

8/16/96  
SSJ:cj  
dph-polc

Introduced By:

CYNTHIA SULLIVAN  
GREG NICKELS

Proposed No.:

96-817

**12525 A**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE relating to public health administration, revising policies, deleting the alcoholism and substance abuse services fund and establishing a public health fund; amending Ordinance 2238, Section 1, as amended, Ordinance 163, Section 7, as amended, Ordinance 5057, Sections 1 and 2, Ordinance 12076, Section 10, and K.C.C. 2.24.100 through K.C.C. 2.24.130; repealing Ordinance 5281, Sections 2, 3 and 4, Resolution 12356, Sections 4, 5, as amended, and 6, as amended, Ordinance 344, Sections 1 and 2, as amended, Ordinance 5057, Section 3, Ordinance 2238, Section 2, Ordinance 2593, Section 1, as amended, Ordinance 3399, Section 2, as amended, Ordinance 2594, Sections 1 and 2, Ordinance 2596, Sections 1 and 2, as amended, Ordinance 4180, Section 1, Ordinance 1596, Sections 1, as amended, 2, as amended and 3, as amended, and Ordinance 2377, Sections 1 through 6, and K.C.C. 2.24.010 through K.C.C. 2.24.090, K.C.C. 2.24.140 through K.C.C. 2.24.200, and K.C.C. 2.26.010 through K.C.C. 2.26.090; and adding a new section to K.C.C. 4.08.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 5281, Sections 2, 3 and 4, Resolution 12356, Sections 4, 5, as amended, and 6, as amended, Ordinance 344, Sections 1 and 2, as amended, Ordinance 5057, Section 3, Ordinance 2238, Section 2, Ordinance 2593, Section 1, as amended, Ordinance 3399, Section 2, as amended, Ordinance 2594, Sections 1 and 2, Ordinance 2596, Sections 1 and 2, as amended, Ordinance 4180, Section 1, Ordinance 1596, Sections 1, as amended, 2, as amended and 3, as amended, and Ordinance 2377, Sections 1 through 6, and K.C.C. 2.24.010 through K.C.C. 2.24.090, K.C.C. 2.24.140 through K.C.C. 2.24.200, and K.C.C. 2.26.010 through K.C.C. 2.26.090 are hereby repealed.

SECTION 2. Ordinance 2238, Section 1, as amended, and K.C.C. 2.24.100 are amended to read as follows:

~~((Division of Alcoholism and Substance Abuse Services))~~ Opiate Substitution Treatment. ~~((A. There is established a joint division of alcoholism and substance abuse services within the Seattle King County department of public health.))~~

1           ~~((1. The division of alcoholism and substance abuse services shall be responsible~~  
 2 ~~for the administration and staffing of all department programs relating to the prevention and~~  
 3 ~~treatment of alcoholism and substance abuse.))~~

4           ~~((2. The division of alcoholism and substance abuse services shall include a~~  
 5 ~~manager and such staff as is necessary to accomplish its duties, subject to authorization by~~  
 6 ~~council. The management and administration of the division of alcoholism and substance~~  
 7 ~~abuse services shall be vested in the director of the Seattle-King County department of~~  
 8 ~~public health who shall appoint a manager for the division pursuant to Ordinance 1438,~~  
 9 ~~codified in Chapter 2.16. The staffing responsibilities shall be the responsibility of the~~  
 10 ~~manager in accordance with career service rules.))~~

11           ~~((3. The division shall provide staffing services to the King County alcohol~~  
 12 ~~administrative board, provided that the King County alcohol and substance abuse~~  
 13 ~~administrative board shall select and employ one exempt senior staff position subject to the~~  
 14 ~~approval of the county executive.))~~

15           ~~((B. Substance Abuse Methadone Treatment.))~~

16           ((4))A. Definitions. As used in this section, the following words and terms shall have  
 17 the meanings set forth herein:

18           ((a))1. "Certified ~~((methadone))~~ opiate substitution treatment program" means an  
 19 outpatient clinic certified for ~~((methadone))~~ opiate substitution treatment by state and  
 20 federal agencies and is located in King County.

21           ((b))2. "Client" means an individual accepted for ~~((methadone))~~ opiate  
 22 substitution treatment by a certified ~~((methadone))~~ opiate substitution treatment program.

23           3. "Department" means the Seattle-King County department of public health.

24           ((e))4. "Director" means the director of the Seattle-King County department of  
 25 public health ~~((or the director's designee)).~~

26           ((d))5. "Council" means the King County council as defined by the King County  
 27 Charter.

28           ((e))6. "Executive" means the King County executive as defined by the King  
 29 County Charter~~((, or the executive's designee)).~~

1           7. "Opiate substitution treatment" means dispensing an opiate substitution drug  
 2 approved by the Federal Drug Administration for the treatment of opiate addiction and  
 3 providing a comprehensive range of medical and rehabilitative services.

4           ((2))B. Under the authority of RCW ((69.54.030)) 70.96A.410, there shall be six  
 5 certified ((methadone)) opiate substitution treatment programs licensed by King County to  
 6 offer ((methadone)) opiate substitution treatment; ((P))provided, that: ((F))treatment  
 7 programs so certified as of March 12, 1986 shall be licensed. Licensed certified  
 8 ((methadone)) opiate substitution treatment programs shall not have a caseload in excess of  
 9 three hundred fifty clients.

10           ((3))C. Pursuant to K.C.C. 2.98, RCW ((69.54.030)) 70.96A.410, and ((WAC 275-  
 11 49)) and applicable state regulations, the director shall prepare and implement:

12           ((a))1. Procedures to annually license certified ((methadone)) opiate substitution  
 13 treatment programs as county ((methadone)) opiate substitution treatment programs. Such  
 14 procedures shall require current state certification, compliance with state treatment  
 15 regulations, completion of all license application requirements established by the director  
 16 and payment of the annual license fee. If an existing county licensed program loses its state  
 17 certification, is found to be out of compliance with the treatment regulations promulgated  
 18 by the state, fails to fulfill county licensing requirements or is no longer operating when its  
 19 license expires, then((;)) the director shall issue a new license or licenses but in no case  
 20 more than a total of six licenses to a certified program or programs meeting all county  
 21 licensing requirements and in the order that such license applications were received by the  
 22 director, the first in time being first in right((-)); ((P))provided, that((;)) ((F))in the event that  
 23 the county determines to provide ((methadone)) opiate substitution treatment itself, these  
 24 annual licensing procedures shall not apply, and no licenses shall be issued to certified  
 25 ((methadone-treatment)) programs which are not operated by the county or the ((Seattle-  
 26 King County)) department ((of public health)); ((P))provided further, that((;)) ((F))the  
 27 licenses shall expire twelve months from the date of issuance unless renewed. The director  
 28 shall conduct a study of the feasibility of the county operating a ((methadone)) opiate  
 29 substitution treatment program((-)); and

1 ((b))2. Procedures to monitor and enforce the provisions of this section and  
2 RCW ((9.54.030)) 70.96A.410 and 70.96A.420 and applicable state regulations.

3 ((4))D. The director shall provide the annual report to the council which shall include  
4 the status of all county licensed ((methadone)) opiate substitution treatment programs.

5 ((5))E. The executive shall propose for council adoption an annual fee to be charged  
6 to each licensed certified ((methadone)) opiate substitution treatment program to meet costs  
7 of carrying out the provisions of this section. Such annual fees shall not be prorated or  
8 rebated for any reason.

9 ((C))F. Should any section, subsection, paragraph, sentence, clause or phrase of this  
10 section be declared unconstitutional or invalid for any reason, such decision shall not affect  
11 the validity of the remaining portion of this section.

12 SECTION 3. Ordinance 163, Section 7, as amended, and K.C.C. 2.24.110 are  
13 amended to read as follows:

14 ~~((Division of))~~ **Medical Examiner - Generally.** ~~((There is established a division~~  
15 ~~of))~~ ~~((t))~~ The duties and functions of medical examiner ((within)) shall be performed by the  
16 Seattle-King County department of public health. The ((division of the)) medical examiner  
17 shall be responsible for the administration and staffing of all department programs relating  
18 to the performance of autopsies and investigations of death as authorized by the statutes of  
19 the State of Washington, except as provided by this section. The ((division shall include a))  
20 chief medical examiner, who shall be a pathologist certified in forensic pathology, ((an  
21 administrator, and such staff as is necessary to accomplish its duties)) shall be appointed by  
22 the director of the department. ((The management and administration of the division shall  
23 be vested in the director of the Seattle-King County department of public health, who shall  
24 appoint a chief medical examiner for the division pursuant to Ordinance 1438, codified in  
25 Chapter 2.16. The chief medical examiner shall have the responsibility for staffing the  
26 division in accordance with King County career service personnel rules; applicable  
27 personnel provisions of the Home Rule Charter and council approved collective bargaining  
28 agreements.)) Employees ((of the division of the)) performing duties and functions of or  
29 related to the medical examiner, with the exception of specifically identified exempt  
30 positions, shall be members of the King County career service. ((The division, in order to

1 ~~facilitate efficiency and greater uniformity in carrying out its administrative and professional~~  
 2 ~~procedure shall:))~~

3 A. The chief medical examiner shall ~~((A))~~ assume jurisdiction over human remains,  
 4 perform autopsies and perform such other functions as are authorized by ~~((RCW Chapter~~  
 5 ~~68.08))~~ chapter 68.50 RCW and such other statutes of the State of Washington as are  
 6 applicable, except for the holding of inquests, which function is vested in the county  
 7 executive.

8 B. The chief medical examiner shall ~~((be authorized to))~~ institute ~~((other))~~  
 9 procedures and policies to ensure investigation into the deaths of persons so specified in  
 10 ~~((RCW Chapter 68.08))~~ chapter 68.50 RCW and to ensure the public health, except for the  
 11 holding of inquests, which function is vested in the county executive.

12 C. The notice of the existence and location of a dead body required to be given by  
 13 ~~((RCW 68.08.020))~~ state law shall be given to the ~~((division of the))~~ medical examiner. The  
 14 ~~((division))~~ medical examiner shall be responsible for control and disposition of personal  
 15 property of deceased persons under the jurisdiction of the ~~((division))~~ medical examiner.  
 16 Such personal property shall be transferred to the next of kin or other legal representatives  
 17 of the deceased. If such transfer cannot be made because there is no known next of kin or  
 18 legal representative, or they are not available to accomplish the transfer within thirty days  
 19 after the ~~((division))~~ medical examiner assumes jurisdiction over the body of the deceased,  
 20 the personal property shall be deposited with the King County comptroller, or transferred to  
 21 an attorney pursuant to the institution of probate action.

22 SECTION 4. Ordinance 5057, Section 1, and K.C.C. 2.24.120 are amended to read  
 23 as follows:

24 **~~((Division of))~~ Medical Examiner -- Subpoena issuance power and authority.**

25 The ~~((King County division of the))~~ chief medical examiner is granted the power and  
 26 authority to issue subpoenas to compel the production of medical and dental records, and  
 27 such other documents as are necessary for the full investigation of any case under the  
 28 jurisdiction of the ~~((Division of the Medical Examiner))~~ medical examiner from any person,  
 29 organization or other entity in possession of such records or documents. ~~((The power to~~

1 subpoena medical and dental records shall be vested in the chief medical examiner or his  
 2 successor, and shall not be limited to cases in which an inquest will be held)).

3 SECTION 5. Ordinance 5057, Section 2, and K.C.C. 2.24.130 are amended to read  
 4 as follows:

5 ~~((Division of))~~ **Medical Examiner -- Subpoena issuance enforcement.**

6 A. Subpoenas issued by the ~~((division of the))~~ chief medical examiner shall be  
 7 enforceable through the Superior Court for King County.

8 B. In case of refusal or failure to obey a subpoena, the chief medical examiner may  
 9 ~~((invoke))~~ seek the aid of the King County prosecuting attorney ~~((who shall apply))~~ to apply  
 10 to the court for an order or other appropriate action necessary to secure enforcement of the  
 11 subpoena.

12 C. Punishment for contempt for refusal or failure to comply with a subpoena ~~((issued~~  
 13 ~~by the division of the medical examiner pursuant to the investigatory functions of said~~  
 14 ~~office))~~ shall be ~~((limited to a fine not exceeding twenty five dollars or imprisonment in~~  
 15 ~~county jail not exceeding two days))~~ as provided by chapter 36.24 RCW and other  
 16 applicable laws and court rules.

17 SECTION 6. Ordinance 12076, Section 10, is amended to read as follows:

18 **Second tier funds and designated fund managers.** ~~((A.))~~ Second tier funds and  
 19 fund managers are as follows, except to the extent that all or a portion of any listed fund is a  
 20 first tier fund by virtue of any other provision of this chapter or other ordinance:

Fund No.	Fund Title	Fund Manager
001	Current Expense	Budget Organization in Executive Office
102	Criminal Justice	Budget Organization in Executive Office
103	County Road	Dept. of Transportation
105	River Improvement	Dept. of Natural Resources
106	Veterans' Relief	Dept. of Community & Human Services
107	Developmental Disabilities	Dept. of Community & Human Services
108	Civil Defense	Dept. of Public Safety
116	Arts and Cultural Education Program	Dept. of Parks & Cultural Resources
117	Arts and Cultural Development	Dept. of Parks & Cultural Resources
120	Treasurer's O & M	Dept. of Finance
<del>((126))</del>	<del>((Alcoholism and Substance Abuse Services))</del>	<del>((Dept. of Public Health))</del>
180	Public Health <del>((Pooling))</del>	Dept. of Public Health
182	Inter-County River Improvement	Dept. of Natural Resources
214	Miscellaneous Grants	Dept. of Finance
224	Youth Employment Programs	Dept. of Community & Human Services
246	Community Dev Block Grant	Dept. of Community & Human Services

Fund No.	Fund Title	Fund Manager
553	Computer and Communication Services	Dept. of Information & Administrative Services
661	Deceased Effects	Dept. of Finance
662	Real Prop Title Assurance	Dept. of Finance
663	Treasurer's Prop Tax Refund	Dept. of Finance
664	Prop Tax Foreclosure Sale Excess	Dept. of Finance
666	Real Prop Advance Tax Collection	Dept. of Finance
668	Ad Valorem Tax Refund	Dept. of Finance
669	Certificate of Redemption LID assmt	Dept. of Finance
670	Undistributed Taxes	Dept. of Finance
672	Cert/redemption Real Prop	Dept. of Finance
673	Miscellaneous Tax Distribution	Dept. of Finance
677	Property Tax Suspense	Dept. of Finance
678	King County Fiscal Agent	Dept. of Finance
697	Mailroom Prop Tax Refund	Dept. of Finance
698	Miscellaneous Agency	Dept. of Finance
699	Assessment Distribution/Refund	Dept. of Finance
840	Limited GO Bond Redemption	Dept. of Finance
850	Unlimited GO Bond Redemption	Dept. of Finance
851	Stadium GO Bond Redemption	Dept. of Finance

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NEW SECTION. SECTION 7. There is hereby added to K.C.C. 4.08 a new section to read as follows:

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**Public Health Fund.** There is hereby created a Public Health Fund into which shall be deposited revenues from all sources budgeted for the department of public health and from which shall be paid all expenditures and disbursements for the department, except to the extent revenues, expenditures and disbursements for the department are otherwise provided for by ordinance.

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SECTION 8. The balance in Fund No. 126 shall be transferred to Fund No. 180 on the effective date of this ordinance.

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SECTION 9. Severability. The provisions of this ordinance shall be effective in all cases unless otherwise provided by federal law. The provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or other portion of this ordinance or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance or the validity of the application to other persons or circumstances.

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SECTION 10. Continuation of ordinances. The provisions of this ordinance, so far as they are substantially the same as those of ordinances existing at the time of the enactment of this ordinance, shall be construed as continuations thereof.

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# 12525

1 SECTION 11. Effective date. This ordinance shall take effect on January 1, 1997.

2 INTRODUCED AND READ for the first time this 30<sup>th</sup> day of

3 September, 19 96

4 PASSED by a vote of 10 to 0 this 18<sup>th</sup> day of November,

5 1996.

6 KING COUNTY COUNCIL  
7 KING COUNTY, WASHINGTON

8 Jane Heque  
9 Chair

10 ATTEST:

11 Gerald A. Peter  
12 Clerk of the Council

13 APPROVED this 30<sup>th</sup> day of November, 19 96

14 Gary Locke  
15 King County Executive

16 Attachments:

17 None