



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

R&R BOH25-03

Proposed No. BOH25-03.2

Sponsors

1 A RULE AND REGULATION relating to the membership
2 of the King County Board of Health; amending R&R 1,
3 Amendment Section 2, as amended, and BOH 2.04.020 and
4 R&R 09-04, Section 8, as amended, and BOH 2.04.165 and
5 prescribing an effective date.

6 STATEMENT OF FACTS:

7 1. Created in 2004 in accordance with state law, the King County Board
8 of Health sets countywide public health policy, enacts and enforces local
9 public health regulations and carries out the duties of local boards of
10 health as specified in RCW 70.05.060 including preventing and
11 controlling the spread of infectious disease, abating nuisances and
12 establishing fee schedules for licenses and permits.

13 2. In May 2025, Engrossed Second Substitute House Bill 1946 was signed
14 into law as Chapter 260, Laws of Washington 2025, clarifying tribal
15 membership on local boards of health. Chapter 260, Laws of Washington
16 2025 requires that the membership of the King County Board of Health be
17 modified to include a tribal representative from any federally recognized
18 tribe whose reservation or trust lands are within the county; and any urban
19 Indian organization recognized by the Indian health service, registered as a
20 501(c)(3) organization in Washington that serves American Indian and

21 Alaska Native people, and is providing services within the county. Those
22 changes to state law go into effect on July 27, 2026.

23 3. Additionally, Chapter 260, Laws of Washington 2025 requires the
24 Washington state Board of Health to clarify its local board of health
25 composition rules and timelines for including tribal representation on local
26 boards of health in chapter 246-90 WAC. The new rules are expected to
27 be effective by July 27, 2026.

28 4. The King County Board of Health administrator reached out to the
29 eligible tribes and 501(c)(3) organization including the Snoqualmie Tribe,
30 the Muckleshoot Tribe, the Puyallup Tribe, and the Seattle Indian Health
31 Board, in order to create the new board positions for tribal members to
32 begin their terms on January 1, 2026, to provide an opportunity for the
33 new members to join the board before the effective date of Chapter 260,
34 Laws of Washington 2025. The Puyallup Tribe, which has trust lands in
35 King County, respectfully declined the offer to seat a representative on the
36 Board of Health in 2026 but requested outreach again in 2026.

37 5. On November 18, 2025, the King County council adopted Ordinance
38 20019 (Proposed Ordinance 2025-0284) to amend King County Code and
39 conform the membership of the board to the new state law as described in
40 subsections 2 and 3 of this statement of facts.

41 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

42 SECTION 1. R&R 1, Amendment Section 2, as amended, and BOH 2.04.020 are
43 hereby amended to read as follows:

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44 A. Consistent with K.C.C. 2.35.021, the Board of Health shall have a total of
45 ~~((sixteen))~~ twenty members. All ~~((sixteen))~~ twenty members shall be equal voting
46 members except on matters related to the setting or modification of permit, licensing and
47 application fees. Any decision related to the setting or modification of permit, licensing
48 and application fees may only be determined by the city and county elected officials on
49 the board in accordance with RCW 70.05.035.

50 B. Consistent with K.C.C. 2.35.021A. 1. through 3., the Board of Health shall
51 consist of the following members:

52 1. ~~((Three))~~ Four regular and one alternate member shall be members of the
53 metropolitan King County council who are appointed by the chair of the council.

54 2. Three regular and one alternate member shall be elected officials of the city
55 of Seattle who shall be appointed by the city;

56 3. ~~((Two))~~ Three regular and ~~((two))~~ three alternate members shall be elected
57 officials from cities and towns of King County other than the city of Seattle to be
58 appointed in a manner agreed to by and among the cities and towns representing a
59 majority of the populations of those cities and towns; and

60 4.a. ~~((Eight))~~ Ten regular and ~~((four))~~ six alternate members shall be nonelected
61 members, ~~((one of these regular members and one alternate member shall be tribal~~
62 ~~representative))~~ as described in RCW 70.05.035(1)~~((e)))~~ and K.C.C. 2.35.021.

63 b. Included among the nonelected board members shall be a representative
64 from each tribe or 501(c)(3) organization meeting the qualifications of RCW
65 70.05.035(1)(e). Each representative shall have one alternate.

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66 c. The remaining regular and alternate members shall be selected in
67 accordance with the categories enumerated in RCW 70.050.035(1)(a).

68 C.1. All regular and alternate nonelected board members identified in BOH
69 2.04.020.B.4.c. shall be recruited in accordance with RCW 70.05.035, chapter 246-90
70 WAC and K. C. C. 2.35.021 and all shall be appointed by a majority of the King County
71 council from those selected by the Board of Health.

72 2. The regular and alternate tribal representatives identified in BOH
73 2.04.020.B.4.b. shall be selected by ~~((the American Indian Health Commission of~~
74 ~~Washington State, and the remaining nonelected members shall be selected by the Board~~
75 ~~of Health))~~ each tribe and each qualifying 501(c)(3) organization.

76 ~~((2.))~~ 3. Each of the three categories of nonelected members enumerated in
77 RCW 70.05.035(1)(a) shall have one alternate each. An alternate shall only serve in
78 place of a regular member from that category in the event of that regular member's
79 absence.

80 D.~~((1.))~~ During a meeting, an alternate member shall indicate to the clerk when
81 the alternate member is serving in a regular member's absence and the clerk shall note the
82 alternate member's attendance in the proceedings and include the alternate member in any
83 roll call. When serving in a regular member's absence, an alternate member shall act as a
84 regular member.

85 ~~((2.))~~ E.1. The board shall pass a resolution identifying the board's regular and
86 alternate nonelected member candidate selections ~~((and the American Indian Health~~
87 ~~Commission's regular and alternate tribal representative selections))~~ identified in

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88 subsection B.4.c. of this section to be transmitted with the materials identified in K.C.C.
 89 chapter 2.35 for appointment.

90 2. Within thirty days of receiving information from each tribe or qualifying
 91 501(c)(3) organization that selects a regular and alternative nonelected member under
 92 subsection C.2. of this section, the board should electronically file the information with
 93 the clerk, who shall retain a copy and provide an electronic copy to the councilmembers
 94 who are members of the Board of Health, in accordance with K.C.C. 2.35.024. The
 95 Board of Health must notify the American Indian Health Commission, in accordance
 96 with RCW 70.05.035.1.e., of the selections.

97 F.1. Consistent with K.C.C. 2.35.061, a boardmember((s)) may be reimbursed for
 98 mileage and parking expenses between the member's workplace or residence and the
 99 location of the ((b))Board of ((h))Health meeting. Members may also be reimbursed for
 100 expenses, in accordance with the policies established for county employees in K.C.C.
 101 chapter 3.24, when traveling on official ((b))Board of ((h))Health business.

102 ((F.1)) 2. Nonelected members who are not being compensated for their
 103 participation on the board through their employer shall be compensated in accordance
 104 with K.C.C. 2.35.031.

105 ((2.)) 3. Administrative processes to distribute the compensation described in
 106 this section shall be determined by executive staff.

107 G. Nonelected regular and alternate member terms shall be structured in
 108 accordance with K.C.C. 2.35.026.

109 SECTION 2. R&R 09-04, Section 8, as amended, and BOH 2.04.165 are hereby
 110 amended to read as follows:

111 A.1. ((~~Nine~~)) Eleven boardmembers shall constitute a quorum for board meetings
112 except as provided in subsection F. of this ((~~rule~~)) section. A quorum is presumed to
113 exist unless a member calls the quorum into question.

114 2. Nothing in this subsection shall be construed to waive or negate the
115 requirements prescribed under subsections B., C., D., E., and F. of this section.

116 B.1. An affirmative vote of ((~~nine~~)) eleven members is required to adopt, amend
117 or repeal a rule and regulation except as provided in subsection F. of this section.
118 However, any repeal or amendment of an existing rule and regulation that was effective
119 before January 1, 1996, that applies outside of the limits of the city of Seattle shall be
120 adopted only by an affirmative vote of ((~~nine~~)) eleven members as well as an affirmative
121 vote collectively of a majority of the represented votes of King County councilmembers
122 and the suburban city members except as provided in subsection F. of this section.

123 2. Any amendment or repeal of an existing rule or regulation adopted by the
124 board of health of the city of Seattle and effective before January 1, 1996, shall be
125 adopted only by an affirmative vote of ((~~nine~~)) eleven members as well as an affirmative
126 vote of a majority of the members appointed by the city of Seattle except as provided in
127 subsection F. of this section.

128 C. An affirmative vote ((~~nine~~)) eleven of members is required to adopt, amend or
129 repeal, guidelines and recommendations, resolutions or motions except as provided in
130 subsection F. of this section.

131 D. A roll call vote shall be taken on final passage of any rule and regulation,
132 guideline and recommendation and resolutions.

133 E. There will be no voting by proxy on any question before the board.

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134 F. In accordance with RCW 70.05.035, any decision by the board related to the
135 setting or modification of permit, licensing and application fees may only be determined
136 by the city and county elected officials on the board described in BOH 2.04.020.B. As
137 such, a quorum for meetings solely to decide any matter related to the fees described in
138 this subsection shall be ~~((five))~~ a majority of the members described in BOH 2.04.020.B.
139 An affirmative vote of ~~((five))~~ a majority of the members described in BOH 2.04.020.B.
140 is required to adopt, amend or repeal legislation related to the fees described in BOH
141 2.04.020.A.

142 G.1. Members may participate in meetings of the full board in person, by
143 telephone or by video conferencing.

144 2. Members who participate in meetings of the full board by telephone or video
145 conferencing in accordance with subsection G.1. of this section shall be counted toward
146 the quorum and shall retain their voting authority.

147 3. The clerk of the board, in consultation with the chair, shall establish
148 authentication and operating procedures pertaining to appearance by telephone or video
149 conferencing under subsection G.1. of this section, which must comply with all state and
150 county laws regarding open public meetings.

151 SECTION 3. This rule takes effect January 1, 2026.

152 SECTION 4. Severability. If any provision of this ordinance or its application to

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- 153 any person or circumstance is held invalid, the remainder of the ordinance or the
- 154 application of the provision to other persons or circumstances is not affected.

R&R BOH25-03 was introduced on and passed as amended by the Board of Health on 11/20/2025, by the following vote:

Yes: 15 - Archiopoli, Barón, Chew, Daniels, de Castro, Dunn, Gudgel, Kettle, Lam, Loo, Mohammed, Mosqueda, Nelson, Williams and Falcone
Excused: 2 - Hollingsworth and Rakes

KING COUNTY BOARD OF HEALTH
KING COUNTY, WASHINGTON

Signed by:

Teresa Mosqueda

ADD2DCD9E4B3430...

Terese Mosqueda, Chair

ATTEST:

DocuSigned by:

Melani Hay

8DE1BB375AD3422...

Melani Hay, Clerk of the Board

Attachments: None

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Melani Hay

melani.hay@kingcounty.gov

Clerk of the Council

King County Council

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