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Enactment date: 1/31/2014 **Enactment #:** 17733

Title: AN ORDINANCE relating to the department of public health; amending Ordinance 12529, Section 2, as amended, and K.C.C. 2.16.080, Ordinance 163, Section 7, as amended, and K.C.C. 2.24.110 and Ordinance 15952, Section 2, as amended, and K.C.C. 2.24.135, Ordinance 8577, Section 1, as amended, and K.C.C. 2.50.010, Ordinance 8577, Section 2, as amended, and K.C.C. 2.50.020, Ordinance 10217, Section 3, as amended, and K.C.C. 2.50.025, Ordinance 8577, Section 3, as amended, and K.C.C. 2.50.030, Ordinance 12075, Section 13, as amended, and K.C.C. 2.50.045, adding a new chapter to K.C.C. Title 2, adding a new section to K.C.C. chapter 4A.650, recodifying K.C.C. 2.16.080, K.C.C. 2.24.110, K.C.C. 2.24.135, K.C.C. 2.50.010, K.C.C. 2.50.020, K.C.C. 2.50.025, K.C.C. 2.50.030 and K.C.C. 2.50.045 and repealing Ordinance 5057, Section 1, as amended, and K.C.C. 2.24.120 and Ordinance 5057, Section 2, as amended, and K.C.C. 2.24.130.

Sponsors: Kathy Lambert

Indexes: Public Health

Code sections: 2.16.080 -, 2.24.110 - ., 2.24.120 - ., 2.24.130 - ., 2.24.135 - ., 2.50.010 -, 2.50.020 -, 2.50.025 -, 2.50.030 -, 2.50.045 -, 4A.650 - .

Attachments: 1. Ordinance 17733.pdf, 2. 2013-0352 fiscal note.xls, 3. 2013-0352 transmittal letter.docx, 4. Item 5 Staff Report Proposed Ordinance 2013-0352 Public Health Code Changes.docx

Date	Ver.	Action By	Action	Result
1/21/2014	1	Metropolitan King County Council	Hearing Held	
1/21/2014	1	Metropolitan King County Council	Passed	Pass
1/14/2014	1	Law, Justice, Health and Human Services Committee	Recommended Do Pass Consent	Pass
9/30/2013	1	Metropolitan King County Council	Introduced and Referred	

Clerk 08/02/2013

AN ORDINANCE relating to the department of public health; amending Ordinance 12529, Section 2, as amended, and K.C.C. 2.16.080, Ordinance 163, Section 7, as amended, and K.C.C. 2.24.110 and Ordinance 15952, Section 2, as amended, and K.C.C. 2.24.135, Ordinance 8577, Section 1, as amended, and K.C.C. 2.50.010, Ordinance 8577, Section 2, as amended, and K.C.C. 2.50.020, Ordinance 10217, Section 3, as amended, and K.C.C. 2.50.025, Ordinance 8577, Section 3, as amended, and K.C.C. 2.50.030, Ordinance 12075, Section 13, as amended, and K.C.C. 2.50.045, adding a new chapter to K.C.C. Title 2, adding a new section to K.C.C. chapter 4A.650, recodifying K.C.C. 2.16.080, K.C.C. 2.24.110, K.C.C. 2.24.135, K.C.C. 2.50.010, K.C.C. 2.50.020, K.C.C. 2.50.025, K.C.C. 2.50.030 and K.C.C. 2.50.045 and repealing Ordinance 5057, Section 1, as amended, and K.C.C. 2.24.120 and Ordinance 5057, Section 2, as amended, and K.C.C. 2.24.130.

PREAMBLE:

The existing code section on public health duties, K.C.C. 2.16.080, was created for the most part in the 1980s and 1990s, and one provision refers back to 1951. The council determines that a new Title 2 chapter on public health duties should be created, and material related to all public health matters be codified in that title.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There is hereby established a new chapter in K.C.C. Title 2. The new chapter shall contain K.C.C. 2.16.080, as recodified by this ordinance, section 3 of this ordinance, section 4 of this ordinance, section 5 of this ordinance, section 6 of this ordinance, section 7 of this ordinance, section 8 of this ordinance, section 9 of this ordinance, section 10 of this ordinance, K.C.C. 2.24.110, as recodified by this ordinance, K.C.C. 2.24.135, as recodified by this ordinance, K.C.C. 2.50.010, as recodified by this ordinance, K.C.C. 2.50.020, as recodified by this ordinance, K.C.C. 2.50.025, as recodified by this ordinance, K.C.C. 2.50.030, as recodified by this ordinance, and K.C.C. 2.50.045, as recodified by this ordinance.

SECTION 2. K.C.C. 2.16.080, as amended by this ordinance, is hereby recodified as a new section in the chapter created under section 1 of this ordinance.

SECTION 3. Ordinance 12529, Section 2, as amended, and K.C.C. 2.16.080 are each hereby amended to read as follows:

A.1. ~~((Since 1951, the city of Seattle and the county have jointly financed and operated a city-county health department.))~~ The department of public health, which is also known as public health -Seattle & King County, is responsible to manage and be fiscally accountable for providing a functionally integrated set of services and programs that are fully responsive to urban, suburban city and unincorporated communities. The department shall include: regional services; an emergency medical services division; an environmental health division; a prevention division; a community health services division; a jail health services division; and an administrative services division. The department shall also provide administrative support to the children and family commission.

2. As of January 1, 1981, the city of Seattle and the county established a combined city-county health department ~~((known as the Seattle-King County department of public health))~~ under chapters 70.05 and 70.08 RCW and certain city ordinances and county ~~((resolutions and))~~ ordinances. The director of the department shall be jointly appointed by the mayor of the city and the county executive, subject to confirmation by the city and county councils, and may be removed by the county executive, after consultation with the mayor, upon filing a statement of the reasons therefore with the city and county councils as authorized by RCW 70.08.040. The director shall be responsible for the management of the department.

~~((B. As provided in the agreement between King County and the city of Seattle entitled "1996 Agreement Regarding the Seattle-King County Department of Public Health" approved by the county council by Motion 9999, the department shall be responsible for providing a functionally integrated set of services and programs that are fully responsive to urban, suburban city and unincorporated communities.))~~

3. The department shall achieve and sustain healthy people and healthy communities throughout King County by providing public health services that promote health ~~((and)),~~ prevent disease and reduce health inequities, including, but not limited to: providing needed or mandated prevention or intervention services to address individual and community health concerns; assessing and monitoring the health status of communities; preventing disease, injury, disability and premature death; promoting healthy living conditions and healthy behaviors; and controlling and reducing the exposure of individuals and communities to environmental or personal hazards. The department shall assess the health of King County residents and communities, facilitate planning to develop responses to issues which affect the public's health and evaluate the effectiveness of programs and initiatives which address these issues. ~~((The department shall include an emergency medical services division, an environmental health division, a prevention division, a community-oriented primary care division, an alcohol, tobacco and other drug abuse prevention division, an administrative services division and regional services areas. The department shall manage children and family programs and shall provide administrative support to the children and family commission.~~

~~C. To fulfill the purpose of reducing death and disability from accidents, acute illness, injuries and other medical emergencies, the duties of the emergency medical services division shall include the following:~~

~~1. Track and analyze service and program needs of the emergency medical services system in the county, and plan and implement emergency medical programs, services and delivery systems based on uniform data and standard emergency medical incident reporting;~~

~~2. Set standards for emergency medical services training and implement emergency medical service personnel training programs, including, but not limited to, public education, communication and response capabilities and transportation of the sick and injured;~~

~~3. Coordinate all aspects of emergency medical services in the county with local, state and federal governments and other counties, municipalities and special districts for the purpose of improving the quality and quantity of emergency medical services and disaster response in King County; and~~

~~4. Analyze and coordinate the disaster response capabilities of the department.~~

~~D. The duties of the environmental health division shall include the following:~~

~~1. Inspect and monitor regulated facilities to ensure compliance with public health codes, rules and regulations;~~

~~2. Investigate complaints or special programs, such as disease outbreaks, sewage spills or toxic spills, identified by the public, the media or public officials;~~

~~3. Advise or educate the public on health risks associated with environmental hazards; and~~

~~4. Enforce public health codes, rules and regulations within the jurisdictions of the division;~~

~~5. Provide veterinary medical care for animals in the custody of King County's animal care and control authority; and~~

~~6. Fulfill zoonotic disease control responsibilities in accordance with WAC 246-100-191 and 246-101-405.~~

~~E. The duties of the prevention division shall include the following:~~

~~1. Reduce the public's exposure to communicable diseases through surveillance and outbreak investigation;~~

~~2. Lower the occurrence of chronic diseases, injury and violence in the community through strategies which reduce the frequency of risk factors for these conditions;~~

~~3. Promote and provide public education and research in the development of prevention models;~~

~~4. Perform specific public health services including vital statistics and laboratory functions; and~~

~~5. Perform medical examiner and statutory coroner duties, except for the holding of inquests, which function is vested in the county executive.~~

~~F. The community oriented primary care division shall focus the department's clinical leadership, health~~

~~services and expertise and strengthens quality systems and effective care partnerships with government, business and community-based organizations. To maintain the community health care system, the duties of the division shall include the following:~~

- ~~1. Develop benchmarks of service quality, clinical guidelines and standards of excellence for the health department;~~
- ~~2. Provide leadership and coordination with health care providers, government agencies, businesses and community groups in the provision of primary health services to at-risk populations in King County;~~
- ~~3. Develop, implement and monitor a systematic, comprehensive system of health service delivery in King County that improves health outcomes by connecting community-based intervention and strategies with the health care of individuals;~~
- ~~4. Develop responsive service delivery and access mechanisms to meet the changing health care needs of at-risk populations in King County; and~~
- ~~5. Provide basic primary care services to detainees of the King County adult detention facilities.~~

~~G. The duties of the alcohol, tobacco and other drug abuse prevention division shall include the following:~~

- ~~1. Administer, staff and provide technical expertise to department programs related to the prevention of alcoholism and substance abuse;~~
- ~~2. Provide prevention services on alcoholism and other drug addictions under federal and state laws and King County ordinances;~~
- ~~3. Link and integrate alcohol, tobacco and other drug abuse interventions with public health functions and activities; and~~
- ~~4. Provide for the delivery of alcohol, tobacco and other drug abuse services in correctional facilities.~~

~~H. The duties of the administrative services division shall include the following:~~

- ~~1. Provide administrative and technical support to the department;~~

~~2. Oversee the administrative systems and activities of the department; and~~

~~3. Provide general support within the department as authorized elsewhere in this chapter.~~

~~1. In addition to divisions, the department shall be organized into regional service areas that will directly provide department activities, services and programs within identified geographic boundaries in the county.))~~

NEW SECTION. SECTION 4. There is hereby added to the new chapter created in section 1 of this ordinance a section to read as follows:

The duties of the department's regional services shall include the following:

A.1. Convening and leading programs to improve health access and quality;

2. Forming partnerships with organizations and health care providers to increase the number of healthy years lived by people in the county and to eliminate health inequities through policy and systems change, access to affordable, appropriate and quality health care services; and

3. Increasing efficiency and effectiveness of public health services;

B. Planning and developing local and regional capacity for responding to public health emergencies and providing for the direction and mobilization of health and medical resources, information and personnel during emergencies and disasters in the county;

C. Providing the functions of assessment, epidemiology and program evaluation; and

D. Developing and disseminating information, tools and strategies that support the public health

functions described in this chapter.

NEW SECTION. SECTION 5. There is hereby added to the new chapter created in section 1 of this ordinance a section to read as follows:

The duties of the emergency medical services division shall include the following:

A. Tracking and analyzing service and program needs of the emergency medical services system in the county, and planning and implementing emergency medical programs, services and delivery systems based on uniform data and standard emergency medical incident reporting;

B. Providing medical direction and setting standards for emergency medical services and medical dispatch training and implementing emergency medical service personnel training programs, including, but not limited to, public education, communication and response capabilities and transportation of the sick and injured;

C. Administering contracts for disbursement of Medic One emergency medical services tax levy funds for basic and advanced life support services and providing King County Medic One advanced life support services;

D. Coordinating all aspects of emergency medical services in the county with local, state and federal governments and other counties, municipalities and special districts for the purpose of improving the quality of emergency medical services and disaster response in King County; and

E. Analyzing and coordinating the emergency medical services components of disaster response capabilities of the department.

NEW SECTION. SECTION 6. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

The duties of the environmental health division shall include the following:

A. Inspecting and monitoring regulated facilities to ensure compliance with public health codes, rules and regulations;

B. Investigating complaints or problems, such as disease outbreaks, sewage spills or toxic spills, identified by the public, the media or public officials;

C. Advising and educating the public on prevention and control of health risks associated with environmental hazards;

D. Enforcing public health codes, rules and regulations within the jurisdictions of the division;

E. Fulfilling zoonotic disease control responsibilities in accordance with WAC 246-100-191 and 246-101-405; and

F. Preventing and controlling the transmission of zoonotic diseases from animals by inspecting and responding to complaints about regulated facilities and promoting the health, safety and well-being of animals in such facilities.

NEW SECTION. SECTION 7. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

The duties of the prevention division shall include the following:

A. Reducing the public's exposure to communicable diseases through surveillance and outbreak investigation and disease prevention and control measures;

B. Lowering the occurrence of chronic diseases, injury and violence in the community through strategies that reduce the frequency of risk factors for these conditions;

C. Promoting and providing public education and research in the development of prevention models;

D. Performing specific public health services including vital statistics and laboratory functions; and

E. Performing medical examiner and statutory coroner duties as described in K.C.C. 2.24.110, as recodified by this ordinance.

NEW SECTION. SECTION 8. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

The duties of the community health services division shall include the following:

A. Focusing the department's clinical leadership, health services and expertise and strengthening quality systems and effective care partnerships with government, business and community-based organizations;

B. Increasing access to affordable health care by those in need and improving the community health care system;

C. Developing and monitoring performance standards for service quality, clinical professional practice and standards of excellence for programs and groups served by the health department and other health care

providers;

D. Providing leadership and coordination with health care providers, government agencies, businesses and community groups in the provision of health services to at-risk or under-served populations in the county;

E. In coordination with health care providers and others, developing, implementing and monitoring a systematic, comprehensive system of health service delivery in the county that improves health outcomes by connecting community-based intervention and strategies with the health care of individuals including clinical and preventive services provided by the department based on community assessment and financial sustainability measures; and

F. Developing responsive service delivery and access mechanisms to meet the changing health care needs of at-risk populations in King County.

NEW SECTION. SECTION 9. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

The duty of the jail health services division is to provide health care services to detainees of the King County adult detention facilities, including medical, dental, psychiatric care and related services in conjunction with the department of adult and juvenile detention.

NEW SECTION. SECTION 10. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

The duties of the administrative services division shall include the following:

- A. Providing administrative and technical support to the department;
- B. Overseeing the administrative systems and activities of the department; and
- C. Providing general support within the department as authorized elsewhere in this chapter.

SECTION 11. K.C.C. 2.24.110, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 12. Ordinance 163, Section 7, as amended, and K.C.C. 2.24.110 are each hereby amended to read as follows:

A. The duties and functions of medical examiner shall be performed by the ~~((Seattle-King County))~~ prevention division of the department of ((public)) health. The medical examiner shall be responsible for the administration and staffing of all ~~((department))~~ programs relating to the performance of autopsies and

investigations of death as authorized by the statutes of the state of Washington, except as provided by this section. The chief medical examiner, who shall be a pathologist certified in forensic pathology, shall be appointed by the director of the department. Employees performing duties and functions of or related to the medical examiner, with the exception of specifically identified exempt positions, shall be members of the King County career service.

~~((A-))~~ B. The chief medical examiner shall assume jurisdiction over human remains, perform autopsies and perform such other functions as are authorized by chapter 68.50 RCW and such other statutes of the state of Washington as are applicable, except for the holding of inquests, which function is vested in the county executive. The chief medical examiner has the authorities granted under K.C.C. 2.24.135, as recodified by this ordinance.

~~((B-))~~ C. The chief medical examiner shall institute procedures and policies to ensure investigation into the deaths of persons so specified in chapter 68.50 RCW and to ensure the public health, except for the holding of inquests, which function is vested in the county executive.

~~((C-))~~ D. The notice of the existence and location of a dead body required to be given by state law shall be given to the medical examiner. The medical examiner shall be responsible for control and disposition of personal property of deceased persons under the jurisdiction of the medical examiner~~((--Such personal property))~~, which shall be transferred to the next of kin or other legal representatives of the deceased. If ~~((such))~~ the transfer cannot be made because there is no known next of kin or legal representative, or ~~((they are))~~ the next of kin or legal representative is not available to accomplish the transfer within thirty days after the medical examiner assumes jurisdiction over the body of the deceased, the personal property shall be deposited with the King County treasury manager, or transferred to an attorney pursuant to the institution of probate action.

E.1. The chief medical examiner may issue subpoenas to compel the production of medical and dental records, and other documents as are necessary for the full investigation of any case under the jurisdiction of the medical examiner from any person, organization or other entity in possession of the records or documents.

2. Subpoenas issued by the chief medical examiner shall be enforceable through the superior court.

3. In case of refusal or failure to obey a subpoena issued under this subsection E, the chief medical examiner may seek the aid of the prosecuting attorney to apply to the superior court for an order or other appropriate action necessary to secure enforcement of the subpoena.

4. Punishment for contempt for refusal or failure to comply with a subpoena issued under this subsection E. shall be as provided by chapter 36.24 RCW and other applicable laws and court rules.

SECTION 13. Ordinance 5057, Section 1, as amended, and K.C.C. 2.24.120 and Ordinance 5057, Section 2, as amended, and K.C.C. 2.24.130, Ordinance 5057, Section 2, as amended, are each hereby repealed.

SECTION 14. K.C.C. 2.24.135, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 15. Ordinance 15952, Section 2, as amended, and K.C.C. 2.24.135 are each hereby amended to read as follows:

A. A person shall not bury, cremate or otherwise dispose of the body of a decedent who died in the county without first reporting the death to the medical examiner's office and receiving an authorization from the medical examiner releasing the body for disposition.

B.1. A person reporting a death to the medical examiner's office of a person whose remains are to be buried, cremated or otherwise disposed shall be charged ~~((a))~~ the fee ~~((of fifty dollars))~~ in section 16 of this ordinance.

2. The medical examiner may waive the fee for a cremation only if the cost of the cremation to be performed was paid before January 1, 2008. The fee shall not be charged if the cost of the cremation is borne by the county.

3. Revenues generated by the body disposition permit fee shall be expended to support the ~~((King County medical examiner's office))~~ duties and functions of medical examiner performed by the prevention division of the department of health.

NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 4A.650 a new section to read

as follows:

A person reporting a death to the medical examiner's office of a person whose remains are to be buried, cremated or otherwise disposed under K.C.C. 2.24.135, as recodified by this ordinance, shall be charged a fee of fifty dollars.

SECTION 17. K.C.C. 2.50.010, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 18. Ordinance 8577, Section 1, as amended, and K.C.C. 2.50.010 are each hereby amended to read as follows:

A. There is established the King County children and family commission, to be composed of no more than seventeen voting members, appointed by the King County executive and confirmed by the council. Appointees shall represent the geographic and ethnic diversity of communities in King County. No more than seven members shall reside within any one municipal jurisdiction.

B. The commission shall seek the opinions and ideas of educators, the business community, children, youth and family service providers and agency representatives and other interested parties on issues considered by the commission. These persons shall be invited to participate in commission discussions.

C. The commission members shall be appointed by the county executive, subject to confirmation by the county council. Appointees should include professionals, consumers of county services, youth and individuals of color and limited or non-English speaking individuals who are concerned about children, youth and families.

D. Appropriate county departments which serve the health, recreational, social, economic and criminal justice needs of children, youth and families shall provide ~~((resource people))~~ staff who shall serve the commission in an advisory capacity.

E. Except for the initial term, all appointments shall be for three-year terms. ~~((Once confirmed by the council, commission members shall serve as voting members until reconfirmed or a successor is confirmed.))~~ Commission members may serve two consecutive terms.

F. Any vacancies occurring in the membership of the children and family commission shall be filled for the remainder of the unexpired term in the same manner as the original appointments.

SECTION 19. K.C.C. 2.50.020, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 20. Ordinance 8577, Section 2, as amended, and K.C.C. 2.50.020 are each hereby amended to read as follows:

A. The King County children and family commission shall act in an advisory capacity to the county executive, the superior court and county council, focusing on recommendations to further define King County's mission, role~~((s))~~ and goals in the provision of services to children, youth and families. The commission ~~((will~~ shall:

1. ~~((e))~~ Concentrate on building links between the county's service systems, communities and schools; ~~((The commission will))~~

2. ~~((p))~~ Provide oversight and review of county programs providing services to children, youth and families; and

3. ~~((p))~~ Promote cooperation among departments, and evaluate the effectiveness of programs.

B. The commission shall establish a standing committee comprised of commission members that ~~((will~~ should focus on services for at-risk youth including probation related services of the superior court juvenile department, juvenile detention and the services provided to youth by the department of adult and juvenile detention, the department of community and human services, schools and others as deemed appropriate. This committee, through the commission, shall provide advice and offer recommendations on services for at-risk youth in the community and in the juvenile justice system.

SECTION 21. K.C.C. 2.50.025, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 22. Ordinance 10217, Section 3, as amended, and K.C.C. 2.50.025 are each hereby amended to read as follows:

The commission shall provide citizen oversight for the department of community and human services and other involved county departments in development and implementation of the Human Services Recommendations Report required by Ordinance ((13629)) 15406 and shall communicate its recommendations regarding the report to the executive and council. In accordance with adopted policy and any recommendations adopted as a result of the Human Services (Review and) Recommendations Report the commission shall review the budgets of county agencies serving children, youth and families as part of the annual budget process for the purpose of making appropriate policy and resource allocation recommendations to the executive, the superior court and the council.

SECTION 23. K.C.C. 2.50.030, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 24. Ordinance 8577, Section 3, as amended, and K.C.C. 2.50.030 are each hereby amended to read as follows:

The King County children and family commission shall elect its officers, including a chair, vice-chair and such other officers as it may deem necessary. The officers shall occupy their respective offices for one year. The commission may organize into sub((-))committees as appropriate. The commission shall adopt rules and administrative procedures for its own operation. The rules shall include a definition of conflict of interest issues coming before the commission and appropriate voting restrictions. The commission shall adopt an annual work plan ((describing how it will fulfill its responsibilities)). The commission shall hold regular public meetings at least quarterly. Records of the proceedings shall be maintained. The commission shall issue an annual report to the public on its activities. A quorum shall constitute a majority of the commission's membership. Any member of the commission who, without having been excused by the chair, fails to attend three regularly scheduled commission meetings, shall be removed and the position declared vacant by the appointing authority.

SECTION 25. K.C.C. 2.50.045, as amended by this ordinance, shall be recodified in the new chapter created in section 1 of this ordinance.

SECTION 26. Ordinance 12075, Section 13, as amended, and K.C.C. 2.50.045 are each hereby amended to read as follows:

The ((Seattle King County)) department of public health shall have lead responsibility, within available resources, for staffing the commission. Staff from the department shall respond to the chair of the commission, assisting in the preparation of agendas, securing information and statistics as requested or required for commission projects, keeping members informed about meetings and tasks, communicating with the executive office about appointments of new members as needed and working with the commission to ensure the intent of this chapter is fulfilled.