

Legislation Details (With Text)

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Title: A RULE AND REGULATION relating to disclosure of information by limited service pregnancy centers; amending R&R 17-04, Section 5, and BOH 4A.10.020 and R&R 17-04, Section 6, and BOH 4A.10.030; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

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Attachments: 1. R&R BOH18-05.pdf, 2. BOH18-05_SR_LSPC_Changes_FINAL.docx, 3. LSPC notice letter final 08-22-2017.docx, 4. BOH18-05 hearing notice.doc

Date	Ver.	Action By	Action	Result
11/15/2018	1	Board of Health	Passed	Pass
10/18/2018	1	Board of Health	Hearing Held	
10/18/2018	1	Board of Health	Deferred	

A RULE AND REGULATION relating to disclosure of information by limited service pregnancy centers; amending R&R 17-04, Section 5, and BOH 4A.10.020 and R&R 17-04, Section 6, and BOH 4A.10.030; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

SECTION 1. R&R 17-04, Section 5, and BOH 4A.10.020 are each hereby amended to read as follows:

Definitions. For the purposes of this chapter:

A. ~~("Clear and conspicuous" means:~~

- ~~1. Larger point type than the surrounding text;~~
- ~~2. In contrasting type, font or color to the surrounding text of the same size; and~~
- ~~3. Set off from the surrounding text of the same size by symbols or other marks that call attention to~~

~~the language.~~

B.)) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a licensed, certified, registered, or otherwise authorized health care provider conducts functions that make it governed by chapter 70.02 RCW.

C. "Health information" means any oral or written information in any form or medium that relates to the past, present or future physical or mental health or condition of a client.

D. "Limited service pregnancy center" means a facility that is not a health care facility and whose primary purpose is to provide ~~((either)) pregnancy related services and options counseling ((or pregnancy tests, or both, for a fee or as a free or low-cost service))~~; and that satisfies ~~((two))~~ one or more of the following:

1. The facility offers obstetric ultrasounds;
2. The facility offers pregnancy testing; and
3. ~~((The facility advertises or solicits patrons with offers to provide prenatal sonography, pregnancy tests or pregnancy options counseling; and~~

4.)) The facility has staff or volunteers who collect health information from clients.

SECTION 2. R&R 17-04, Section 6, and BOH 4A.10.030 are each hereby amended to read as follows:

Disclosure - required - manner.

A. A limited service pregnancy center shall ~~((disseminate to clients))~~ publish on site, and ~~((in any print and digital advertising materials including Internet web sites))~~ on the home page of its website, the following notice in ~~((English, Spanish, Vietnamese, Russian, Somali, Chinese, Korean, Ukrainian, Amharic and Punjabi))~~ the same language or languages normally used by the limited service pregnancy center in the regular course of business: "This facility is not a health care facility."

B. The on-site notice shall be on a sign at least ~~((A3 size paper and))~~ 8.5 inches by 11 inches, written in at least forty-eight-point type, and shall be posted ~~((conspicuously, in a manner that is easily read,))~~ at the entrance of the facility and ~~((at least one additional area))~~ in the areas where persons wait to receive services, in

a manner that is clearly visible. The notice shall not contain other statements or markings.

C. The notice ~~((in))~~ on the ~~((advertising materials))~~ home page of the limited service pregnancy center's website shall be ~~((clear and conspicuous))~~ included so that it is easily viewable.

D. The director of Public Health - Seattle & King County shall make available a downloadable on-site notice, and examples of how to make the home page notice easily viewable, on the Public Health - Seattle & King County Internet web site.

SECTION 3. Severability. If any provision of this rule or its application to any person or circumstance is held invalid, the remainder of the rule or the application of the provision to other persons or circumstances is not affected.