
HOUSE BILL 2531

State of Washington

65th Legislature

2018 Regular Session

By Representatives Santos, Jenkins, and Robinson

Read first time 01/10/18. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to social determinates of health, including
2 changing the name of the governor's interagency coordinating council
3 on health disparities and evaluating data; amending RCW 43.20.270,
4 43.20.025, 43.20.275, 43.20.280, and 43.20.285; adding new sections
5 to chapter 43.20 RCW; adding a new section to chapter 28A.300 RCW;
6 adding a new section to chapter 28C.18 RCW; adding a new section to
7 chapter 41.05 RCW; adding a new section to chapter 43.20A RCW; adding
8 a new section to chapter 43.21A RCW; adding a new section to chapter
9 43.23 RCW; adding a new section to chapter 43.63A RCW; adding a new
10 section to chapter 43.70 RCW; adding a new section to chapter 43.215
11 RCW; and providing an expiration date.

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

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

15 The legislature finds that women and people of color experience
16 significant disparities from men and the general population in
17 education, employment, healthful living conditions, access to health
18 care, and other social determinants of health. The legislature finds
19 that these circumstances coupled with lower, slower, and less
20 culturally appropriate and gender appropriate access to needed
21 medical care result in higher rates of morbidity and mortality for

1 women and persons of color than observed in the general population.
2 Health disparities are defined by the national institute of health as
3 the differences in incidence, prevalence, mortality, and burden of
4 disease and other adverse health conditions that exist among specific
5 population groups in the United States.

6 It is the intent of the Washington state legislature to create
7 the healthiest state in the nation by striving to eliminate health
8 disparities (~~((in people of color and between men and women))~~) and
9 promote health equity. In meeting the intent of chapter 239, Laws of
10 2006, the legislature creates the governor's interagency coordinating
11 council on health (~~((disparities))~~) equity. This council shall create
12 an action plan and statewide policy to include health impact reviews
13 that measure and address other social determinants of health (~~((that~~
14 ~~lead to))~~), reduce health disparities (~~((as well as the contributing~~
15 ~~factors of health that can have broad impacts on improving status,~~
16 ~~health literacy, physical activity, and nutrition))~~), and promote
17 health equity.

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

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

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

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

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

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

36 (5) "Health disparities" means the difference in incidence,
37 prevalence, mortality, or burden of disease and other adverse health
38 conditions, including lack of access to proven health care services

1 that exists between specific population, subracial, and subethnic
2 groups in Washington state.

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

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

11 ((+7)) (8) "Secretary" means the secretary of health, or the
12 secretary's designee.

13 ((+8)) (9) "Local health board" means a health board created
14 pursuant to chapter 70.05, 70.08, or 70.46 RCW.

15 ((+9)) (10) "Local health officer" means the legally qualified
16 physician appointed as a health officer pursuant to chapter 70.05,
17 70.08, or 70.46 RCW.

18 ((+10)) (11) "Social determinants of health" means those
19 elements of social structure most closely shown to affect health and
20 illness, including at a minimum, early learning, education,
21 socioeconomic standing, safe housing, gender, incidence of violence,
22 convenient and affordable access to safe opportunities for physical
23 activity, healthy diet, and appropriate health care services.

24 ((+11)) (12) "State board" means the state board of health
25 created under this chapter ((43.20 RCW)).

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

28 (1) In collaboration with staff whom the office of financial
29 management may assign, and within funds made expressly available to
30 the state board for these purposes, the state board shall assist the
31 governor by convening and providing assistance to the council. The
32 council shall include one representative from each of the following
33 groups: Each of the commissions, the state board, the department, the
34 department of social and health services, the department of
35 ((community, trade, and economic development)) commerce, the health
36 care authority, the department of agriculture, the department of
37 ecology, the office of the superintendent of public instruction, the
38 department of ((early learning)) children, youth, and families, the
39 workforce training and education coordinating board, and two members

1 of the public who will represent the interests of health care
2 consumers. The council is a class one group under RCW 43.03.220. The
3 two public members shall be paid per diem and travel expenses in
4 accordance with RCW 43.03.050 and 43.03.060. The council shall
5 reflect diversity in race, ethnicity, and gender. The governor or the
6 governor's designee shall chair the council.

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

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

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

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

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

30 Every two years, the council shall (~~consider in its~~
31 ~~deliberations and by 2012,~~) create a report consisting of an action
32 plan for eliminating health disparities and promoting health equity
33 and the progress towards goals and steps included in previous
34 reports. The action plan must address, but is not limited to, the
35 following diseases, conditions, and health indicators: Diabetes,
36 asthma, infant mortality, HIV/AIDS, heart disease, strokes, breast
37 cancer, cervical cancer, prostate cancer, chronic kidney disease,
38 sudden infant death syndrome (SIDS), mental health, women's health
39 issues, smoking cessation, oral disease, and immunization rates of

1 children and senior citizens, as well as the social determinants of
2 health. The council shall prioritize the diseases, conditions,
3 ~~((and))~~ health indicators, and social determinants of health,
4 according to prevalence and ~~((severity of the health disparity))~~
5 potential impact on health equity. ~~((The council shall address these~~
6 ~~priorities on an incremental basis by adding no more than five of the~~
7 ~~diseases, conditions, and health indicators to each update or revised~~
8 ~~version of the action plan. The action plan shall be updated~~
9 ~~biannually.))~~ The council shall meet as often as necessary but not
10 less than two times per calendar year. ~~((The council shall report its~~
11 ~~progress with the action plan to the governor and the legislature no~~
12 ~~later than January 15, 2008. A second report shall be presented no~~
13 ~~later than January 15, 2010, and a third report from the council~~
14 ~~shall be presented to the governor and the legislature no later than~~
15 ~~January 15, 2012. Thereafter, the governor and legislature shall~~
16 ~~require progress updates from the council every four years in odd-~~
17 ~~numbered years.))~~ The action plan shall recognize the need for
18 flexibility.

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

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

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

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

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

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

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

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

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

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.20
18 RCW to read as follows:

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

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

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

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

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

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.300
2 RCW to read as follows:

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

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

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

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

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

17 NEW SECTION. **Sec. 8.** A new section is added to chapter 28C.18
18 RCW to read as follows:

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

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

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

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

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

33 NEW SECTION. **Sec. 9.** A new section is added to chapter 41.05
34 RCW to read as follows:

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

1 (2) For each data set, the inventory must include:
2 (a) A summary of the purpose and role of the data set;
3 (b) The categories and subcategories of race, ethnicity, gender,
4 and other demographic characteristics that are collected; and
5 (c) A statement regarding the technical and administrative
6 feasibility of collecting information regarding race and ethnicity,
7 including subracial and subethnic populations, according to the
8 categories identified by the 2017 report "Race & Ethnicity Student
9 Data: Guidance for Washington's Public Education System" by the race
10 and ethnicity student data task force.

11 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.20
12 RCW to read as follows:

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

17 (2) For each data set, the inventory must include:
18 (a) A summary of the purpose and role of the data set;
19 (b) The categories and subcategories of race, ethnicity, gender,
20 and other demographic characteristics that are collected; and
21 (c) A statement regarding the technical and administrative
22 feasibility of collecting information regarding race and ethnicity,
23 including subracial and subethnic populations, according to the
24 categories identified by the 2017 report "Race & Ethnicity Student
25 Data: Guidance for Washington's Public Education System" by the race
26 and ethnicity student data task force.

27 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.20A
28 RCW to read as follows:

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

33 (2) For each data set, the inventory must include:
34 (a) A summary of the purpose and role of the data set;
35 (b) The categories and subcategories of race, ethnicity, gender,
36 and other demographic characteristics that are collected; and
37 (c) A statement regarding the technical and administrative
38 feasibility of collecting information regarding race and ethnicity,

1 including subracial and subethnic populations, according to the
2 categories identified by the 2017 report "Race & Ethnicity Student
3 Data: Guidance for Washington's Public Education System" by the race
4 and ethnicity student data task force.

5 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.21A
6 RCW to read as follows:

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

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

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

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

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

21 NEW SECTION. **Sec. 13.** A new section is added to chapter 43.23
22 RCW to read as follows:

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

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

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

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

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

1 NEW SECTION. **Sec. 14.** A new section is added to chapter 43.63A
2 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

33 NEW SECTION. **Sec. 16.** A new section is added to chapter 43.215
34 RCW to read as follows:

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

1 (2) For each data set, the inventory must include:
2 (a) A summary of the purpose and role of the data set;
3 (b) The categories and subcategories of race, ethnicity, gender,
4 and other demographic characteristics that are collected; and
5 (c) A statement regarding the technical and administrative
6 feasibility of collecting information regarding race and ethnicity,
7 including subracial and subethnic populations, according to the
8 categories identified by the 2017 report "Race & Ethnicity Student
9 Data: Guidance for Washington's Public Education System" by the race
10 and ethnicity student data task force.

11 NEW SECTION. **Sec. 17.** Sections 7 through 16 of this act expire
12 January 1, 2020.

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