



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL PUBLIC HEALTH
PO Box 47820 ● Olympia, Washington 98504-7890 Tel:
360-236-3000 ● 711 Washington State Relay

March 20, 2024

Greetings Honorable Tribal Leaders and Tribal Partners:

SUBJECT: Collaborative- New Washington Administrative Code (WAC) Chapter for Private Detention Facilities

In accordance with chapter [43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and [DOH Consultation and Collaboration Procedure](#), we are writing today to invite collaboration with tribal leaders on a proposed rulemaking to create a new chapter of WAC.

We are proposing chapter 246-385 WAC, to set operational standards for private detention facilities and set health and safety standards for detained persons pursuant to [Second Substitute House Bill 1470 \(HB 1470\)](#), [Chapter 419, Laws of 2023, Regular Session](#) and [chapter 70.395 RCW](#). Currently, there is only one facility in Tacoma that meets the definition of a private detention facility in the state of Washington.

About this Rulemaking

On November 13, 2023, the Washington State Department of Health (DOH) filed a [CR-101 Preproposal Statement of Inquiry \(PDF\)](#) to initiate rulemaking pursuant to HB 1470. At minimum, HB 1470 requires DOH to set measurable standards for the use of personal belongings by detainees, cleaning and sanitizing of living areas, the use of laundry facilities, providing personal hygiene items, providing nutritious and balanced diets, food handling and food hygiene practices, an infection control program, indoor air quality, and indoor room temperature. HB 1470 also allows DOH to do site inspections, site investigations following a complaint, and impose civil penalties. We will be holding a virtual listening session to discuss the history of session law, DOH's regulatory authority granted by HB 1470, rulemaking timelines, and challenges that we face during this rulemaking. We invite you to join our listening session to learn more about this rulemaking effort and please share this information with parties that might be interested:

Wednesday April 10, 2024 - 3:30 PM to 5:00 PM

<https://us02web.zoom.us/j/88577611965?pwd=SVNXTk51cTBjbjZUczZYQzRac2RNUT09>

For additional information and to provide written feedback, contact Katitza Holthaus, Regulatory Affairs Manager, Environmental Public Health at (360) 764-6579 or katitza.holthaus@doh.wa.gov, or Candice Wilson, Tribal Public Health and Relations Executive Director, at (360) 819-7626 or candice.wilson@doh.wa.gov.

Sincerely,

Lauren Jenks
Assistant Secretary, Environmental Public Health

cc: Umair A. Shah, MD, MPH, Secretary of Health, Department of Health
Candice Wilson, Quatz'tenaut (Lummi), Executive Director – Office of Tribal Public Health and Relations, Department of Health
Jessica Todorovich, Chief of Staff, Department of Health
Kristin Peterson, Chief of Policy, Planning & Evaluation, Department of Health
Elizabeth Perez, Chief of Public Affairs and Equity, Department of Health
Kristopher Holiday, Chief of Strategic Partnerships, Department of Health
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