

WASHINGTON STATE LEGAL MANDATES FOR PUBLIC HEALTH:
STATE STATUTES (RCWs) AND CODES (WACs) FOR WHICH
LOCAL PUBLIC HEALTH JURISDICTIONS ARE RESPONSIBLE

COMMUNICABLE DISEASES

Communicable Disease Control: [RCW 70.05.070](#); [WAC 246-100](#); [WAC 246-138](#)

Health officer is required to report, investigate and control (including isolation or quarantine orders) communicable diseases and notifiable conditions within their jurisdiction. The health officer is required to establish plans, policies, and procedures for instituting emergency measures necessary to prevent the spread of communicable disease or contamination. Police officers and sheriffs are required to enforce health officer orders as needed (see [WAC 246-100-070](#)). Health district is required to screen, determine, and provide testing and referral for “good samaritans” who are exposed to infectious diseases.

Sexually Transmitted Disease (STD) Investigation and Control: [RCW 70.24](#); [WAC 246-100](#)

Health Officer is to investigate, examine, and treat cases of sexually transmitted diseases. RCW 70.24 was extensively amended in 1988 with the passage of the omnibus AIDS bill which provides funds for six regional AIDS service networks with local public health jurisdictions having responsibility for developing coordinated networks for AIDS treatment and prevention, including counseling and testing, contact notification, education, and planning and coordination of services for AIDS patients. Health Officer has responsibility for ordering HIV Ab testing for certain persons, for providing court ordered testing and counseling, and for ordering detention of persons infected with STDs who present an imminent danger to the public health.

Notifiable Conditions: [RCW 70.05.110](#); [WAC 246-101](#)

Health Officer or health district is required to review, investigate, and determine the appropriate action for each reported or suspected case of a [notifiable condition](#). Local health is also required to: establish a system for maintaining confidentiality of disease records; notify health care providers, laboratories, and health care facilities about notifiable condition requirements; notify the state department of health of notifiable conditions and when case investigations are completed. Gives the health officer the authority to require any person suspected of having a notifiable condition to submit to exams.

Tuberculosis (TB) Control: [RCW 70.28](#); [RCW 70.30](#); [WAC 246-170](#)

Health Officer and local health district is required to conduct prevention and screening, testing, investigate, treat, provide case management and, if necessary, isolate or quarantine TB patients. The local health district is required to receive and maintain records of TB reports for ten years. County legislative authorities are required to annually budget funds for TB control.

VITAL STATISTICS

Vital Statistics: [RCW 70.58](#)

Health officer is required to register births and deaths, verify that the registration has been done correctly, contact informant when registration is not correct or complete, and submit registration information to the state. Health officer/health district also required to provide copies of birth and death certificates.

ENVIRONMENTAL HEALTH

Powers and Duties of Local Board of Health: [RCW 70.05.060](#)

The local board of health has supervision over all matters pertaining to the preservation of the live and health of the people within its jurisdiction. The board is required to enforce state laws and rules of the state board of health, or department of health, through the health officer or administrative officer. The board has authority to enact local rules and regulations and to establish fee schedules for public health permits, licenses, or services.

Local Health Officer Powers and Duties: [RCW 70.05.070](#)

The health officer shall enforce the public health statutes of the state, rules and regulations of the state board of health and department of health, and all local public health rules, regulations and ordinances. The health officer shall maintain health and sanitation supervision within the District's jurisdiction, and shall prevent, control or abate nuisances which are detrimental to the public health.

On-Site Sewage Disposal Systems: [RCW 70.05.072](#), [.074](#), [.160](#), [.190](#), [.200](#); [RCW 70.118](#); [RCW 70.118A](#); [WAC 246-272A](#); [WAC 246-272C](#); [WAC 246-274](#)

Local board of health and health officer are responsible to ensure the proper siting, design, installation, maintenance and repair of on-site sewage systems; issuing on-site sewage system permits; certifying on-site sewage system installers, pumpers, and maintenance providers; and identifying and enforcing the correction of failing on-site sewage systems. The health officer may grant waivers to state on-site rules. The Health Officer must respond to the applicant for an on-site sewage system permit within thirty days after receiving a fully completed application, and must respond that the application is either approved, denied, or pending. Local boards to ensure that on-site inspectors obtain wastewater treatment certification.

Local boards and health officers may seek administrative search warrants. Local health officers must develop written on-site program management plan and electronic data systems to manage on-site system records. Local boards and health officers may allow citizens to self-inspect their own septic system.

Health officer to require state approved sewage tanks and to review, inspect, permit, and enforce the state standards for subsurface greywater reuse systems.

Food Service: [WAC 246-215](#)

Health officer is to inspect and permit food establishment facilities, equipment, operations, and personnel to safeguard public health and ensure that food is safe to consume. Mandated work includes pre-permit food establishment facility and operation plan reviews, enforcement of corrective actions, and food borne illness investigations.

Food and Beverage Service Workers Permits: [RCW 69.06](#); [WAC 246-217](#)

Health officers/health districts to conduct food worker testing, and issue permits (food worker cards) to successful applicants. Health officer must furnish food service worker manual and provide at least 30 minutes of instruction to applicants. Health officer may revoke food worker card for repeated or continuing violations.

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Public Water Systems: [RCW 70.05.070](#); [RCW 18.104.043](#); [RCW 70.142](#); [WAC 246-290](#); [WAC 246-291](#)

Health officer to inspect as necessary expansions or modifications of public water systems to assure conformation with approved plans. Health district may request delegation of authority from Ecology for well site inspections, tagging, sealing, and decommissions within its jurisdiction. Health districts required to receive chemical contaminant water sample results from public water systems. Health districts may establish more stringent water quality standards for drinking water in their jurisdiction. Local board of health may adopt rules governing public water systems, or health officer may develop a joint plan of operation with state department of health for public water system administration. Health officer may initiate enforcement actions, grant waivers, and administer the design, construction, operation and maintenance of public water systems.

Well Construction: [WAC 173-160](#)

Under the delegated authority from the Washington State Department of Ecology, the Health Officer may administer and enforce the water well construction program requirements.

Water Recreation Facilities: [RCW 70.90](#); [WAC 246-260](#); [WAC 246-262](#)

Local board of health may adopt local safety regulations for water recreation and recreational water contact facilities addressing plan review, inspections, permits, surveillance, and enforcement. Health officer enforces standards for swimming and wading pools, water parks, and natural bathing beaches, and issue operation permits. Water recreation facility operators shall report to the health officer serious injuries, communicable disease, or death occurring at or caused by the facility.

Recreational Shellfish Beaches: [WAC 246-280](#)

Health officer to work with state department of health to evaluate the quality of beaches for safe shellfish harvesting.

Solid Waste Management: [RCW 70.95](#); [WAC 173-304](#); [WAC 173-350](#); [WAC 173-351](#)

Local board of health to adopt regulations governing solid waste handling, collection, transportation, treatment, utilization, and final disposal, including but not limited to issuing operation permits. Health district required to issue and enforce solid waste facility operation permits and enforce owner responsibilities for proper solid waste handling and disposal or recycling.

Biomedical Wastes: [RCW 70.95K](#)

Health districts required to enforce the state standards for handling and disposal of medical sharps waste.

Decontamination of Illegal Drug Manufacturing or Storage Sites: [WAC 246-205](#)

Upon notification from law enforcement, health officer is to post, inspect, evaluate for contamination, report results, notify owners and the public about illegal drug manufacturing or storage sites, and order and enforce cleanup of the site.

General Sanitation: [WAC 246-203](#)

State board of health codes addressing miscellaneous public health nuisances for local health districts to enforce.

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Schools: [WAC 246-366](#)

Health officer is to review and approve building plans for all primary and secondary school, and periodically perform health and safety inspections at schools to state standards.

Camps and Parks: [WAC 246-376](#)

Health officer is to register and inspect group camps (for recreation, education, vacation, or religious uses) to state health and safety standards.

Outdoor Music Festivals: [RCW 70.108.040](#); [WAC 246-374](#)

Health officer is to review and approve health and safety plans for outdoor music festivals. Health officer has the authority to require actions to remedy health hazards.

Washington Clean Indoor Air Act: [RCW 70.160](#)

Health districts to implement provisions for no smoking areas in public places or places of employment.

Labor Camp Standards: [WAC 248-63](#)

Local Health Department inspects farm labor camps.

Administrative Search Warrant Authorization: [RCW 70.118.030](#)

Health Officer may request Administrative Search Warrants in response to pollution in commercial or recreational shellfish harvesting areas or pollution in fresh water.

State Environmental Policy Act (SEPA): [RCW 43.21C](#); [WAC 197.11](#)

Local Health Department required to adopt SEPA, which sets for an environmental policy for the State of Washington.

OTHER

Tobacco- Access to Minors: [RCW 70.155 \(1993\)](#)

This act strengthens enforcement of laws prohibiting sales and distribution of tobacco to minors. It provides funds from the Youth Tobacco Prevention Fund (retailer license fees and fines) to local public health jurisdictions for "coordinated tobacco intervention strategies to prevent and reduce tobacco use by youth."