



**Minutes of the State Board of Health  
October 8, 2008**

Yakima Convention Center  
10 North 8th St, Yakima WA 98901-2515

**SBOH members present:**

Treuman Katz, Chair  
The Honorable David Crump, PhD, Vice Chair  
The Honorable John Austin, PhD  
Keith Higman, MPH  
Frankie T. Manning, MN, RN

Patricia Ortiz, MD  
Mel Tonasket  
Mary Selecky  
Karen VanDusen  
Diana T. Yu, MD, MSPH

**SBOH members absent:**

**State Board of Health Staff present:**

Craig McLaughlin, Executive Director  
Desiree Robinson, Executive Assistant  
Heather Boe, Communications Consultant  
Christy Curwick, Health Policy Analyst  
Tamara Fulwyler, Outreach Coordinator

Wendy Malkin, Health Policy Analyst  
Ned Therien, Health Policy Analyst  
Tara Wolff, Health Policy Analyst  
Melissa Burke-Cain, Assistant Attorney General

**Guests and Other Participants:**

Jennifer Aspelund, Citizen  
Nancy Bernard, Department of Health  
Art Busch, Citizen  
Chas DeBolt, Department of Health  
Eric Dickson, Educational Service District 101 and  
Washington Association of School Business  
Officials  
Jonathan Frazier, Yakima Health District  
Denise Frisino, Citizen  
James Green, Citizen  
Keith Grellner, Kitsap County Health District  
Patty Hayes, Within Reach  
Gloria Hilsinger, Educational Service District 105  
Tom Kunesh, Whatcom County Health Department  
Patricia Larson, RCS  
Annique Lennon, Children's Alliance  
Mary Sue Linville, Washington State Risk  
Management Pool

Maria Mason, Coalition for Environmentally Safe  
Schools  
Ryan Mathews, Fulcrum Environmental Consulting,  
Inc.  
Kathy O'Toole, Washington Education Association  
Ruth Rosenkranz, Yakima Health District  
Ann Sehmelia, Yakima Health District  
Cynthia Shurtleff, Washington Chapter, American  
Academy of Pediatrics  
Thelma Simon, Citizen  
Ann Simons, Wyeth  
Jude VanBuren, Department of Health  
Jill VanGlubt, Washington Education Association  
Nathan Weed, Clark County Public Health  
Diane Westbrook, Tacoma Pierce County Health  
Department  
Grace Yuan, Puget Sound School Coalition

Treuman Katz, SBOH Chair, called the public meeting to order at 8:49 a.m. and read from a prepared statement (on file).

**1. APPROVAL OF AGENDA**

*Motion: Approve October 8, 2008 agenda*

*Motion/Second: Crump/Ortiz. Approved unanimously*

## 2. ADOPTION OF MONTH DAY, YEAR MEETING MINUTES

Mr. McLaughlin mentioned a request from Richard Staudt that his comments in the September minutes reflect that he supported the intent of the school rule. Mr. Staudt still had concerns about specific provisions. The Board authorized Mr. McLaughlin to make the change.

*Motion: Approve the August 27, 2008 and September 10, 2008 minutes*

*Motion/Second: Crump/Austin. Approved unanimously*

## 3. SCHOOL RULE, CHAPTER 246-366A WAC, CONTINUATION OF BOARD DELIBERATIONS

Chairman Katz reminded the Board members that this was a continuation of a hearing started on August 27, 2008. He provided additional background remarks. Keith Higman, SBOH Member, said the Board was at the point of needing to decide next steps on the proposal. Ned Therien, SBOH Staff, summarized staff recommendations for changes to the rule proposal based on testimony received during the public comment period. He directed the Board to the “Suggested Amendments” document behind Tab 3 in the Board packet. Bill White, DOH Deputy Secretary, pointed out that it was important for local health to participate in plan review early in the process. Karen VanDusen, SBOH Member, said she was comfortable the rule language addressed his concern. Member Higman said that the intention is there be ongoing dialogue between local health and building officials during construction.

Mel Tonasket, SBOH Member, asked Craig McLaughlin about possible ways to make a motion. Mr. McLaughlin suggested looking at the proposed motion language contained in the memo to the Board under Tab 3. Member VanDusen asked that the changes to the rule language proposed by staff be considered before a motion to adopt the rule proposal. Based on a comment from Mr. McLaughlin about school representatives not wanting a specific proposed change, Member VanDusen proposed changing the “Suggested Amendments” document by deleting the proposed phrase at the end of 040(1)(c): “estimated using the area cost allowance set by the superintendent of public instruction under WAC 392-343-060.”

*Motion: Adopt amendments to proposed rule language as suggested by staff, except do not add the phrase “estimated using the area cost allowance set by the superintendent of public instruction under WAC 392-343-060” to the end of WAC 246-366A-040(1)(c).*

*Motion/Second: VanDusen/Crump. Approved unanimously*

David Crump, SBOH Vice Chair, made a motion for discussion to establish a “watch dog” committee made up of stakeholders, a Board member, and a Board staff member. Its purpose would be to make sure progress continues on the rule and to keep the proposed rule in the forefront of legislators’ attention. He said his motion includes placing the school rule proposal on the Board’s agenda for April or May 2009, after the end of the legislative session. After discussion by the Board, Member Crump withdrew his motion and Deputy Secretary White withdrew his second.

Member Tonasket expressed concern about legislators’ pressure to postpone adoption of the rule until the Legislature has had a chance to “consider” the rule proposal. He said he does not know what “consider” means and there is no assurance that the Legislature will act to improve school conditions. He said that he is appalled by the condition of some schools; legislators have had 15 years to act on these issues. He expressed concern that what he is hearing from schools and parents/teachers does not match. He does not believe the parents and teachers are lying to the Board. He said that he understands legislative bodies, but feels his conscience guides him to take the side of people who have been sick or hurt in schools. He said he is ready to make a motion to adopt the rule proposal.

*Motion: The Board adopts chapter 246-366A as published in WSR 08-15-174 with amendments to rule language considered and approved by the Board today.*

*Motion/Second: Tonasket/VanDusen*

Member VanDusen commented that the rule revision process has focused attention on the fact that the Board has had a rule for many years that has been poorly implemented. She said she is concerned about the testimony from supporters of the rule that their complaints about problems in schools have been largely ignored by school officials. The people who have opposed the rule proposal are the school officials who appear to have ignored complaints from the public. She said the rule update is science-based. It has been developed through an extensive stakeholder process. She said she has concerns about the implied threat from legislators. She said that she did not think their process examining the health issues could be more in depth than what the Board has undertaken. She commented that she has thought about the worst the Legislature could do to the Board's authority. However, she does not believe the Legislature would want to take such a stand before the press. She said protecting children is too important.

Member Higman commented that he has children in schools and feels strongly about protecting them. He said he is proud of the process the Board has had and the rule proposal. He compared the school rule with the last major revision of the on-site wastewater rules. There was a lot of concern about resources needed to implement that rule. Now, local health is implementing the on-site rule the Legislature provided because resources. He thinks there would be much greater chance of success for implementation of the school rule if the Legislature provided funding. It is important to allow the Legislature the opportunity to consider the rule, he said, and he would like to have the motion to adopt tabled, but if the Board decides not to adopt the rule today, he would want it to clearly communicate to the Legislature its intent to adopt the rule. Deputy Secretary White commented that he has seen an evolution of partnership between agencies about this rule and very much appreciated that. He said that the rule is well crafted and captures the spirit of input received by the Board. Under normal conditions, he would not hesitate to support adoption. However, this rule impacts public agencies and public finance like no other he remembers. He said that funding is needed to assure implementation. Therefore, he would favor a short delay while the Legislature considers funding. He recommended tabling the motion short-term. However, he does not think the Board's criteria for delay should be until the state fully funds the proposal.

John Austin, SBOH Member, said that if we wait until all activities in the state are "fully funded, we could all go home." Few programs are funded to an optimal extent. As a new grandfather, he wants his grandchildren to go to safe schools. However, funding is important. Therefore, he wants to invite the Legislature to join the Board's efforts in adopting this rule proposal and assuring implementation. He supported tabling voting to adopt the rule until the Legislature has had an opportunity to join in. Patricia Ortiz, SBOH Member, said she supported adopting the rule, but sees funding as a very important issue. Therefore, she would reluctantly support a short, finite delay.

Frankie Manning, SBOH Member, emotionally expressed how important she thinks this rule is for our children. She said that she remembers schools she attended as a child, which were in terrible condition, and her father speaking at church about the problem. She said she was overwhelmed with feelings of frustration that legislators do not appear to understand the importance of this rule. Because of this, it is the Board's duty to act to protect children. She said it is not acceptable to ignore the importance of this rule and follow a path too common in the history of our country of buckling to power. However, she said she could support a short delay and give the Legislature a chance to do what is right. Chair Katz and several other Board members mentioned that they had been offended by comments from a legislator at the last meeting.

Diana Yu, SBOH Member, commented that during the Joint Conference on Health this week it was clear to her that education is a critical issue for solving health inequities. She said that the Board should take a leadership position. However, she reluctantly would support a delay to allow legislators to consider funding. Member VanDusen said she has not heard anything from legislators that suggests their examination of education funding would even look at health and safety issues. They especially have not indicated they would consider improving funding for the public health system needed to look at schools. Neither has she heard anything about providing support, such as loans, to private schools to support implementation. She said that if there is a delay, the Board should communicate to the Legislature its expectations regarding the delay. Chair Katz commented that we cannot expect the Legislature to indicate what they intend to do during this coming

session because of the very difficult problems with the economy and state budget. Deputy Secretary White said the news about the budget seems to get worse every day, but legislative decisions are about setting priorities.

Member Tonasket said that if there is a motion to table a vote on the rule, he challenged those people who lobbied legislators to ask the Board to delay adoption put the same amount of effort into lobbying the Legislature to provide funding to implement the rule. He said he has heard there is a legislator on a budget committee who is sending a letter indicating he will support funding for rule implementation. He commented that he hopes legislators will listen to both sides of this issue.

Chair Katz commented that no matter how the vote goes on the motion to adopt, he is proud of his association with the Board on this issue. There was discussion about the status of the motion on the table and the appropriate process for delaying a vote. Melissa Burke-Cain, Counsel for the Board, suggested a member could introduce a subsidiary motion. Member Crump said he would like to speak to the original motion. He said that he supports this rule, but is trying to find a way to win in a way that best helps our children. He said he would support a delay if there were a specific timeline for the Board to vote on the rule. Mr. McLaughlin said that some discussion would probably be necessary to fine-tune a subsidiary motion. Member Yu and other members brainstormed wording of such a motion. Member Higman recommended wording for the motion. There was discussion, with agreement that the Board would vote on the subsidiary motion first. If the subsidiary motion passed, there would be a live motion—the motion made by Member Tonasket and seconded by Member VanDusen—before the Board until June 2009

#### ***Subsidiary Motion:***

##### *The Board:*

- *Defers to no later than June 2009 a decision on the motion to approve adoption of chapter 246-366A WAC as published in WSR 08-15-174 with amendments to rule language considered and approved by the Board today;*
- *Directs staff to file any needed CR-102 documents; and*
- *Directs staff to carefully craft a letter or memorandum for the Chair's signature with Board input that:*
  - *Defines the process the Board has gone through to develop this rule;*
  - *Defines the level of detail in terms of characterizing the school environment and what it means for kids;*
  - *Defines the scientific basis for the relationships between students, their health, and school environments; and*
  - *Clearly states the Board has addressed every issue it could possibly address and the only one that remains that is not clear to the Board is how it will be funded.*

***Subsidiary Motion/Second:*** *Higman/Austin. Support 7, Oppose 2, Abstain 1*

The Board took a break at 10:40 a.m. and reconvened at 10:52 a.m.

#### **4. UPDATE ON THE GOVERNOR'S INTERAGENCY COUNCIL ON HEALTH DISPARITIES**

Member Manning introduced Vickie Ybarra, Chair of the Governor's Interagency Council on Health Disparities. Ms. Ybarra gave a presentation describing the Council and its activities (see presentation behind Tab 4). She said that the five priority issues the Council chose to concentrate on first are: diabetes, obesity and overweight, education, health coverage, and health workforce diversity. Member Higman noted that diabetes has been identified by various organizations as a priority health topic and asked if the Council would be collaborating and coordinating with those organizations. Ms. Ybarra said that the Council has made an effort to learn about other activities ongoing in the state to address diabetes, as well as the other priority health topics, and that the Council will work to ensure its recommendations build on this work. Ms. Ybarra referred to some of the educational activities funded last legislative session and the Council's role in helping to coordinate them. Member Manning complemented the Council and its staff on the process to select priority areas. Mr. McLaughlin reminded the Board that its strategic plan supports work of the Council.

## 5. BRIEFING ON STATUS OF NOTIFIABLE CONDITIONS RULE, CHAPTER 246-101 WAC

Member Yu explained that RCW 43.20.050(2) states the “state board of health shall ... [a]dopt rules for the prevention and control of infectious and noninfectious diseases” To comply with the statute, the Board has adopted chapter 246-101 WAC, Notifiable conditions. The last major revision of this rule was in 2000, but since then we have seen more emerging infections and re-emerging conditions. She introduced Jude VanBuren, Assistant Secretary for the Division of Epidemiology, Health Statistics, and the Public Health Laboratories, who took the Board through a presentation that explained notifiable conditions reporting, the need for revisions to the rule, and the process for the rule revision (see presentation behind Tab 5).

Member Yu explained that the health officers are very interested in this rule and have some ideas, including removing animal bites from the notifiable conditions list. Member VanDusen said it might be a good idea to involve representation from the School of Medicine at University of Washington. Member Crump asked how provisions are enforced and whether there are provisions to fund treatment, quarantine, or cleanup. Member Yu gave an example of a case of tuberculosis (TB) not being reported and the implications. She explained that a fine of \$250 could be issued for such infractions. However, the practical approach is to encourage reporting. She said it is critical to take every opportunity to educate health care providers on the importance of reporting notifiable conditions, and to use technology to make it as easy for them to report as possible. Member Crump commented on the devastating fiscal effect a TB case can have on a local budget. Dr. VanBuren explained that this rule does not address funds needed to provide TB treatment. Member Yu added that funding for TB treatment was being addressed by another DOH division and a TB workgroup is considering such issues. Member VanDusen requested that the Board be briefed about the activities of the TB workgroup at a future meeting.

## 6. NEWBORN SCREENING PROGRAM UPDATE

Tara Wolff, SBOH Staff, said that according to WAC 246-650-040, the Department of Health is required to annually report to the Board information on its newborn screening program. Ms. Wolff reintroduced Jude VanBuren and introduced Mike Glass, Director of the Newborn Screening Program. Dr. VanBuren commended the Newborn Screening Program for its excellent work. Mr. Glass summarized highlights of the DOH’s Newborn Screening 2005-2006 report. The report may be found behind Tab 6. Mr. Glass explained that the state receives a fee of \$60.90 for each birth. Because of economies of scale and rising birth rates, these costs have held steady even as the Board has added new disorders to the panel. There are mostly no surprises when looking at either county or race/ethnicity data, he said, then discussed some specifics. He mentioned that time to treatment is critical for many conditions detected by newborn screening. Therefore, the DOH laboratory operates six days a week. It quickly refers abnormal findings to make sure that the correct next steps are taken on the child’s behalf. The laboratory was able to gear up to provide 14 of the 15 required tests earlier than required by the rule. By September, the laboratory began screening for Tyrosinemia Type 1, so it now screens newborns for all 15 of the new conditions.

Member Austin said this is exciting information. He wondered why military children are not included. Mr. Glass said the military in Washington decided several years ago to use a laboratory in Oregon. At that time, Washington was not testing for a condition that the military wanted included in the panel. Member Yu asked whether Oregon and Washington now had similar testing requirements. Mr. Glass said that Oregon tests for one condition (3-methylcrotonyl-CoA carboxylase deficiency) that Washington decided did not meet its criteria for requiring testing. Member Crump asked if home births were missed for screening. Mr. Glass said that is possible but that DOH makes a concerted effort to make sure midwives are educated about screening.

*The Board recessed for lunch from 11:57 a.m. to 1:00 p.m.*

## 7. PUBLIC HEARING ON IMMUNIZATION RULE, ESTABLISHING CHAPTER 246-105 WAC AND REPEALING WAC 246-100-166

Ms. Wolff explained that this hearing is to consider adopting a rule revision that would add pneumococcal disease to the list of vaccine preventable diseases required for school or childcare entry; update the reference to the latest ACIP schedule; re-codify the rule into nine sections in a new chapter; and clarify certificate of exemption and conditional status. She described the documents included behind Tab 7. Ms. Wolff gave a presentation about the rule proposal (included in Tab 7). Mr. McLaughlin said a task force is looking into whether Washington should participate in a Military Compact. One of the issues they are looking at is how the compact's immunization requirements for children of military families fit with the immunization rule. Mr. McLaughlin said that some amendments to this proposed rule change intend to further clarify conditional status. These are called "Clarifying Amendments" in the document titled Conditional Status Language Revision, WAC 246-105-020 in the Board's packet (behind Tab 7).

Ms. Wolff introduced Jeff Wise, Department of Health, who gave a summary of comments received on the rule proposal. The comments included recommended technical changes, concerns of schools about stretched resources, and supportive comments. Mr. McLaughlin reminded the Board that PCV-7 (the vaccine to prevent pneumococcal disease) is administered to 2-15-month-olds or children in childcare. A few Board members wondered why a doctor of naturopathy could provide medical exemptions under this rule and not some other health care professionals, such as chiropractors. Ms. Burke-Cain said that it is not in the scope of practice of the profession of chiropractors to give immunizations. Mr. McLaughlin said that the list of medical professionals has not changed in the proposal from the existing rule. No one was signed in to give public testimony.

***Motion:** The Board adopts the revised WAC 246-100-166 as published in WSR 08-18-06 with the amendments to WAC 246-105-020, WAC 246-105-060, and WAC 246-105-080 as described in the sheet labeled Conditional Status Language Revision.*

***Motion/Second:** Ortiz/Crump. Approved unanimously*

## 8. REVIEW OF INTERLOCAL AGREEMENT BETWEEN WALLA WALLA COUNTY AND GARFIELD COUNTY

Craig McLaughlin, SBOH Executive Director, introduced Harvey Crowder, Walla Walla County Health Department (by phone). Mr. McLaughlin explained that RCW 70.05.150 requires local health districts to get Board review of contracts by which a local health agency purchases health services from another local health agency. Garfield County Health District has contracted for environmental health services from Walla Walla County Health Department since 2006. The law requiring the Board to review the contract recently came to the counties attention. Member Yu asked under whose authority is enforcement undertaken. Mr. Crowder said that Garfield takes the responsibility for enforcement actions, if needed. Walla Walla County personnel merely provide inspection services. Member VanDusen asked how that would work regarding a septic permit. Mr. Crowder said Garfield would do the permitting process beyond the inspection. Chair Katz asked if this type of contracting occurs between other health agencies. Member Yu said that there are variations on this type of contracting. Mr. McLaughlin said that a major issue is how authority flows according to statute. He suggested that in this case, these local jurisdictions might consider some amendments, but he did not recommend the Board hold up approval. The contract is up for renewal at the end of 2009. Mr. McLaughlin suggested that the counties consider the recommendations from Ms. Burke-Cain then. Chair Katz said that this type of contracting seems to provide opportunities to share staff expertise between local health jurisdictions and could be a good thing.

***Motion:** The Board approves the contract under which the Garfield County Health District purchases environmental health services from the Walla Walla Health Department, but recommends that the next iteration of this contract and any further contracts of this sort specifically address health officer authority.*

***Motion/Second:** Crump/Yu. Approved unanimously*

## 9. SBOH ANNOUNCEMENTS AND OTHER BOARD BUSINESS

Craig McLaughlin, SBOH Executive Director, reported that state budget projections continue to worsen. A few months ago, the projected state shortfall was \$60 million. The Governor asked for savings of \$90 million to get through this fiscal year. The measures implemented to save money appear to be working. Now the projections are for an additional \$200 million shortfall for the biennium. The projected shortfall for the next biennium is now \$3.2 billion. Mr. McLaughlin said that the Board might want to consider measures it could take to help with savings, such as reducing the number of meetings and reducing travel costs for meetings.

Mr. McLaughlin said the second year of the federal grant for the health disparities coordinator has been renewed. He mentioned that the November meeting would be in Olympia, rather than Port Townsend, to reduce staff travel on Veteran's Day, a state holiday. He said that the King County Board of Health has requested a joint meeting with SBOH during the legislative session. He also mentioned that the Featherstone Reid Award nomination review has moved forward.

He reviewed the Board's 2008 Performance Review Report (behind Tab 9) from the state auditor. The review is done each year according to the Public Health Improvement Plan. He acknowledged Desiree Robinson, SBOH staff, for putting together the packets for the evaluation. Member Higman said he thinks the process is valuable for all agencies, particularly the recognition of best practices. Mr. McLaughlin mentioned that the Board's Secretary Senior position remains vacant. He has applied for an exemption from the Governor's hiring freeze, but is unsure if the Board will be able to fill the position. He gave a status report on Board rules under consideration, which, besides the ones on the agenda today.

Chair Katz stated that it might be appropriate for Board members to play a larger role in evaluating the meeting schedule for 2009 and possible ways to reduce meeting costs. Member VanDusen suggested trying to cut costs for things such as meeting refreshments or extending meetings to one and a half days, but meeting less often. Member Austin expressed some concern with extending the length of meetings because of other work obligations. Deputy Secretary White suggested checking into video conferencing occasionally. He said those are okay for short meetings, but not for such things as the discussion this morning about the school rule. Member Higman commented that he would trust the executive director to determine how to cut costs. Desiree Robinson, SBOH Executive Assistant, said that even for a videoconference meeting, the Board is obligated to include a room for the public to participate. Mr. McLaughlin said that the Board is obligated to publish its meeting schedule for the year in the State Register. Chair Katz encouraged Mr. McLaughlin to rework the proposed schedule, maybe not go to as many remote parts of the state during this time of budget concerns, and reduce the number of meetings to as few as four in 2009. Member Ortiz commented that a reduction in the number of Board meetings could impact the ability of Board committees to have concurrent meetings. Chair Katz said he wants this Board to set a good example in responding to the state's financial problems. Ms. Robinson asked that the Board's meeting schedule take into consideration the meeting schedule of the Governor's Interagency Council on Health Disparities.

## 10. DEPARTMENT OF HEALTH UPDATE

Bill White, Deputy Secretary of Health & SBOH Member, reported on increased West Nile Virus activity in late summer, including two human cases and two birds on the west side of the state. The majority of the activity is the Yakima area. He said that DOH recently updated rules for hospitals. He said DOH has just completed an assessment of a pilot project on voluntary laboratory reporting of MRSA infections. The preliminary findings show that Washington State looks like the rest of the country. The data is not specific enough to determine the number of cases acquired in health care facilities versus those acquired in the general community. The public health laboratory just passed an important unannounced accrediting inspection. DOH is also undertaking a risk and security assessment of the public health laboratory to respond to concerns from the neighboring community. DOH has begun to develop a state prescription drug monitoring database, in response to a recent state law. DOH just launched a new "No Stank You" youth anti-smoking campaign.

A particularly controversial issue that DOH has been involved in recently, because of state law, has been medical marijuana. Last week, DOH adopted a rule setting the amount of medical marijuana that is legal to

possess as a 60-day supply. Some activist groups are threatening lawsuits because they do not think the quantity is large enough. The Pharmacy Board is being sued for not reclassifying marijuana so it would no longer be listed as a Schedule 1 drug. Member Yu commented that the Washington State Medical Association two weeks ago passed a resolution asking for reclassification of marijuana so it would no longer be considered a Schedule 1 drug.

## 11. BOARD MEMBER COMMENTS AND CONCERNS

Member VanDusen said she appreciated Member Crump's comments this morning about the concept of a watch dog group on the school rule. She asked for a standing agenda item in upcoming meetings regarding school rule updates. Chair Katz said he agrees with the concept of frequent updates, but they should be by e-mail without delay. Member Crump commented on the poor financial condition of local health agencies. Mr. McLaughlin said that he attended a summit called by the Washington State Nursing Association (WSNA) and learned it is promoting funding support for public health. Member Yu said WSNA is promoting that public health get a portion of medical care funding.

Deputy Secretary White asked whether Member Crump would be attending the next meeting. Mr. McLaughlin said that Member Crump's replacement would probably be named before the next meeting. Members discussed that they want to honor Member Crump in some fashion. Mr. McLaughlin said the Board would need to consider selecting a Chair Pro-tem at the November meeting because Chair Katz will not be at the meeting. A new vice chair should be selected at a future meeting.

*The Board took a break at 2:56 p.m. and reconvened at 3:12 p.m.*

## 12. PUBLIC TESTIMONY

Thelma Simon, parent from Cle Elum, thanked the Board for keeping the rule going. She said she started her involvement on environmental health issues in schools with Maria Mason in 1996. She said her son testified in Olympia about school health problems when he was nine-years-old. He is now in college. She commented that the existing rule is 38-years-old, maybe before car seat belts were required. She said she is disappointed because she sees the Board as the parents' only hope. She said she found it interesting that the testimony from one legislator is given more weight than that of parents and teachers who have testified to the Board around the state over the years. She hopes that the Board moves the rule forward when it can.

Mr. McLaughlin addressed Ms. Simon. He said that the Board received requests from about a dozen legislators to delay the Board's decision on the rule. He said that the legislators do not listen to bureaucrats as much as they do to the public. He said he has been talking to legislators throughout the summer. He said that she should not put her faith in the Board convincing legislators. Parents must get their message directly to legislators.

## 13. PROPOSED 2009 MEETING SCHEDULE

Postponed.

## ADJOURNMENT

Treuman Katz, SBOH Chair, adjourned the meeting at 3:26 p.m.

WASHINGTON STATE BOARD OF HEALTH



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Treuman Katz, Chair