ESSB 6366 - H COMM AMD  
By Committee on Health Care

NOT CONSIDERED 03/03/2006

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that certain threats  
4 to public health do not respect the jurisdictional boundaries of local  
5 public health districts and departments. Such threats require an  
6 efficient, well-coordinated response by local health jurisdictions in  
7 order to protect the health of local residents as well as the health of  
8 all Washingtonians. These threats place demands on public health to be  
9 more vigilant than ever and to respond quickly and decisively. Rapid  
10 responses of substantial magnitude are no longer a goal for the future,  
11 but a necessity for preserving the health of society.

12 For over a decade, the public health improvement plan process has  
13 brought state and local health jurisdictions together to achieve a  
14 partnership that has produced standards of quality and best practices  
15 that are a national model. The standards developed by the public  
16 health improvement partnership have focused largely on formal  
17 documentation of administrative processes by state and local health  
18 jurisdictions. This is the necessary first step to measuring the  
19 performance of public health, but is not yet sufficient for measuring  
20 the outcomes of these improvements in public health operations.  
21 Performance measures are needed immediately to ascertain the extent to  
22 which the residents of the state of Washington have a consistent and  
23 adequate level of protection from communicable diseases including a  
24 pandemic disease outbreak.

25 The legislature recognizes the magnitude of the demands placed on  
26 public health in today's society and the strides that it has made  
27 toward holding itself accountable for the way in which it performs.  
28 The legislature finds that enhanced funding and enhanced performance  
29 measures are immediately necessary in order for public health to  
30 perform at levels that will protect all of the residents of Washington.

1        NEW SECTION.    **Sec. 2.**    The definitions in this section apply  
2 throughout this chapter unless the context clearly requires otherwise.

3        (1) "Department" means the department of health.

4        (2) "Local health jurisdiction" means a local health department as  
5 established under chapter 70.05 RCW, a combined city-county health  
6 department as established under chapter 70.08 RCW, or a health district  
7 established under chapter 70.05 or 70.46 RCW.

8        (3) "Performance measure" means a standard that establishes a  
9 benchmark against which a local health jurisdiction's performance can  
10 be measured that is as closely associated with a desired outcome as  
11 possible.

12       (4) "Secretary" means the secretary of health.

13       NEW SECTION.    **Sec. 3.**    The secretary shall:

14       (1) By June 15, 2006, establish a template, consistent with  
15 requirements and performance standards established by the United States  
16 department of health and human services, to define preparedness  
17 activities that should be undertaken prior to a pandemic disease  
18 outbreak or other communicable disease outbreak; describe the response,  
19 coordination, and decision-making structure among all local public  
20 health, health care, and response organizations; and define the roles  
21 and responsibilities of all local public health, health care, and  
22 response organizations during all phases of a pandemic disease outbreak  
23 or other communicable disease outbreak. The template shall be used by  
24 each local health jurisdiction to assess their capacity to respond to  
25 a pandemic disease outbreak or other communicable disease outbreak that  
26 poses a significant risk of a statewide health hazard. The template  
27 must include explicit criteria and performance or outcome measures  
28 related to the activities identified in section 5 of this act, and  
29 reflect the relative priorities among the activities for purposes of  
30 local health jurisdiction planning and implementation efforts. The  
31 performance measures included in the template must provide a means to  
32 assess operations of the department and each local health jurisdiction  
33 with respect to providing an adequate and consistent level of statewide  
34 protection for the residents of the state in the event of a pandemic  
35 disease outbreak or other communicable disease outbreak. In developing  
36 these measures, the secretary shall consider performance measures  
37 developed by government agencies and private organizations. The

1 secretary shall attempt to develop these performance measures in  
2 categories consistent with the process standards applicable to  
3 protection from communicable disease as identified in the public health  
4 improvement plan under RCW 43.70.520 and 43.70.580, to the extent that  
5 these measures are consistent with federal standards defined by the  
6 United States department of health and human services;

7 (2) Develop a process for assessing the compliance of the  
8 department and each local health jurisdiction with the performance  
9 measures developed under subsection (1) of this section at least  
10 biannually;

11 (3) Develop a process for distributing the funds provided in  
12 section 8(2) of this act on or before July 1, 2006, to local health  
13 jurisdictions for development of their pandemic flu and communicable  
14 disease outbreak preparedness and response plans, based upon a formula  
15 developed by the secretary;

16 (4) Develop a process for approving or rejecting pandemic flu and  
17 communicable disease outbreak preparedness and response plans developed  
18 by local health jurisdictions under section 5 of this act by November  
19 30, 2006.

20 NEW SECTION. **Sec. 4.** Each local health jurisdiction must  
21 substantially comply with the performance measures established under  
22 section 3 of this act by July 1, 2007, and maintain such substantial  
23 compliance.

24 NEW SECTION. **Sec. 5.** By December 1, 2006, each jurisdiction shall  
25 submit a pandemic flu and communicable disease outbreak preparedness  
26 and response plan in consultation with appropriate public and private  
27 sector partners, including departments of emergency management, law  
28 enforcement, school districts, hospitals and medical professionals,  
29 tribal governments, and business organizations. The plan shall include  
30 the specific activities that it will undertake to meet the standards  
31 included in the template developed by the secretary under section 3 of  
32 this act by June 30, 2007, and a detailed explanation of the  
33 expenditures needed to implement the plan. At a minimum, each plan  
34 shall address:

35 (1) Public education and citizen preparedness, including

1 improvements in the ability of the public to employ universal  
2 infectious disease prevention practices, maintain emergency supplies,  
3 and respond to a community public health emergency;

4 (2)(a) Disease surveillance, investigation, and rapid response,  
5 including health care provider compliance with reportable conditions  
6 requirements;

7 (b) Investigation and analysis of reported illness or outbreaks;  
8 and

9 (c) Disease control response;

10 (3) Communications systems, including improving effectiveness of  
11 communication, the availability of specialized communications  
12 equipment, and access by health officials and community leaders to mass  
13 media outlets;

14 (4) Medical system mobilization, including improving the linkages  
15 and coordination of emergency responses across health care  
16 organizations, contracts with community facilities to serve as  
17 emergency alternative sites during an emergency, availability of  
18 trained personnel, conducting practice drills and access to medical  
19 supplies and equipment, plans and protocols to rapidly administer  
20 vaccine to large populations and monitor vaccine effectiveness and  
21 safety, and guidelines for the appropriate use of medications to treat  
22 and prevent influenza or other communicable diseases;

23 (5) Community-level disease containment capability including  
24 increasing adherence to public health advisories, voluntary social  
25 isolation during disease outbreaks, and health officer orders related  
26 to quarantines;

27 (6) Maintenance of social order and essential public services,  
28 including improving linkages with the local emergency incident command  
29 structure and maintenance of essential service and the development of  
30 the legal documents necessary to facilitate and support the necessary  
31 government response.

32 Upon approval of a local health jurisdiction's pandemic flu and  
33 communicable disease outbreak preparedness and response plan by the  
34 secretary, the secretary shall distribute funds provided in section  
35 8(3) of this act for implementation of the plan, based upon a formula  
36 developed by the secretary.

1        NEW SECTION.    **Sec. 6.**    The department shall provide implementation  
2 support and assistance to a local health jurisdiction when the  
3 secretary or the local health jurisdiction has significant concerns  
4 regarding a jurisdiction's progress toward implementing its plan.  
5 Nothing in this section is intended to limit the authority of the  
6 secretary to act under RCW 43.70.130(4).

7        NEW SECTION.    **Sec. 7.**    Sections 1 through 6 of this act constitute  
8 a new chapter in Title 70 RCW.

9        NEW SECTION.    **Sec. 8.**    (1) The sum of three hundred thousand  
10 dollars is appropriated for fiscal year 2007, from the general fund to  
11 the department of health for activities by the department necessary to  
12 implement this act.

13        (2) The sum of one million dollars is appropriated for the fiscal  
14 year 2007, from the general fund to the department of health for  
15 distribution to local health jurisdictions for development of pandemic  
16 flu and communicable disease outbreak preparedness and response plans  
17 approved by the department as provided in section 5 of this act.

18        (3) The sum of four million dollars is appropriated for the fiscal  
19 year 2007, from the general fund to the department of health for  
20 distribution to local health jurisdictions for implementation of  
21 spending plans approved by the department under section 4 of this act.

22        NEW SECTION.    **Sec. 9.**    This act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of the  
24 state government and its existing public institutions, and takes effect  
25 immediately."

26        Correct the title.

EFFECT:    Requires the Department of Health to create a template by  
June 15, 2006, that includes requirements and performance standards for  
local health jurisdictions to use as the basis for assessing their  
capacity to respond to a pandemic disease outbreak or other  
communicable disease outbreak.    Requires the template to include  
performance and outcome measures for the local pandemic flu and

communicable disease outbreak preparedness and response plans. Requires local health jurisdictions to be in compliance with the Department's performance measures by July 1, 2007. Requires the Department to develop a process for assessing compliance with performance measures.

Requires local health jurisdictions to submit pandemic flu and communicable disease outbreak preparedness and response plans by December 1, 2006. The preparedness and response plans must include an explanation of expenditures needed to implement the plan.

Requires the Department to develop a process for distributing funds to local health jurisdictions for developing preparedness and response plans by July 1, 2006.

Appropriates \$300,000 to the Department for its activities.

Appropriates \$1,000,000 to the Department to distribute to local health jurisdictions for developing preparedness and response plans. Appropriates \$4,000,000 to the Department to implement the spending plans contained in the preparedness and response plans.

Adds an emergency clause.

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