

**(Effective until April 1, 2025)**

**WAC 246-272A-0420 Waiver of state regulations.** (1) The local health officer may grant a waiver from specific requirements of this chapter if:

(a) The waiver request is evaluated by the local health officer on an individual, site-by-site basis;

(b) The local health officer determines that the waiver is consistent with the standards in, and the intent of, these rules;

(c) The local health officer submits quarterly reports to the department regarding any waivers approved or denied; and

(d) Based on review of the quarterly reports, if the department finds that the waivers previously granted have not been consistent with the standards in, and the intent of these rules, the department shall provide technical assistance to the local health officer to correct the inconsistency, and may notify the local and state boards of health of the department's concerns. If upon further review of the quarterly reports, the department finds that the inconsistency between the waivers granted and the state board of health standards has not been corrected, the department may suspend the authority of the local health officer to grant waivers under this section until such inconsistencies have been corrected.

(2) The department shall develop guidance to assist local health officers in the application of waivers.

[Statutory Authority: RCW 43.20.050. WSR 05-15-119, § 246-272A-0420, filed 7/18/05, effective 9/15/05.]

**(Effective April 1, 2025)**

**WAC 246-272A-0420 Waivers.** (1) The local health officer may grant a waiver from specific requirements of this chapter. A request for waiver must be:

(a) Evaluated by the local health officer on an individual, site-by-site basis;

(b) Consistent with the purposes of this chapter.

(2) (a) The local health officer must submit quarterly reports to the department showing waivers approved or denied.

(b) Upon review, if the department finds that the waivers previously granted are inconsistent, with the purposes of this chapter, and DS&G for granting waivers, the department shall provide technical assistance to the local health officer to correct the inconsistency, and may notify the local and state boards of health of the department's concerns.

(c) If upon further review, the department finds waivers previously granted continue to be inconsistent with the purposes of this chapter and DS&G, the department may suspend the authority of the local health officer to grant waivers under this section until such inconsistencies have been corrected.

(3) The department shall maintain and update guidance to assist local health officers in the application of waivers.

(4) The department shall publish an annual report summarizing the waivers issued over the previous year.

[Statutory Authority: RCW 43.20.050(3), 43.20.065, chapters 70A.105 and 70A.110 RCW. WSR 24-06-046, § 246-272A-0420, filed 3/1/24, effective 3/1/24.]

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