



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH

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June 10, 2009

TO: Washington State Board of Health Members
FROM: Craig McLaughlin, Executive Director
SUBJECT: REVIEW OF THE 2009 LEGISLATIVE SESSION

Background and Summary

Washington State Board of Health heard reports on the 2009 legislative session in January and March. The Legislature adjourned *sine die* on April 26, 2009 after passage of a lean state budget for the 2009-11 biennium.

Board staff tracked and analyzed several dozen bills during session and took a position on 25 of them (or 18 distinct legislative proposals if you do not double count companion bills). Five of these passed:

- HB 1322 School scoliosis screening
- ESHB 2261 State's education system
- SSB 5551 Regarding recess periods for elementary school students
- ESSB 5889 Providing flexibility in the education system
- E2SSB 5973 Academic achievement gap

The Board's funding for the part-time staff position to prepare health impact reviews was suspended for the 2009-2011 biennium. The Board is expected to absorb the workload without funding until the 2011-2013 biennium. The Department of Health budget for the 2009-2011 biennium has been reduced by almost \$100 million compared to a maintenance level equivalent for the 2007-2009 biennium. These cuts include unspecified administrative reductions. The Board will be taking its share of the administrative reductions, which will likely be on the order of \$25,000 per year.

The discussion section of this memo will briefly address each of the bills listed above and review a few health-related highlights of the budget. Materials behind Tab 8 contain a copy of the Bill Watch page from the Board's Web site and reports from the Legislature's bill tracking system.

Recommended Board Action

None.

Discussion

ESHB HB 1322 – School scoliosis screening: The Board passed a resolution in January 2008 supporting the concept of rescinding mandatory school-based scoliosis screening. Screening in the school setting is not an effective, evidence-based requirement. Staff signed in at hearings to support this bill, which eliminates the screening requirement.

ESHB 2261 – State’s education system: The Board has long supported efforts to reduce the academic achievement gap for students of color. An amendment was temporarily included in this basic education bill that would have established an oversight and accountability committee to develop a coordinated implementation plan from recommendations of five achievement gap studies. Although committee was not established in the final version, the achievement gap concept was addressed in final language authorizing the quality education council. The Board sent a letter in support of the concept in the original amendment.

SSB 5551 – Regarding recess periods for elementary school students: The Board supports efforts to improve children’s health through physical activity in schools. This bill requires the Office of Superintendent of Public Instruction to collaborate with the statewide parent-teacher organization to survey of elementary schools to determine the availability of recess and perceptions of the importance of recess in elementary schools. The Board sent a letter of support and the Executive Director testified in support of the bill.

ESSB 5889 – Providing flexibility in the education system: Early versions of this bill would have suspended a school reporting requirement on immunizations and jeopardized \$180 million in federal funding. They also would have suspended screening of students in schools for visual and auditory problems. In the final bill, none of these current requirements were suspended. A provision to allow ophthalmologists, optometrists, and opticians to volunteer at schools to conduct screening was an amendment to the bill, which will require Board rule change. The Board sent a letter of concern about the original bill.

E2SSB 5973 – Achievement gap: Studies document that the academic achievement gap is an important social determinant of health. This bill creates an oversight and accountability committee staffed by the Center for the Improvement of Student Learning to recommend policies and strategies to address the academic achievement gap. It requires the Professional Educator Standards Board to recommend model standards for cultural competency and to provide assistance to school districts to advance cultural competency skills in the workforce. It also directs the Office of Superintendent of Public Instruction to disaggregate student data in reports for specific racial/ethnic and other subgroups and to apply for federal funds to support enhanced data collection. The Board sent a letter of support for the concept.

2009-2011 Budget Highlights:

The Legislature passed a budget for 2009-2011 of approximately \$35 billion. A \$9 billion shortfall was addressed through a mixture of savings measures already adopted, the rainy day fund, approximately \$3 billion in federal stimulus funds, and approximately \$4 billion in new cuts. This included a 43 percent cut to the funding for the Basic Health Plan.

The Department of Health reduction was about \$100 million. This includes a line item reduction of \$234,000 for health impact review funding, of which about \$208 thousand would have been passed to the Board. Other reductions include:

- \$1.16 million from Group B drinking water regulatory programs (pass-through to LHJs)
- \$136 thousand from illegal drug lab cleanup technical assistance program
- \$22 million from tobacco prevention program
- \$49 million from universal vaccine program
- \$4 million from core public health support functions (pass-through to LHJs)