

Washington State Board of Health

Policy & Procedure

Policy Number: 2001-001

Subject: Identifying, Monitoring, and Communicating With the Legislature About Legislation Relevant to the State Board of Health

Approved Date: January 10, 2001 (revised March 12, 2008)

Policy Statement:

It is the policy of the Washington State Board of Health to monitor and communicate with the Legislature on proposed legislation that:

1. Has a direct impact on the Board's statutory powers and duties;
2. Runs counter to the Board's intent or direction as stated in existing rule;
3. Is directly related to one of the policy development activities established by a Board-approved strategic plan, interim document, or final report;
4. Is directly related to a policy issue addressed in the "Board Statement on Likely Legislative Issues," which may be developed by the Board prior to each legislative session; or
5. Is requested by the Board.

Lead Responsibility:

The Executive Director will have lead responsibility under the supervision of the Board Chair to assure compliance with this policy and procedure.

Procedure:

Prior to each legislative session, the Board staff, under the direction of the Executive Director, will monitor policy issues that are likely to come before the Legislature that session that have any bearing on the Board's statutory authority, its rule making, or its policy development activities. The Executive Director will present a list of these issues to the Board for discussion at its December meeting. The members may choose to adopt a "Board Statement on Likely Legislative Issues" that provides a sense of the Board on those issues.

During session, all Board staff will routinely monitor legislative bill introductions, committee agendas and other legislative matters. The Executive Director or other designated Board staff will attend Department of Health bill reviews. Board staff will develop and maintain a matrix on bills of interest to the Board on the Board's Web site.

This matrix will include:

1. Bill number
2. Prime sponsor
3. Status
4. Brief digest
5. Why the legislation falls under this policy
6. Brief explanation of the Board's interest
7. Any action recommended by Board staff
8. Any actual action taken by the Board or its staff.
9. The Board staff person monitoring the bill

Board staff will meet by phone and/or in person weekly to review, update, and revise the matrix. The Communication Consultant will update the matrix by COB each Thursday.

Process:

Upon identification of a bill that ***contains a provision that conflicts with the Board's existing authority*** in a way that will duplicate state agency efforts, or complicate state programs, the following action should be taken by Board staff, in consultation with the Executive Director:

- Prepare a letter for the Board Chair's approval notifying the relevant House and Senate committee chairs of the problem and suggesting a technical solution.

Upon identification of a bill that ***contains a policy or programmatic change that may advance or run counter to the Board's intent or direction as stated in existing rule***, Board staff, in consultation with the Executive Director, should take the following action:

- Bring the matter to the attention of the Board Chair and the Board member who sponsored the rule in question via e-mail. The e-mail should include options and a recommendation on what action, if any, is needed by the Chair or Sponsor on behalf of the Board.

Upon identification of a bill that ***contains a policy or programmatic change that may advance or run counter to the intent or direction of the work of the Board or one of its committees within a policy development activity***, as established by a Board-approved strategic plan, interim document, or final report, the following action should be taken by Board staff, in consultation with the Executive Director:

- Bring the matter to the attention of the Board Chair and the appropriate Committee Chair (or, if no committee exists, the Board member sponsoring that Board Priority Topic) via e-mail. Include options and a recommendation on what action, if any, is needed by the Board.

Upon identification of a bill that ***contains a policy or programmatic change that may advance or run counter to the intent or direction of the Board as established in the “Board Statement on Likely Legislative Issues,”*** Board staff, in consultation with the Executive Director, should take the following action:

- Bring the matter to the attention of the Board Chair via e-mail that includes options and a recommendation on what action, if any, is needed.

Should the Board have request legislation before the Legislature, the Executive Director shall work to promote its passage in consultation with the Board Chair and in cooperation with the prime sponsor, partner agencies, and the Governor’s Executive Policy Office.

The Executive Director and the Board Chair or his or her designee must approve correspondence with legislative staff or members. Such correspondence should routinely be copied and sent to the Office of the Secretary–Policy, Legislative, and Constituent Relations.

Responsibility for Communicating with the Legislature:

An individual Board member may speak or write to the Legislature on a particular piece of proposed legislation or other matters. In such cases, the speaker should clarify that such communications are from a single Board member or a group of Board members, but do not necessarily reflect the views of the entire Board. A Board member may communicate his or her views on Board letterhead and may ask Board staff to help communicate his or her views if and only if the communication is consistent with the policy and process stated above.

The Board Chair may speak or write to the Legislature or its staff recommending a specific amendment or other action on proposed legislation on behalf of the Board, so long as the Chair believes such position is generally consistent with the wishes of the majority of the Board. At the direction of the Chair, the Executive Director or any Board staff may transmit or delivery such communications.

PDC Reporting:

Any Board member or Board staff member who addresses comments to the Legislature or its staff on proposed legislation ***relating to the Board*** must report such activity to the Board’s Executive Director who must prepare a consolidated quarterly report on such activity as required by the Public Disclosure Commission according to 42.17.190 RCW.

Request Legislation:

Agency request bills should be limited to topics furthering the Board’s goals. A decision to submit request legislation requires approval of the full Board. The Chair is responsible for reviewing and approving each bill proposal before it is submitted. Board members and staff are not permitted to solicit legislative support or sponsorship, or to seek support of other individuals or organizations, for legislation that has not been

reviewed and approved according to procedures established by the Governor's Office. Nothing in this policy precludes the Board and its staff from providing technical assistance on bills when requested by legislators or legislative staff.