
SENATE BILL 5778

State of Washington

56th Legislature

1999 Regular Session

By Senators Thibaudeau, Deccio, Wojahn, Winsley, Franklin, Costa, Brown, West and Rasmussen

Read first time 02/08/1999. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to creating an emergency response fund for
2 outbreaks of communicable disease and tuberculosis detention; adding
3 new sections to chapter 43.70 RCW; creating new sections; and making
4 appropriations.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the number of
7 communicable disease outbreaks is increasing in size, frequency, and
8 variety of disease. These outbreaks often strain the resources of
9 local health jurisdictions to both meet the costs of controlling the
10 specific outbreak as well as continuing to perform their other vital
11 responsibilities. The legislature also finds that new, drug-resistant
12 strains of tuberculosis are developing across the country requiring
13 lengthy and sometimes expensive treatment regimens. In rare cases, the
14 person contracting the disease refuses treatment and must be
15 involuntarily detained to protect the safety of the surrounding
16 community. These cases can also cause extraordinary expense to local
17 health jurisdictions who lack suitable detention facilities at the
18 local level and who have been forced to utilize expensive and already
19 overcrowded local jails and state institutions. The legislature

1 intends to create an emergency fund to assist local health
2 jurisdictions in meeting the extraordinary costs of both communicable
3 disease outbreaks and tuberculosis detentions.

4 NEW SECTION. **Sec. 2.** The communicable disease/tuberculosis
5 detention emergency account is created in the custody of the state
6 treasurer. All receipts from legislative appropriations designated for
7 this account must be deposited into the account. Expenditures from the
8 account may be used only for the purpose of funding the program created
9 in sections 3 through 5 and 7 of this act. Only the secretary of
10 health or the secretary's designee may authorize expenditures from the
11 account. The account is subject to allotment procedures under chapter
12 43.88 RCW, but an appropriation is not required for expenditures.

13 NEW SECTION. **Sec. 3.** The department shall provide funds from the
14 communicable disease/tuberculosis detention emergency account created
15 under section 2 of this act to meet the extraordinary expenses of local
16 health jurisdictions in meeting the costs of communicable disease
17 outbreaks and tuberculosis detentions when the outbreaks or detentions
18 exceed a set of criteria established by section 4 of this act and by
19 the department, in consultation with local public health departments,
20 interested representatives of the health care committees in the senate
21 and house of representatives, not to exceed one member of each major
22 party, and the office of financial management.

23 NEW SECTION. **Sec. 4.** The established criteria for the expenditure
24 of funds appropriated for either communicable disease outbreaks, or
25 tuberculosis detentions, or both includes the following factors:

26 (1) There is an outbreak of a communicable disease of public health
27 significance at a rate substantially higher than the usual rate for the
28 jurisdiction with the rate calculated as cases of illness per one
29 hundred thousand population during a defined period of time or other
30 defined public health emergency. The economic ability of the county or
31 counties to meet the extraordinary cost shall be included in the
32 analysis;

33 (2) A local match not to exceed twenty-five percent in cash or in
34 kind;

35 (3) Whether the impacted jurisdiction can demonstrate that
36 continued expenditure of local funds will jeopardize its ability to

1 continue its statutorily mandated responsibilities to protect the
2 public health and safety of the community;

3 (4) Whether the local jurisdiction has explored other funding
4 options, including the transfer of equipment, personnel, or material
5 from other local jurisdictions or the department and exhausted those
6 options;

7 (5) In regard to tuberculosis detention, the cost exceeds by a
8 factor of two the average annual per capita expenditure for
9 tuberculosis in the state;

10 (6) Whether the local board of health has made a declaration of the
11 existence of an emergency; and

12 (7) The amount of money spent, and money remaining, to provide
13 funds to local health jurisdictions from the communicable
14 disease/tuberculosis detention emergency account created in section 2
15 of this act.

16 NEW SECTION. **Sec. 5.** The final criteria shall be completed no
17 later than six months following the effective date of this section, or
18 December 31, 1999, whichever is sooner.

19 NEW SECTION. **Sec. 6.** The department, in consultation with local
20 health jurisdictions, shall develop rules for the process to be
21 followed in disbursing funds from the communicable disease/tuberculosis
22 detention emergency account created in section 2 of this act.

23 NEW SECTION. **Sec. 7.** Each local health jurisdiction utilizing
24 funds from the communicable disease/tuberculosis detention emergency
25 account created in section 2 of this act shall provide a report of the
26 expenditures to the department for inclusion in a yearly report to the
27 appropriate health care committees of the legislature and the office of
28 financial management.

29 NEW SECTION. **Sec. 8.** (1) The sum of six hundred thousand dollars,
30 or as much thereof as may be necessary, is appropriated for the fiscal
31 year ending June 30, 2000, from the general fund to the communicable
32 disease/tuberculosis detention emergency account created in section 2
33 of this act for the purposes of this act.

34 (2) The sum of six hundred thousand dollars, or as much thereof as
35 may be necessary, is appropriated for the fiscal year ending June 30,

1 2001, from the general fund to the communicable disease/tuberculosis
2 detention emergency account created in section 2 of this act for the
3 purposes of this act.

4 NEW SECTION. **Sec. 9.** Sections 2 through 5 and 7 of this act are
5 each added to chapter 43.70 RCW.

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