

# HOUSE BILL REPORT

## HB 1340

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**As Reported by House Committee On:**  
Community & Economic Development

**Title:** An act relating to the creation of the statewide pandemic preparation and response task force.

**Brief Description:** Concerning creation of the statewide pandemic preparation and response task force.

**Sponsors:** Representatives Lovick, Harris, Fitzgibbon, Ryu, Taylor, Wicks, Dolan, Ramel, Valdez, Leavitt, Goodman, Johnson, J., Chopp, Orwall, Santos, Peterson, Gregerson, Shewmake, Davis, Ormsby, Berg, Bronoske, Duerr, Fey, Bateman, Lekanoff, Senn, Callan, Frame, Pollet, Harris-Talley and Macri.

**Brief History:**

**Committee Activity:**

Community & Economic Development: 2/2/21, 2/10/21 [DPS].

**Brief Summary of Substitute Bill**

- Establishes a task force to conduct a comprehensive after-action review of the statewide COVID-19 pandemic response and recovery.
- Requires the task force to submit its final report to the Governor and the appropriate committees of the Legislature by July 1, 2023.

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### HOUSE COMMITTEE ON COMMUNITY & ECONOMIC DEVELOPMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Ryu, Chair; Paul, Vice Chair; Boehnke, Ranking Minority Member; Chase, Assistant Ranking Minority Member; Frame, Jacobsen, Johnson, J., Lovick, Rule, Sutherland and Taylor.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Kraft.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Cassie Jones (786-7303).

**Background:**

The Washington Military Department, under the direction of the Adjutant General, administers the state's comprehensive program of emergency management. The Adjutant General is responsible for developing a comprehensive, all-hazard emergency plan for the state, known as the Comprehensive Emergency Management Plan, that includes an analysis of natural, technological, or human-caused hazards, and procedures to coordinate local and state resources in responding to such hazards.

During state emergencies, the Emergency Management Division of the Military Department manages the Emergency Operations Center (EOC) and coordinates the response to ensure help is provided to those who need it quickly and effectively. The EOC is designated as the central location for information gathering, disaster analysis, and response coordination. Other state agencies with emergency roles may come to the EOC to help coordinate the state response. Federal government agencies, along with state and local volunteer organizations, also may provide representatives. At the EOC, information gathered is used to make decisions concerning emergency actions and to identify and prioritize the use of state resources needed to respond to the emergency. The EOC may issue emergency warnings or disseminate critical information and instructions to government personnel and the public who may need to take emergency protective actions.

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**Summary of Substitute Bill:**

A task force to conduct a comprehensive after-action review (AAR) of the statewide pandemic response and recovery is established.

The task force is composed of the following members:

- one member from each of the two largest caucuses of the Senate, appointed by the President of the Senate;
- one member from each of the two largest caucuses of the House of Representatives, appointed by the Speaker of the House of Representatives;
- the Secretary of the Department of Health, or the Secretary's designee;
- the Adjutant General of the Military Department, or the Adjutant General's designee;
- the Commissioner of the Employment Security Department, or the Commissioner's designee;
- the Director of the Department of Financial Institutions, or the Director's designee;
- the Insurance Commissioner, or the Commissioner's designee;
- the Secretary of the Department of Social and Health Services, or the Secretary's designee;
- the Superintendent of Public Instruction, or the Superintendent's designee;
- the Director of the Department of Labor and Industries, or the Director's designee;

- the Executive Director of the Pharmacy Quality Assurance Commission, or the Executive Director's designee;
- one member representing the Washington Association of Sheriffs and Police Chiefs;
- the Director of the Department of Commerce, or the Director's designee;
- the Director of the Department of Enterprise Services, or the Director's designee;
- the Secretary of the Department of Transportation, or the Secretary's designee;
- the Director of the Department of Licensing, or the Director's designee;
- the Director of the Office of Financial Management, or the Director's designee;
- the Director of the Health Care Authority;
- one member representing Association of Washington Business;
- additional members to be appointed by the Governor, as follows:
  - one member representing the Office of the Governor;
  - one member representing the Association of Washington Cities;
  - one member representing the Washington State Association of Counties;
  - one member representing emergency and transitional housing providers;
  - one member representing a statewide association representing physicians;
  - one member representing a statewide association representing nurses;
  - one member representing a statewide association representing hospitals;
  - one member representing community health centers;
  - two members representing local public health officials;
  - two members representing local emergency management agencies, one member located west of the Cascades and one member located east of the Cascade Mountains;
  - at least one member representing federally recognized tribes;
  - up to 10 members representing demographic groups that have been disproportionately impacted by the COVID-19 pandemic, that include, but are not limited to, individuals of different race, class, gender, ethnicity, and immigration status;
  - one member representing leisure and hospitality industries;
  - one member representing education services; and
  - one member representing manufacturing and trade industries.

The Adjutant General and the Secretary of the Department of Health must cochair the task force and convene its initial meeting. The task force is required to conduct a comprehensive AAR of the COVID-19 pandemic response in accordance with established national standards for emergency or disaster AAR.

In order to improve the response to and recovery from future pandemics, the task force must develop lessons learned and make recommendations that include, but are not limited to, the following:

- aspects of the COVID-19 response that may inform future pandemic and all-hazards responses;
- emergency responses that would benefit the business community and workers during a pandemic;

- standards regarding flexible rent and repayment plans for residential and commercial tenants during a pandemic;
- whether establishing regional emergency management agencies would benefit Washington emergency response to future pandemics;
- gaps and needs for volunteers to support medical professionals in performing their pandemic emergency response functions within Washington;
- gaps and needs for tools to measure the scale of the impact caused by a pandemic and tailoring the pandemic response to affected regions based on the scale of the impact in those regions;
- gaps and needs in health care system capacity and case tracking, monitoring, control, isolation and quarantine, and deploying medical supplies and personnel; and
- implementing guidelines for school closures during a pandemic.

It is suggested that the task force consider issues relating to equity, disparities, and discrimination in each topic it studies and for which it makes recommendations. Staff support for the task force must be provided jointly by the Military Department and the Department of Health. The staffing agencies may employ staff and contracted support.

The task force must report its initial findings and recommendations to the Governor and the appropriate committees of the Legislature by July 1, 2022, and its final findings and recommendations by July 1, 2023. The task force expires August 1, 2023. If specific funding for the task force is not provided by June 30, 2021, the act is null and void.

### **Substitute Bill Compared to Original Bill:**

The substitute bill makes the following changes to the original bill:

- adds intent to language providing that the COVID-19 after-action review (AAR) should be conducted according to national standards for AARs;
- requires the task force to complete an AAR of the statewide response to and recovery from the COVID-19 pandemic;
- adds the following members to the task force:
  - the Director of the Department of Commerce, or the Director's designee;
  - the Director of the Department of Enterprise Services, or the Director's designee;
  - the Secretary of the Department of Transportation, or the Secretary's designee;
  - the Director of the Department of Licensing, or the Director's designee;
  - the Director of the Office of Financial Management, or the Director's designee;
  - the Director of the Health Care Authority;
  - one member representing the Association of Washington Businesses;
  - two members, instead of one, representing local public health officials;
  - two members, instead of one, representing local emergency management agencies, one from each side of the Cascades;
  - at least one member representing federally recognized tribes;
  - up to 10 members representing demographic groups that have been

- disproportionately impacted by the COVID-19 pandemic;
- one member representing community health centers;
- one member representing hospitality and leisure industries;
- one member representing education services; and
- one member representing manufacturing and trade industries; and
- modifies provisions related to task force duties by requiring the task force to develop lessons learned in addition to recommendations on a modified list of topics;
- suggests that the task force consider issues relating to equity, disparities, and discrimination in each topic it studies and for which it makes recommendations;
- requires that the task force be costaffed by the Military Department and the Department of Health, instead of just the Military Department and allows the costaffing agencies to employ staff and contracted support;
- eliminates the authority for the Military Department to accept gifts, grants, and donations and eliminates the Statewide Pandemic Preparation and Response Task Force Account into which they would be deposited;
- modifies the reporting dates for the task force so the initial report is due July 1, 2022, and the final report is due July 1, 2023; and
- adds a provision making the act null and void if not funded in the omnibus appropriations act by June 30, 2021.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony:**

(In support) Planning is everything; if you have not been planning, you cannot start to work intelligently. The impact of planning was seen during March 2014 when the Oso landslide occurred. More than 130 agencies responded to assist with rescue and recovery. They were trained and well prepared. As an after-action report is prepared for the COVID-19 response, it will tell us what went right, what went wrong, and what we must do better to plan for the next disaster.

There are so many weaknesses that stemmed from lack of planning that could be seen during the last year, including lack of personal protective equipment for nurses and front-line workers. Basic planning could have saved many lives. Lack of vaccine planning is also a problem. This bill could help plan for these problems. We need to look at what we can do better in the future. No government could have stopped the pandemic, but we must learn from this disaster. The task force could address these concerns. Washington should

lead the whole country and create a model for how other states can prepare.

Based on the experience of the hospitality industry, there are some items to consider. The current version does not include essential industries in the task force. The pandemic response would benefit from additional partnership with local businesses. The task force may want to consider a centralized food distribution network, better communication on regulations, and a system to regularly review economic restrictions. A state association representing licensed home care providers should be added to the task force membership. The home care industry was greatly impacted by the COVID-19 pandemic; its needs should be factored into a response plan.

(Opposed) None.

(Other) The task force will be assessing all levels of government in Washington. The after-action process is critically important to ensure we do not make the same mistakes. The bill essentially directs an after-action review (AAR) for the COVID-19 pandemic. The work done by the task force could also inform preparedness for other types of hazards we face. The pandemic is the most costly disaster in our state's history in terms of lives and cost to businesses and government. This AAR will require significant resources. The Military Department does not have the resources for an undertaking of this magnitude and would like to contract with an entity capable of managing it. The anticipated cost of the contract would be significant. The pandemic is ongoing and an AAR that occurs too early may not identify crucial lessons learned. The report date in the bill is too early. The Department of Health will complete an internal AAR to evaluate its response. Other agencies will likely do so as well. These AARs will inform the task force's analysis.

**Persons Testifying:**

(In support) Representative Lovick, prime sponsor; Ilani Nurick; Julia Gorton, Washington Hospitality Association; Jaime Bodden, Washington State Association of Local Public Health Officials; and Shawn D'Amelio, Washington Home Care Association.

(Other) Robert Ezelle, Military Department; and Erika Henry, Department of Health.

**Persons Signed In To Testify But Not Testifying:** None.