
ENGROSSED SUBSTITUTE SENATE BILL 6366

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Ways & Means (originally sponsored by
Senators Keiser, Thibaudeau and Kline)

READ FIRST TIME 02/7/06.

1 AN ACT Relating to preparation and response to pandemic influenza;
2 and adding a new chapter to Title 70 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) Pandemic influenza is a global outbreak of disease that occurs
6 when a new virus appears in the human population, causes serious
7 illness, and then spreads easily from person to person.

8 (2) Historically, pandemic influenza has occurred on average every
9 thirty years. Most recently, the Asian flu in 1957-58 and the Hong
10 Kong flu in 1968-69 killed seventy thousand and thirty-four thousand,
11 respectively, in the United States.

12 (3) Another influenza pandemic could emerge with little warning,
13 affecting a large number of people. Estimates are that another
14 pandemic influenza would cause more than two hundred thousand deaths in
15 our country, with as many as five thousand in Washington. Our state
16 could also expect ten thousand to twenty-four thousand people needing
17 hospital stays, and as many as a million people requiring outpatient
18 visits. During a severe pandemic these numbers could be much higher.
19 The economic losses could also be substantial.

1 (4) The current Avian or bird flu that is spreading around the
2 world has the potential to start a pandemic. There is yet no proven
3 vaccine, and antiviral medication supplies are limited and of unknown
4 effectiveness against a human version of the virus, leaving traditional
5 public health measures as the only means to slow the spread of the
6 disease. Given the global nature of a pandemic, as much as possible,
7 the state must be able to respond assuming only limited outside
8 resources and assistance will be available.

9 (5) An effective response to pandemic influenza in Washington must
10 focus at the local level and will depend on preestablished partnerships
11 and collaborative planning on a range of best-case and worst-case
12 scenarios. It will require flexibility and real-time decision making,
13 guided by accurate information. It will also depend on a well-informed
14 public that understands the dangers of pandemic influenza and the steps
15 necessary to prevent the spread of the disease.

16 (6) Avian flu is but one example of an infectious disease that,
17 were an outbreak to occur, could pose a significant statewide health
18 hazard. As such, preparation for pandemic flu will also enhance the
19 capacity of local public health jurisdictions to respond to other
20 emergencies.

21 It is therefore the intent of the legislature that adequate
22 pandemic flu preparedness and response plans be developed and
23 implemented by local public health jurisdictions statewide in order to
24 limit the number of illnesses and deaths, preserve the continuity of
25 essential government and other community services, and minimize social
26 disruption and economic loss in the event of an influenza pandemic.

27 NEW SECTION. **Sec. 2.** The definitions in this section apply
28 throughout this chapter unless the context clearly requires otherwise.

29 (1) "Department" means the department of health.

30 (2) "Local health jurisdiction" means a local health department as
31 established under chapter 70.05 RCW, a combined city-county health
32 department as established under chapter 70.08 RCW, or a health district
33 established under chapter 70.05 or 70.46 RCW.

34 NEW SECTION. **Sec. 3.** To the extent state or federal funds are
35 provided for this purpose, by January 1, 2007, each local health
36 jurisdiction shall develop a pandemic flu preparedness and response

1 plan, consistent with requirements and performance standards
2 established by the department and the United States department of
3 health and human services, for the purpose of:

4 (1) Defining preparedness activities that should be undertaken
5 before a pandemic occurs that will enhance the effectiveness of
6 response measures;

7 (2) Describing the response, coordination, and decision-making
8 structure that will incorporate the local health jurisdiction, the
9 local health care system, other local response agencies, and state and
10 federal agencies during the pandemic;

11 (3) Defining the roles and responsibilities for the local health
12 jurisdiction, local health care partners, and local response agencies
13 during all phases of a pandemic;

14 (4) Describing public health interventions in a pandemic response
15 and the timing of such interventions;

16 (5) Serving as a guide for local health care system partners,
17 response agencies, and businesses in the development of pandemic
18 influenza response plans; and

19 (6) Providing technical support and information on which
20 preparedness and response actions are based.

21 Each plan shall be developed based on an assessment by the local
22 health jurisdiction of its current capacity to respond to pandemic flu
23 and otherwise meet department outcome measures related to infectious
24 disease outbreaks of statewide significance.

25 NEW SECTION. **Sec. 4.** Each jurisdiction shall develop its pandemic
26 flu preparedness and response plan in consultation with appropriate
27 public and private sector partners, including departments of emergency
28 management, law enforcement, school districts, hospitals and medical
29 professionals, tribal governments, and business organizations. At a
30 minimum, each plan shall address:

31 (1) Strategies to educate the public about the consequences of
32 influenza pandemic and what each person can do to prepare, including
33 the adoption of universal infectious disease prevention practices and
34 maintaining appropriate emergency supplies;

35 (2) Jurisdiction-wide disease surveillance programs, coordinated
36 with state and federal efforts, to detect pandemic influenza strains in

1 humans and animals, including health care provider compliance with
2 reportable conditions requirements, and investigation and analysis of
3 reported illness or outbreaks;

4 (3) Communication systems, including the availability of and access
5 to specialized communications equipment by health officials and
6 community leaders, and the use of mass media outlets;

7 (4) Mass vaccination plans and protocols to rapidly administer
8 vaccine and monitor vaccine effectiveness and safety;

9 (5) Guidelines for the utilization of antiviral medications for the
10 treatment and prevention of influenza;

11 (6) Implementation of nonmedical measures to decrease the spread of
12 the disease as guided by the epidemiology of the pandemic, including
13 increasing adherence to public health advisories, voluntary social
14 isolation during outbreaks, and health officer orders related to
15 quarantines;

16 (7) Medical system mobilization, including improving the linkages
17 and coordination of emergency responses across health care
18 organizations, and assuring the availability of adequate facilities and
19 trained personnel; and

20 (8) Strategies for maintaining social order and essential community
21 services while limiting the spread of disease throughout the duration
22 of the pandemic.

23 NEW SECTION. **Sec. 5.** To the extent state or federal funds are
24 provided for this purpose, the department, in consultation with the
25 state director of emergency management, shall provide technical
26 assistance and disburse funds as needed to support local health
27 jurisdictions in developing their pandemic flu preparedness and
28 response plans. Upon receipt of a plan determined by the department to
29 meet its established requirements and standards, additional funding
30 shall be provided to a district to support the preparedness response
31 activities identified in the plan, including but not limited to:

32 (1) Education, information, and outreach, in multiple languages, to
33 increase community preparedness and reduce the spread of the disease
34 should it occur;

35 (2) Development of materials and systems to be used in the event of
36 a pandemic to keep the public informed about the influenza, the course
37 of the pandemic, and response activities;

1 (3) Development of the legal documents necessary to facilitate and
2 support the necessary government response;

3 (4) Training and response drills for local health jurisdiction
4 staff, law enforcement, health care providers, and others with
5 responsibilities identified in the plan;

6 (5) Enhancement of the communicable disease surveillance system;
7 and

8 (6) Development of coordination and communication systems among
9 responding agencies.

10 Where appropriate, these activities shall be coordinated and funded
11 on a regional or statewide basis. In the event that a local health
12 jurisdiction does not show adequate progress towards implementing its
13 plan, the department may intervene to provide necessary technical
14 assistance.

15 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
16 a new chapter in Title 70 RCW.

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