



Public Hospital District Commissioner Appointment Process

Vacancy

Step 1: Determine the cause of vacancy by the commissioner. A commissioner position shall become vacant based on the following events (See [RCW 42.12.010](#)):

- Death of the commissioner
- The commissioner decides to resign
- The commissioner is no longer residing in the public hospital district; they cease to be a legally registered voter in their district
- The commissioner is convicted of a felony or any other offense that violates their official oath
- The commissioner's refusal to take their oath of office
- The removal of the commissioner (example: Nonattendance at commission meetings for 60 days, unless excused)

Effective Date of Vacancy

Resignations take effect on the date selected by the resigning commissioner. If the official does not specify a resignation date, then the resignation takes effect when it is delivered to the PHD.

For all other vacancy causes, the PHD needs to decide if they will proactively file a court case to have the position declared vacant or to adopt a motion declaring the position vacant.

Please note that if the vacancy is due to removal (i.e. based on unexcused absences), the incumbent can go to the court and try to overturn the declaration that their position is not vacant.

Board Acknowledgement

Step 2: The public hospital district board acknowledges the vacancy. If the vacancy is due to a resignation, it is recommended to adopt a policy that says you will acknowledge a resignation in writing.

Board Succession Planning Tip:

As part of the board succession planning, it is encouraged for commissioners who know they are leaving to leave mid-term so the commission can begin a process of identifying individuals to serve who are oriented to the success of the district. This will help the board appoint their replacement and ensure that an engaged community member has an opportunity to serve on the board with the best interests of the public hospital district in mind.



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Nominations and Notice

Step 3: The governing body of the public hospital district is to nominate at least one candidate to fill the vacancy at a board meeting. The district must then cause notice of the vacancy and the name of the nominated candidate to be posted in three public places in the special purpose district, including the district's website, for a minimum of **15 days**. The public hospital district must appoint a qualified replacement within **90 days** of the vacancy. ([RCW 42.12.080](#))

During the notice period, registered voters who reside in the district may submit their own candidate nominations to the remaining members of the governing body.

The remaining board of commissioners may interview or have candidates respond to written questions to help them decide the best candidate for the vacant position. If the board chooses to interview applicants or nominees, the interviews must take place in open public meetings. The legislative body can ask the candidates to *voluntarily* leave the room while other candidates are being interviewed, but since it is an open public meeting the other candidates cannot be *required* to leave ([RCW 42.30.030](#))

Filling a Commissioner Vacancy

Step 4: After the notice period, the board appoints a qualified person to fill the vacant position from the candidates nominated by either the board or the public at a board meeting. In cases where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions under the nomination process, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position under the nomination process, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.

For more details, please see MRSC's blog: [MRSC - Vacancies in Local Elected Offices](#)

Deadline to Fill Vacancies

Please note that if a governing body fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease. The county legislative authority of the district in which all or the most significant geographic portion of the public hospital district is located shall appoint a qualified person to fill the vacancy.