



## Agency Recommendation Summary

Funding is for Healthy Environment for All (HEAL) implementation shortfall and environmental health disparities mapping. This work is necessary for full compliance with the Department of Health’s obligations under HEAL.

## Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
<b>Staffing</b>						
FTEs	0.5	3.5	2.0	3.5	3.5	3.5
<b>Operating Expenditures</b>						
Fund 001 - 1	\$164	\$570	\$734	\$554	\$554	\$1,108
Total Expenditures	\$164	\$570	\$734	\$554	\$554	\$1,108

## Decision Package Description

### Background/Context:

The Department of Health (DOH) is one of the seven named agencies in chapter 70A.02 RCW, the environmental justice (EJ) law commonly referred to as the Healthy Environment for All (HEAL) Act. DOH is charged with 1) implementing the agency-specific obligations of the bill and incorporating EJ principles in its policies, practices, procedures, budgetary and funding decisions and managing a \$500,000 HEAL-related pass-through grant and 2) completing tasks outlined in chapter 43.70 RCW related to the Environmental Health Disparities (EHD) map, which is part of the Washington Tracking Network. These two tasks have distinct responsibilities that require both staff and funding to ensure the DOH complies with statutory obligations.

### Problem:

Despite some additional funding provided starting in FY24, the decision package from the previous budget cycle was not fully funded and we’ve had to adjust which positions are funded to cover priority positions which has left others unfunded. The purpose of this supplemental ask is to request the remainder of those funds, with some minor additions given the current state of implementation and funding. These funds are necessary to support full compliance with DOH obligations under HEAL.

### DOH HEAL IMPLEMENTATION

DOH requires a fully funded fiscal analyst to help manage, track and report on HEAL budget expenditures as well as support implementation of the budgeting and funding obligation of HEAL. The remaining, unfunded contract funds from the previous FY are required for implementation efforts overall.

### ENVIRONMENTAL HEALTH DISPARITIES (EHD) MAP

The EHD map is a key resource for the covered agencies implementing the HEAL Act. It is currently hosted on a custom-built platform that was designed and launched in the 2010s. The current infrastructure is not currently supported by DOH IT. DOH is planning to migrate the EHD map to our Enterprise Geographic Information System to create sustainability for the EHD map. The additional IT FTE is required to assist with the transition, adding additional features requested by community and tribes, and maintaining the map into the future. DOH is also required to provide support training and consultation to agencies on the use of the EHD map and needs an additional FTE to ensure we meet this requirement.

### Proposed Solution/Supporting Evidence for Solution:

**DOH HEAL IMPLEMENTATION**

DOH requests the remaining 0.5 FTE to make 1.0 FTE for the fiscal analyst role requested last year and the remaining \$35K in contracts that was also requested but unfunded last year.

**ENVIRONMENTAL HEALTH DISPARITIES (EHD) MAP**

DOH 2.0 FTE for positions that have been requested in the past but remain unfunded. In the original 21-23 FY budget, the EHD map had 1.0 FTE to support training and consultation to agencies on the use of the EHD map, however that position remains unfunded. In FY23-25 DOH requested 1.0 FTE to help transfer the current EHD map to ESRI and that FTE also remains unfunded. In this request, we are asking for 2.0 new FTE, 1.0 FTE to support training and consultation with agencies and 1.0 IT FTE to support the transition of the EHD map to the ESRI platform and to continue to enhance and streamline the maintenance of the EHD map.

**Timing:****DOH HEAL IMPLEMENTATION**

The HEAL Act requires named agencies to begin EJ assessments and to fulfill the budgeting and funding requirements of the law beginning July 1, 2023. DOH has identified dozens of programs across the agency that will need to comply with these obligations of HEAL, all of which require dedicated staff support, training, and additional resources. The number of programs that require this support will continue to increase each year and will require additional support from the HEAL implementation team and staff, especially as we look ahead to upcoming reporting deadlines beginning in 2024.

**ENVIRONMENTAL HEALTH DISPARITIES (EHD) MAP**

The EHD map is a key resource for the covered agencies implementing the HEAL Act. Starting July 1, 2023, agency staff are being asked to begin conducting environmental justice (EJ) assessments. These are required in the HEAL Act for significant agency actions. The purpose of the EJ assessments is to include overburdened communities and vulnerable populations in agency decision making processes, and the EHD map is a key resource for identifying overburdened communities and vulnerable populations. The current staffing does not support the training and consultation to agencies on the use of the EHD map or the infrastructure that the EHD map is built on. The current infrastructure is outdated and does not support the ability to add community requested functionality communities.

The solution to being under-staffed and under-resourced is to acquire funding for 2.5 additional FTE and funding to support the required work. Details are provided here by the two aspects of DOH's HEAL statutory requirements (DOH implementation and the Environmental Health Disparities map).

The cumulative result of hiring these additional 2.5 positions will be increased capacity to implement the obligations of the HEAL Act, which are far reaching and complex, support ongoing adoption of the HEAL Act over time, and ensure that DOH fulfills the policy, metrics and reporting obligations of the HEAL Act.

DOH will need additional support outlined below to stay in compliance with the HEAL Act.

**DOH HEAL IMPLEMENTATION**

DOH is requesting \$126,000 in FY25 and \$120,000 in FY26 ongoing to add: 0.5 FTE to the previous funding for a fiscal support (so that we can have 1.0 FTE ongoing) and \$35,000 for contracting to support implementation, which was requested but unfunded the previous budget cycle.

The fully funded fiscal analyst FTE will support managing the budget for all the DOH obligations under HEAL (implementation, EHD map, and

staffing the EJC) and will serve as the financial and budget expert and lead for implementing the budgeting and funding obligation of HEAL. This role will report to the Office of Financial Services at DOH and work closely with the HEAL implementation team, the interagency workgroup and OFM to support the complex fiscal aspects of complying with and reporting on the budgeting and funding obligations under HEAL.

The remaining \$35,000 requested per year will support contracting, goods and services, travel, equipment, AAG consultation, grants, and client services. This funding will ensure that we can hire additional contracting support to help with HEAL implementation as needed and effectively partner with community organizations.

### **EHD MAP**

DOH is requesting \$373,852 in FY25 and \$365,777 in FY26 and ongoing plus a 3% increase each year for cost-of-living increases to add: 1 FTE IT Application Developer – Journey Level and 1 FTE Equity and Social Justice Consultant. These additional staff are needed to support the transition of the EHD map to ESRI and to continue to develop and streamline the maintenance of the EHD map and support training and consultation to agencies on the use of the EHD map.

The Equity and Social Justice Consultant will support the training and consultation to agencies on the use of the EHD map. They will coordinate with staff from the covered state agencies on training needs, they will plan, develop materials (videos, story maps and guidance) and provide training and consultation on the use of the EHD map.

The IT Application Developer will work to transition the EHD map from the current platform to ESRI to ensure sustainability for the EHD map on a more modern and robust platform. It will also allow for adding functionality that has been requested from partners and community members and required in statute, such as the ability to track changes in environmental health disparities over time in an interactive, regularly updated display. This staff will also help maintain the sustainability of the EHD map by assisting with acquiring data from the different data sources and preparing data pipelines.

Without the funding requested, DOH will risk failure to meet the obligations of the HEAL Act, failure in our statutory commitments to overburdened communities and vulnerable populations, and risk DOH's and the state's reputation among the people we serve. In addition, DOH won't have the needed capacity to transition current data to ESRI and a platform that will be supported by DOH IT; and therefore, create a sustainable platform into the future. Without the transition to ESRI, DOH will have limited capacity to add the ability to track changes in environmental health disparities over time in an interactive, regularly updated display or to make needed improvements on the EHD map, including those already provided by overburdened communities.

## **Assumptions and Calculations**

### ***Expansion, Reduction, Elimination or Alteration of a current program or service:***

This supplemental budget request focuses on securing the funding we requested previously but did not receive. It also reflects an emerging need due to unforeseen organizational, staffing and resource reallocation changes in the agency. The requests included here are not an expansion since they reflect the emerging needs and needs identified but unfunded the previous legislative cycle.

### ***Detailed Assumptions and Calculations:***

#### **DOH HEAL IMPLEMENTATION**

- DOH will support 0.5 additional FTE to create 1.0 FTE for a fiscal analyst position.
- \$35,000/yr. for personal services and contacts to support implementation of HEAL obligations (previously requested but unfunded)

#### **EHD MAP**

- DOH will support 1.0 additional FTE for a Social and Equity Justice Consultant
- DOH will support 1.0 additional FTE for an IT application developer – journey level.

- DOH will need to purchase standard equipment (computer, docking station, monitors) for this FTE at \$4,857/FTE.

**Workforce Assumptions:**

**DOH HEAL IMPLEMENTATION**

Fiscal Analyst (0.5 FTE)

- Classification: MA4
- Annual Salary: \$86,208 per FTE
- Benefits: \$31,035
- Start-up costs: \$4,857

**EHD MAP**

IT Application Developer (1.0 FTE)

- Classification: IT APP Development - Journey
- Annual Salary: \$107,154 per FTE
- Benefits: \$36,944
- Start-up costs: \$4,857

Equity and Social Justice Consultant (1.0 FTE)

- Classification: Health Services Consultant 4
- Annual Salary: \$88,798 per FTE
- Benefits: \$30,615
- Start-up costs: \$4,857

Rule Making Support (1.0 FTE)

- Classification: MA5
- Annual Salary: \$95,184 per FTE
- Benefits: \$34,266
- Start-up costs: \$4,857

**Estimated expenditures include salary, benefit, and related costs to assist with administrative workload activities. These activities include policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement; risk management, and facilities management.**

## Strategic and Performance Outcomes

### **Strategic Framework:**

This package will directly support the Governor's goals for sustainable energy and a clean environment, healthy and safe communities, and efficient, effective and accountable government. The HEAL Act specifically prioritizes the needs of overburdened communities and vulnerable populations and is entirely focused on incorporating environmental justice principles and considerations into agency policies, practices, and procedures. Supporting full implementation of the HEAL Act will ensure that DOH prioritizes environmental justice into all agency activities.

This package will support the DOH strategic plan goals around outward mindset; funding; and equity, diversity, and inclusion. The HEAL Act also requires that agencies incorporate environmental justice into their strategic plans, which is included in the 2022 DOH transformational plan. Without fully funding HEAL implementation, DOH will not fulfill these EJ-specific strategic goals.

One of the obligations of HEAL is specific to budgeting and funding decisions and requires that DOH incorporate EJ principles into its decision processes for budget development, making expenditures, and granting or withholding environmental benefits. Through the incorporation of environmental justice principles into its decision processes, including by conducting environmental justice assessments where required under RCW 70A.02.060, each covered agency (to the extent allowed by law and consistent with legislative appropriations) must equitably distribute funding and expenditures related to programs that address or may cause environmental harms or provide environmental benefits towards overburdened communities and vulnerable populations. As such, HEAL will have an impact on agency funding and budgeting decisions.

### **Performance Outcomes:**

By fully funding both the implementation and EHD requirements of the HEAL Act, DOH will ensure statutory compliance with the law. Specific performance outcomes will include:

- Incorporating EJ principles into its decision processes for budget development, making expenditures, and granting or withholding environmental benefits
- Collecting data and outcomes for reporting requirements to the EJ Council, Governor's Office, and legislature on an annual basis
- Developing and maintaining the environmental health disparities map with the most current available information necessary to identify cumulative environmental health impacts and overburdened communities as required by RCW 43.70.815
- Developing a publicly available interactive display that will track changes in environmental health disparities over time.

Developing technical guidance for agencies for the EHD map that includes an online training video and consultation on the use of the map.

## Equity Impacts

### **Community outreach and engagement:**

**Community Outreach and Engagement:** This proposal not only will help DOH meet the obligations of the law but fundamentally improve equity in the state by ensuring resources are dedicated to the underlying policy of the legislation. The writing and drafting of the HEAL Act were a community-driven effort and was directly informed by the extensive community participation and outreach of the Environmental Justice Task Force, whose report and recommendations are the basis of the HEAL Act. Each of the obligations of the HEAL Act were direct outcomes of feedback from communities who have historically been excluded and marginalized and who are most impacted by EJ issues in our state. The Environmental Justice Council recognizes the vital and highly complex nature of HEAL implementation work and recommended the previous legislative session that the DOH's funding request be fully realized.

### **Disproportional Impact Considerations:**

**Disproportionate Impact Considerations:** HEAL specifically works to target those populations and communities that have been historically and currently excluded from strategic planning, budgeting, and funding decisions, and decisions around our programs and policies. One potential impact that we are conscious of is the potential to overburden these communities with increased requests and opportunities to engage with DOH (and the other agencies names and opting-in to HEAL) as we comply with the obligations in the bill, all of which require community engagement. We are working to mitigate against this by building mechanisms to coordinate engagement within and across HEAL agencies and exploring tracking systems that would enable us to avoid having multiple state employees contacting the same communities for different engagement opportunities or, at a minimum, coordinate our efforts so that they are not confusing or overwhelming. We are actively exploring ways to mitigate undue burden from state agency employees on these populations as we seek to increase and improve community engagement.

By adequately funding the work of DOH HEAL implementation and funding the EHD map, overburdened communities and vulnerable populations will directly benefit as our agency works to meet the obligations of the HEAL Act.

### **Target Populations or Communities:**

**Target Populations and Communities:** The HEAL Act specifically focuses on promoting the equitable distribution of environmental benefits, and reducing and eliminating environmental harms, to overburdened communities and vulnerable populations (as defined in the law).

## Other Collateral Connections

### **Puget Sound Recovery:**

N/A

### **State Workforce Impacts:**

N/A

### **Intergovernmental:**

Seven state agencies are named in the HEAL Act and are subject to compliance with the law. DOH is working in close partnership with these agencies through the HEAL Interagency Workgroup on the agency-specific obligations of HEAL. DOH plays an important role within the Interagency Workgroup given our leadership role within the HEAL Act and additional statutory obligations, such as staffing the EJ Council, the HEAL Interagency Workgroup, and maintaining and developing the EHD map. Without DOH's leadership, the other state agencies subject to the HEAL Act will be unable to meet their statutory obligations.

State agencies, local governments, community-based organizations, and other partners also use the EHD map frequently to inform funding and policy decisions—so sufficient funding to support maintaining and updating the EHD map and providing support, guidance and technical assistance related to their use of the EHD map are important to these partners as well.

**Stakeholder Response:**

Overburdened communities and vulnerable populations will also be impacted by this proposal, for without sufficient funding for DOH to meet the statutory obligations of the HEAL Act, the agency will be unable to prioritize EJ and these communities as the law requires. This is likely to result in an undermining of trust between DOH and overburdened and vulnerable populations.

Local governments are also anticipating the tools, guidance, and resources that state agencies and the EHD map team will develop to meet their HEAL obligations—so adequately funding this proposal will impact these stakeholders as well.

**State Facilities Impacts:**

N/A

**Changes from Current Law:**

N/A

**Legal or Administrative Mandates:**

These proposals are in response to the environmental justice law, RCW 70A.02 and 43.70 RCW related to the Environmental Health Disparities (EHD) map. DOH risks legal liability and litigation if we fail to comply with these laws.

**HEAL Act Agencies Supplemental Questions**

1. Please describe specific likely or probable environmental harms and/or benefits and their associated health impacts to overburdened communities and vulnerable populations.

The HEAL Act specifically focuses on promoting the equitable distribution of environmental benefits, and reducing and eliminating environmental harms, to overburdened communities and vulnerable populations (as defined in the law). The impact to these communities if HEAL is not fulfilled will be widespread and varied. Fully funding and staffing HEAL implementation work is vital to support the 3000+ employees of DOH that are required to fulfill the obligations of the law. The EHD map is used as a resource for state agencies to assist several parts of HEAL, including identifying overburdened communities and vulnerable populations and equitable distribution of resources.

2. Please describe any potential significant impacts to Indian tribes' rights and interest in their tribal lands.

A fully staffed HEAL implementation team is vital to ensure that the Tribal obligations within HEAL are met. DOH staff require support and coordination on these obligations to ensure that the agency is coordinating our invitations for consultation and collaboration so that we do not overwhelm our tribal partners.

3. Describe how your agency engaged with Tribes in developing this proposal, including offers for tribal consultation, and any direction provided by Tribes through this engagement.

The purpose of this proposal is to ensure we have a fully funded and staffed HEAL implementation team so that we can support and coordinate all the Tribal consultation and collaboration invitations we are required to initiate with EJ assessments and the budgeting and funding obligations of the law.

4. Has an Environmental Justice Assessment been completed? If so, please submit the assessment as an attachment in ABS.

No; the staff and funding requested in this DP will help support DOH staff to complete EJ assessments in the coming years.

5. Describe how your agency used the Environmental Justice Assessment process to eliminate, reduce, or mitigate environmental harms and

equitably distribute environmental benefits? If your agency determined that you were unable to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits, please provide a justification for not doing so.

N/A

### Reference Documents

[HEAL Act-EHD Map\\_ITaddendum\\_2024Supp.docx](#)

[HEAL DP REcalc\\_9.11.23.xlsm](#)

### IT Addendum

***Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?***

Yes

### Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$43	\$250	<b>\$293</b>	\$250	\$250	<b>\$500</b>
Obj. B	\$16	\$99	<b>\$115</b>	\$99	\$99	<b>\$198</b>
Obj. C	\$35	\$35	<b>\$70</b>	\$35	\$35	<b>\$70</b>
Obj. E	\$38	\$44	<b>\$82</b>	\$44	\$44	<b>\$88</b>
Obj. J	\$6	\$13	<b>\$19</b>	\$0	\$0	<b>\$0</b>
Obj. T	\$26	\$129	<b>\$155</b>	\$126	\$126	<b>\$252</b>

### Agency Contact Information

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