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**HOUSE BILL 2531**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Santos, Jinkins, and Robinson

AN ACT Relating to social determinates of health, including changing the name of the governor's interagency coordinating council on health disparities and evaluating data; amending RCW 43.20.270, 43.20.025, 43.20.275, 43.20.280, and 43.20.285; adding new sections to chapter 43.20 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28C.18 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 43.20A RCW; adding a new section to chapter 43.21A RCW; adding a new section to chapter 43.23 RCW; adding a new section to chapter 43.63A RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 43.215 RCW; and providing an expiration date.

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

**Sec.**  RCW 43.20.270 and 2006 c 239 s 1 are each amended to read as follows:

The legislature finds that women and people of color experience significant disparities from men and the general population in education, employment, healthful living conditions, access to health care, and other social determinants of health. The legislature finds that these circumstances coupled with lower, slower, and less culturally appropriate and gender appropriate access to needed medical care result in higher rates of morbidity and mortality for women and persons of color than observed in the general population. Health disparities are defined by the national institute of health as the differences in incidence, prevalence, mortality, and burden of disease and other adverse health conditions that exist among specific population groups in the United States.

It is the intent of the Washington state legislature to create the healthiest state in the nation by striving to eliminate health disparities ((~~in people of color and between men and women~~)) and promote health equity. In meeting the intent of chapter 239, Laws of 2006, the legislature creates the governor's interagency coordinating council on health ((~~disparities~~)) equity. This council shall create an action plan and statewide policy to include health impact reviews that measure and address other social determinants of health ((~~that lead to~~)), reduce health disparities ((~~as well as the contributing factors of health that can have broad impacts on improving status, health literacy, physical activity, and nutrition~~)), and promote health equity.

**Sec.**  RCW 43.20.025 and 2006 c 239 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Commissions" means the Washington state commission on African-American affairs established in chapter 43.113 RCW, the Washington state commission on Asian Pacific American affairs established in chapter 43.117 RCW, the Washington state commission on Hispanic affairs established in chapter 43.115 RCW, and the governor's office of Indian affairs.

(2) "Consumer representative" means any person who is not an elected official, who has no fiduciary obligation to a health facility or other health agency, and who has no material financial interest in the rendering of health services.

(3) "Council" means the governor's interagency coordinating council on health ((~~disparities~~)) equity, convened according to this chapter.

(4) "Department" means the department of health.

(5) "Health disparities" means the difference in incidence, prevalence, mortality, or burden of disease and other adverse health conditions, including lack of access to proven health care services that exists between specific population, subracial, and subethnic groups in Washington state.

(6) "Health equity" means every person has the opportunity to attain his or her full health potential and that no one is disadvantaged from achieving this potential because of social position or other socially determined circumstances.

(7) "Health impact review" means a review of a legislative or budgetary proposal completed according to the terms of this chapter that determines the extent to which the proposal improves or exacerbates health disparities and promotes health equity.

((~~(7)~~)) (8) "Secretary" means the secretary of health, or the secretary's designee.

((~~(8)~~)) (9) "Local health board" means a health board created pursuant to chapter 70.05, 70.08, or 70.46 RCW.

((~~(9)~~)) (10) "Local health officer" means the legally qualified physician appointed as a health officer pursuant to chapter 70.05, 70.08, or 70.46 RCW.

((~~(10)~~)) (11) "Social determinants of health" means those elements of social structure most closely shown to affect health and illness, including at a minimum, early learning, education, socioeconomic standing, safe housing, gender, incidence of violence, convenient and affordable access to safe opportunities for physical activity, healthy diet, and appropriate health care services.

((~~(11)~~)) (12) "State board" means the state board of health created under this chapter ((~~43.20 RCW~~)).

**Sec.**  RCW 43.20.275 and 2006 c 239 s 3 are each amended to read as follows:

(1) In collaboration with staff whom the office of financial management may assign, and within funds made expressly available to the state board for these purposes, the state board shall assist the governor by convening and providing assistance to the council. The council shall include one representative from each of the following groups: Each of the commissions, the state board, the department, the department of social and health services, the department of ((~~community, trade, and economic development~~)) commerce, the health care authority, the department of agriculture, the department of ecology, the office of the superintendent of public instruction, the department of ((~~early learning~~)) children, youth, and families, the workforce training and education coordinating board, and two members of the public who will represent the interests of health care consumers. The council is a class one group under RCW 43.03.220. The two public members shall be paid per diem and travel expenses in accordance with RCW 43.03.050 and 43.03.060. The council shall reflect diversity in race, ethnicity, and gender. The governor or the governor's designee shall chair the council.

(2) The council shall promote and facilitate communication, coordination, and collaboration among relevant state agencies and communities of color, and the private sector and public sector, to address health disparities and promote health equity. The council shall conduct public hearings, inquiries, studies, or other forms of information gathering to understand and address how the actions of state government ameliorate or contribute to health disparities and health equity. All state agencies must cooperate with the council's efforts.

(3) The council with assistance from the state board, shall assess through public hearings, review of existing data, and other means, and recommend initiatives for improving the availability of culturally and linguistically appropriate ((~~health literature and interpretive~~)) information and services ((~~within public and private health-related agencies~~)).

(4) In order to assist with its work, the council shall establish advisory committees to assist in plan development for specific issues and shall include members of other state agencies and local communities.

(5) The advisory committee shall reflect diversity in race, ethnicity, and gender.

**Sec.**  RCW 43.20.280 and 2006 c 239 s 4 are each amended to read as follows:

Every two years, the council shall ((~~consider in its deliberations and by 2012,~~)) create a report consisting of an action plan for eliminating health disparities and promoting health equity and the progress towards goals and steps included in previous reports. The action plan must address, but is not limited to, the following diseases, conditions, and health indicators: Diabetes, asthma, infant mortality, HIV/AIDS, heart disease, strokes, breast cancer, cervical cancer, prostate cancer, chronic kidney disease, sudden infant death syndrome (SIDS), mental health, women's health issues, smoking cessation, oral disease, and immunization rates of children and senior citizens, as well as the social determinants of health. The council shall prioritize the diseases, conditions, ((~~and~~)) health indicators, and social determinants of health, according to prevalence and ((~~severity of the health disparity~~)) potential impact on health equity. ((~~The council shall address these priorities on an incremental basis by adding no more than five of the diseases, conditions, and health indicators to each update or revised version of the action plan. The action plan shall be updated biannually.~~)) The council shall meet as often as necessary but not less than two times per calendar year. ((~~The council shall report its progress with the action plan to the governor and the legislature no later than January 15, 2008. A second report shall be presented no later than January 15, 2010, and a third report from the council shall be presented to the governor and the legislature no later than January 15, 2012. Thereafter, the governor and legislature shall require progress updates from the council every four years in odd-numbered years.~~)) The action plan shall recognize the need for flexibility.

**Sec.**  RCW 43.20.285 and 2006 c 239 s 5 are each amended to read as follows:

The state board shall, to the extent that funds are available expressly for this purpose, complete health impact reviews, in collaboration with the council, and with assistance that shall be provided by any state agency of which the board makes a request.

(1) A health impact review may be initiated by a written request submitted according to forms and procedures proposed by the council and approved by the state board before December 1, 2006.

(2) Any state legislator or the governor may request a review of any proposal for a state legislative or budgetary change. Upon receiving a request for a health impact review from the governor or a member of the legislature during a legislative session, the state board shall deliver the health impact review to the requesting party in no more than ten days.

(3) The state board may limit the number of health impact reviews it produces to retain quality while operating within its available resources.

(4) A state agency may decline a request to provide assistance if complying with the request would not be feasible while operating within its available resources.

(5) Upon delivery of the review to the requesting party, it shall be a public document, and shall be available on the state board's web site.

(6) The review shall be based on the best available empirical information and professional assumptions available to the state board within the time required for completing the review. The review should consider direct impacts on health disparities and health equity, as well as changes in the social determinants of health.

(7) The state board and the department shall collaborate to obtain any federal or private funding that may become available to implement the state board's duties under this chapter. If the department receives such funding, the department shall allocate it to the state board and affected agencies to implement its duties under this chapter, and any state general funds that may have been appropriated but are no longer needed by the state board shall lapse to the state general fund.

NEW SECTION. **Sec.**  A new section is added to chapter 43.20 RCW to read as follows:

(1) By October 15, 2018, the council shall create brief guidance to assist the entities in their efforts to compile the inventories of data pursuant to sections 7 through 16 of this act. The guidance shall describe the types of data sets that may be related to social determinants of health of individuals and must be included in the inventory. The guidance may require other contextual information that must be included in the inventory for each source of data.

(2) The council shall compile the inventories required by sections 7 through 16 of this act into one report. The council shall submit its report to the governor by October 15, 2019. The report must include the following information for each individual entity:

(a) An inventory of the data sets submitted to the council;

(b) The categories and subcategories of data that can be disaggregated, including but not limited to race, ethnicity, gender, and other demographic characteristics; and

(c) A summary of the data gaps of subracial and subethnic data according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

(1) By April 1, 2019, the superintendent of public instruction shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 28C.18 RCW to read as follows:

(1) By April 1, 2019, the board shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 41.05 RCW to read as follows:

(1) By April 1, 2019, the authority shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 43.20 RCW to read as follows:

(1) By April 1, 2019, the state board shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 43.20A RCW to read as follows:

(1) By April 1, 2019, the department shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 43.21A RCW to read as follows:

(1) By April 1, 2019, the department shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 43.23 RCW to read as follows:

(1) By April 1, 2019, the department shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 43.63A RCW to read as follows:

(1) By April 1, 2019, the department shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

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

(1) By April 1, 2019, the department shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  A new section is added to chapter 43.215 RCW to read as follows:

(1) By April 1, 2019, the department shall submit to the governor's interagency coordinating council on health equity an inventory of the data it collects described in section 6 of this act and pursuant to council's guidance.

(2) For each data set, the inventory must include:

(a) A summary of the purpose and role of the data set;

(b) The categories and subcategories of race, ethnicity, gender, and other demographic characteristics that are collected; and

(c) A statement regarding the technical and administrative feasibility of collecting information regarding race and ethnicity, including subracial and subethnic populations, according to the categories identified by the 2017 report "Race & Ethnicity Student Data: Guidance for Washington's Public Education System" by the race and ethnicity student data task force.

NEW SECTION. **Sec.**  Sections 7 through 16 of this act expire January 1, 2020.

**--- END ---**