

ORDINANCE NO. _____

AN ORDINANCE adopting Thurston County Code chapter 2.07 expanding the composition of the board of health and adopting provisions consistent with chapter 70.05 RCW.

WHEREAS, RCW 70.05.030, as amended by ESSHB 1152, effective July 1, 2022, directs the board of county commissioners to expand the composition of the local board of health to include persons who represent community interests such as public health, health care facilities, providers, consumers of public health, other community stakeholders, and a tribal representative; and

WHEREAS, in accordance with RCW 70.05.030 the board of county commissioners desires to increase the board of health to eight members, effective July 1, 2022, to include representation by cities, tribes, and individuals representing public health and other stakeholders; and

WHEREAS, the state board of health intends to adopt rules in chapter 246-90 WAC by July 25, 2022 establishing requirements for the recruitment, selection and appointment of the local board of health members who are not elected officials; and

WHEREAS, expansion of the board of health will allow for involvement of a greater number of persons in setting health policy throughout Thurston County; and

WHEREAS, the board of county commissioners believes the expanded board of health will increase community representation to help address public health disparities in Thurston County; and

WHEREAS, in accordance with RCW 70.05.030, effective July 1, 2022, this ordinance includes provisions regarding the appointment, term, and compensation or reimbursement of expenses for members of the board of health;

NOW THEREFORE, the Thurston County Board of County Commissioners hereby ordains as follows:

Section 1. Thurston County Code Chapter 2.07 is adopted to read as follows:

BOARD OF HEALTH

2.07.010 Appointment and terms of service

The board of health shall consist of eight members who are residents of Thurston County, to include the following:

A. County and City Elected Officials

1. The three members of the board of county commissioners

2. One member who is a city elected official, selected on a rotating basis from Lacey, Olympia, Tumwater, and Yelm, beginning with Lacey, followed by Olympia, Tumwater and Yelm, and in this order thereafter. The city elected official shall serve a term of two years and until a successor is selected. A vacancy in an unexpired term shall be filled in the same manner as the original selection.

B. Tribal representative. One member who is a tribal representative selected by the American Indian Health Commission. This member shall serve a term of three years, continuing until a successor is appointed, and may serve one additional consecutive 3-year term.

C. Healthcare and community members. Three members approved and appointed by majority vote of the board of county commissioners. The members shall not be elected officials and must be selected and meet the criteria consistent with the requirements of RCW 70.05.030(1)(a), chapter 246-290 WAC, and any other applicable rules adopted by the state board of health. Each member shall serve a term of three years, continuing until a successor is appointed, and the board of county commissioners may approve reappointment for one additional consecutive 3-year term.

1. A member representing public health, health care facilities, and providers.

This member must be a person practicing or employed in the county from any of the following categories:

- a. Medical ethicists;
- b. Epidemiologists;
- c. Experienced in environmental public health, such as a registered sanitarian;
- d. Community health workers;
- e. Holders of master's degrees or higher in public health or the equivalent;
- f. Employees of a hospital located in the county; or
- g. Any of the following providers holding an active or retired license in good standing under Title 18 RCW:
 - i. Physicians or osteopathic physicians;
 - ii. Advanced registered nurse practitioners;
 - iii. Physician assistants or osteopathic physician assistants;
 - iv. Registered nurses;
 - v. Dentists;
 - vi. Naturopaths; or
 - vii. Pharmacists.

2. A member representing consumers of public health. This category consists of county residents who have self-identified as having faced significant health inequities or as having lived experiences with public health-related programs such as: the special supplemental nutrition program for women, infants, and children; the supplemental nutrition program; home visiting; or treatment services. Individuals from historically marginalized and underrepresented communities will be given

preference. These individuals may not be elected officials and may not have any fiduciary obligation to a health facility or other health agency, and may not have a material financial interest in the rendering of health services.

3. A member representing other community stakeholders. This category consists of persons representing the following types of organizations located in the county:

- a. Community-based organizations or nonprofits that work with populations experiencing health inequities in the county;
- b. Active, reserve, or retired armed services members;
- c. The business community; or
- d. The environmental public health regulated community.

The board of health must actively recruit applicants for the non-elected healthcare and community member positions in a manner that solicits a broad pool of applicants that represent a diversity of expertise and lived experience. If the board of health demonstrates that it attempted to recruit a member from each of the three categories and was unable to do so, the board may select members only from the other two categories, provided that no more than one member may be from one type of background or position.

Upon completion of its recruitment and selection process, the board of health shall refer the selection to the clerk of the board of county commissioners for consideration of appointment. The referral shall include the selected applicant's completed application and a cover letter of interest.

2.07.020 Removal, and vacancies

A. Vacancies in the board of health positions appointed by the board of county commissioners shall be filled by appointment within thirty days and made in the same manner as the original appointment. If a vacancy occurs prior to the end of the member's term, the successor shall be appointed to fill the unexpired term.

B. Removal. Any member may be removed by majority vote of the board of county commissioners. No member shall be removed during his or her term of appointment unless for cause of incapacity, incompetence, neglect of duty, malfeasance while serving on the board of health or, if required to reside in the county, for a disqualifying change of residence.

2.07.030 Meetings.

A. The board of health shall conduct its meetings in accordance with chapter 42.30 RCW, the Open Public Meetings Act. The board of health shall establish a regular meeting schedule and may adopt rules of procedure as necessary to perform its duties.

B. Quorum. A quorum shall be the majority of the members holding positions on the board of health, not including vacancies.

C. Fees set by board of health. Any decision by the board of health related to the setting or modification of permit, licensing, and application fees may only be determined by the city and county elected officials on the board.

2.07.040 Selection of officers

A. The board of health shall elect from its members a chair who shall serve a period of one year and shall thereafter select a chair on an annual basis. The board may elect other officers and may adopt rules of procedure.

B. The board of health may appoint an administrative officer. The administrative officer shall act as executive secretary and administrative officer for the local board of health, and shall be responsible for administering the operations of the board including such other administrative duties required by the board, except for duties assigned to the health officer as enumerated in RCW 70.05.070 and other applicable state law.

2.07.050 Compensation and Reimbursement of Expenses

The members of the board of health shall receive no compensation or reimbursement of expenses for the performance of their duties.

Section 2. If any provision of this Ordinance or its application to any person or circumstance is declared to be invalid, illegal or unconstitutional, in whole or in part by any court or agency of competent jurisdiction, the remainder of this Ordinance and its application to other persons or circumstances shall not be affected.

Section 3. Effective date. This ordinance shall take effect upon adoption, provided that the initial terms of the city elected official, tribal representative, and healthcare and community members shall begin July 1, 2022 or thereafter.

ADOPTED: _____

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

ATTEST:

Clerk of the Board

Chair

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY

Vice-Chair

Jane Futterman
Sr. Deputy Prosecuting Attorney

Commissioner

CODIFY