
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2854

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Schual-Berke, Haigh, Morris, Barlean, O'Brien, Hurst, Hatfield, Anderson, Chase, Upthegrove and Rockefeller)

Read first time 02/11/2002. Referred to Committee on .

1 AN ACT Relating to planning for public health emergencies arising
2 from terrorist acts; adding new sections to chapter 43.70 RCW; creating
3 a new section; providing an expiration date; and declaring an
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** Following the tragic events of September 11,
7 2001, the government's primary role in protecting the health, safety,
8 and well-being of its citizens has been underscored. The threat of
9 biological and chemical agents used for terrorism creates new and
10 emerging dangers for public health and raises the possibility of mass
11 civilian exposures and casualties. In addition, the September 11th
12 attacks demonstrated that other types of terrorist attacks may create
13 public health emergencies for victims, rescue personnel, government
14 agencies, and the public.

15 The legislature finds there is a need to focus on the prevention,
16 detection, management, and containment of public health emergencies
17 from infectious diseases. The legislature also finds that an effective
18 communications system is needed to ensure that health care providers
19 across the state can quickly and efficiently notify and communicate

1 with each other regarding signs and symptoms they may observe that may
2 be the earliest indications of bioterrorism and terrorist-related
3 public health emergencies. The legislature also finds that
4 dissemination of public health information during an emergency is
5 critical to the functioning and well-being of the public. The
6 legislature further finds that there is a need to coordinate planning
7 among government agencies to ensure an effective response to
8 bioterrorism incidents or other terrorist attacks. The legislature
9 recognizes that the department of health and human services has
10 recently awarded funding to the department of health to develop a
11 comprehensive bioterrorism plan and to improve and expand disease
12 surveillance and investigation, communication, public health laboratory
13 capacity, and hospital system readiness.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70 RCW
15 to read as follows:

16 (1) The department shall be designated as the coordinator of the
17 state bioterrorism preparedness and response program. By July 2, 2002,
18 the department shall prepare a plan for improving current preparedness
19 and response for a bioterrorist event or other public health emergency.
20 The plan shall address:

21 (a) Improvements to the communicable disease surveillance and
22 investigation system, in a manner consistent with existing systems
23 established under chapter 70.05 RCW and the rules of the state board of
24 health;

25 (b) Additional methods of communication, including but not limited
26 to an internet-based bioterrorism communications system for licensed
27 health care professionals, to allow communication with and among local,
28 state, and federal agencies, health care professionals, hospitals, and
29 the public during a public health emergency; and

30 (c) Other measures necessary to detect and respond to a public
31 health emergency, including but not limited to guidelines for the safe
32 and effective management of persons isolated, quarantined, vaccinated,
33 or treated during a public health emergency.

34 (2) The department shall also compare state statutes and
35 regulations with federal requirements to determine whether statutory
36 changes are necessary to meet federal requirements or address the
37 unique needs of Washington state.

1 (3) Integration, coordination, and cross-agency collaboration are
2 essential to the development of the plan. In developing and
3 implementing the plan, the department shall coordinate with and involve
4 representatives of the emergency management council, local health
5 jurisdictions, other federal, state, and local agencies, health care
6 providers, and hospitals.

7 (4) The plan developed according to this act must be consistent
8 with the state comprehensive management plan under chapter 38.52 RCW.

9 (5) The department shall submit the state plan to the federal
10 department of health and human services by March 15, 2002, and no later
11 than April 15, 2002. If the deadline for plan submission is extended,
12 the department shall submit the state plan no later than the subsequent
13 deadline established by the federal department of health and human
14 services.

15 (6) The department shall submit the completed plan, the results of
16 the analysis conducted under subsection (2) of this section, and any
17 recommended statutory changes necessary to implement the plan to the
18 legislature no later than December 1, 2002.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70 RCW
20 to read as follows:

21 If any part of this act is found to be in conflict with federal
22 requirements which are a prescribed condition to the allocation of
23 federal funds to the state, the conflicting part of this act is hereby
24 declared to be inoperative solely to the extent of the conflict and
25 with respect to the agencies directly affected, and such finding or
26 determination shall not affect the operation of the remainder of this
27 act in its application to the agencies concerned. The plan created
28 under this act shall meet federal requirements which are a necessary
29 condition to the receipt of federal funds by the state.

30 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and takes effect
33 immediately.

34 NEW SECTION. **Sec. 5.** This act expires June 30, 2003.

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