H-1129.1

HOUSE BILL 1570

State of Washington 60th Legislature 2007 Regular Session

By Representatives Hudgins, Campbell, Wood, Chase, Morrell, Hunt, McCoy and Kenney

Read first time 01/23/2007. Referred to Committee on Select Committee on Environmental Health.

AN ACT Relating to biomonitoring; adding a new chapter to Title 70 RCW; creating a new section; making an appropriation; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** (1) The legislature finds that:

(a) There are an estimated one hundred thousand chemicals registered for use today in the United States, with another two thousand added each year. Chemicals are found in many consumer products including cosmetics, personal care products, pesticides, cleaning products, fuels, and plastics. Some of these chemicals persist in the environment, accumulate and remain in the body, and have been shown to be toxic. Because chemicals are a part of everyday world activities, Washington residents are exposed to multiple chemicals every day. Young children and developing fetuses are especially sensitive to some environmental chemicals, which can affect neurodevelopment and cause behavioral and learning problems. The state, the federal government, and other nations have targeted these persistent, bioaccumulative, and toxic chemicals to reduce their impact

on human health and the environment. Many of the chemicals that build up in the environment over time are the same chemicals that build up in people.

(b) Biomonitoring of lead levels in children has been used for over thirty years to identify how children are exposed to lead and identify children who need environmental intervention and treatment. Biomonitoring data was important in the decision to eliminate lead additives in gasoline. As a result of these efforts, millions of children have avoided the risk of reduced capacity to learn. Expanding biomonitoring to focus on other important chemicals in vulnerable groups can produce equally important public health protections.

(c) Biomonitoring information provides for the direct measurement of environmental chemicals in the human body regardless of source. It assists in making the connection between exposure and disease or establishing that there is no connection. Biomonitoring information is valuable for interpreting the public health significance of environmental monitoring data, and is key for developing effective ways to prevent human disease and death caused by exposure to environmental chemicals.

(d) Biomonitoring data supports sound public health decisions by: Determining exposures of chemicals to Washington residents; assessing effectiveness of public health efforts to reduce exposure and current regulations; setting priorities for chemical exposure reduction strategies; establishing trends in chemical exposures; validating modeling and survey methods, supporting epidemiological studies; identifying emerging environmental problems; and assisting in emergency health responses to unanticipated exposures.

(e) The federal centers for disease control and prevention have conducted biomonitoring studies for one hundred forty-eight chemicals. These studies have scientifically demonstrated that Americans of all ages and races have levels of environmental chemicals in their bodies.

(f) The federal centers for disease control and prevention are providing a grant to the Washington department of health to develop the Washington state environmental public health tracking network, which is designed to compile information regarding environmental chemicals, human exposure to environmental chemicals, and potentially related health outcomes. Biomonitoring and environmental public health tracking are complementary public health efforts. Biomonitoring data

is valuable for understanding the links between environmental contamination and human exposure and potentially related diseases, and information from the Washington state environmental public health tracking network helps to correctly interpret the results of biomonitoring efforts.

(g) In 2001, the federal centers for disease control and prevention provided a grant to the Washington department of health to develop a state biomonitoring plan, however Washington state did not receive an implementation grant for the biomonitoring plan.

(2) It is therefore the purpose of this chapter to authorize a biomonitoring program in Washington and to identify and secure a long-term funding source for implementing priorities identified for Washington state.

NEW SECTION. **Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2) "Biomonitoring" means the process by which the presence and concentration of environmental chemicals or their metabolites are identified within a biospecimen to assess bodily exposure.

(3) "Biospecimen" means a sample taken from a biophysical substance, which is reasonably available within a human body, for use as a medium to measure the presence and concentration of environmental chemicals.

(4) "Environmental chemical" means those chemicals released into or found in the environment that are known to adversely affect, or strongly suspected of adversely affecting, human health or development, based upon scientific, peer-reviewed animal, human, or in vitro studies, and any substances as specified by the department under section 3(4) of this act.

NEW SECTION. **Sec. 3.** (1) The department shall conduct biomonitoring, in consultation with the department of ecology, local health jurisdictions, and other public health agencies, to assist public health agencies and policymakers in allocating resources to maximize improvements in environmental public health by:

(a) Determining levels of exposure to environmental chemicals in population groups that may be at increased risk of exposure;

(b) Measuring the prevalence of elevated levels of environmental chemicals in specific population groups;

(c) Interpreting the public health significance of environmental monitoring data;

(d) Assessing effectiveness of public health efforts to reduce exposure to specific populations to environmental chemicals; and

(e) Determining the impact of public health efforts to reduce high levels of environmental chemicals.

(2) The department shall adopt guidelines and model protocols to guide state and local agencies conducting biomonitoring that are consistent with the requirements and priorities of this chapter. The guidelines and model protocols shall address:

(a) Biomonitoring analytical methods with adequate accuracy, precision, sensitivity, specificity, and output;

(b) Protection of human subject rights, such as confidentiality and voluntary and informed consent; and

(c) Practices to ensure acknowledgement and respect of cultural differences.

(3) The department shall establish a framework for interpretation and communication of biomonitoring data for assessing health impacts of these data by:

(a) Providing information to participants that includes the purposes of biomonitoring and the uses of biomonitoring results and data;

(b) Ensuring biomonitoring information is provided with a clear explanation of the distinction between exposure data and analysis of health effects that may occur from exposures;

(c) Providing an assessment of impacts associated with results of the biomonitoring data;

(d) Providing information about chemical selection and what is and is not known about the chemical; and

(e) Recommending follow-up steps to participants and communities, as appropriate.

(4) The department may include environmental chemicals in the biomonitoring program using the following criteria:

(a) Seriousness of health effects known or suspected to result from some levels of exposure;

(b) Extent of exposure to the public or specific subgroups;

(c) Expected health risks based on peer-reviewed health data, the chemical structures, or the toxicology of chemically related compounds; and

(d) Incremental analytical cost to perform the biomonitoring analysis for an additional chemical.

NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. **Sec. 5.** By December 1, 2007, the department of health shall, in consultation with the department of ecology and local health jurisdictions, provide recommendations to the governor and the appropriate committees of the senate and house of representatives for funding the biomonitoring program. The recommendations shall provide a proposed implementation plan for the ten highest priorities identified by the department of health, and shall include recommendations for funding sources and cost sharing among federal, state, local, and nongovernmental entities. The department of health's implementation recommendations shall include the objective of integrating with and complementing nationwide monitoring programs.

NEW SECTION. **Sec. 6.** Sections 2 and 3 of this act take effect July 1, 2008.

NEW SECTION. **Sec. 7.** The sum of ninety thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2008, from the state toxics control account to the department of health for the purposes of this act.

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