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SENATE BILL 6513

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State of Washington

59th Legislature

2006 Regular Session

By Senators Fraser, Poulsen, Pridemore, Regala, Rockefeller, Kohl-Welles and Kline

Read first time 01/13/2006. Referred to Committee on Water, Energy & Environment.

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

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

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

6 (a) About seven out of every ten deaths in the United States are  
7 attributable to chronic diseases. About one hundred twenty-five  
8 million people have at least one chronic illness while sixty million  
9 suffer from multiple chronic illnesses. About twenty million children  
10 in the country have at least one chronic health problem;

11 (b) Chronic illnesses impose enormous health care and other costs  
12 upon Washington. For example, the estimated total cost of asthma in  
13 the state is about four hundred million dollars annually. Special  
14 education for the estimated one hundred twenty thousand children in the  
15 state's schools with learning disabilities costs about four hundred  
16 seventy million dollars each year;

17 (c) There are an estimated eighty-five thousand chemicals  
18 registered for use today in the United States, with another two  
19 thousand added each year. Some toxicological screening data exists for

1 only seven percent of these chemicals. More than ninety percent of  
2 these chemicals have never been tested for their effects on human  
3 health. Large numbers of these chemicals are found in cosmetics,  
4 personal care products, pesticides, food dyes, cleaning products,  
5 fuels, and plastics. Because of their ubiquity in modern life,  
6 Washington residents are commonly exposed to multiple chemicals every  
7 day. Many of these chemicals persist in the environment, and  
8 accumulate and remain in body fat, and have been shown to be toxic.  
9 Persistent, bioaccumulative, toxics (PBTs) have been targeted by the  
10 state of Washington, the federal government, and other nations around  
11 the world for actions to reduce the impact of PBTs on human health and  
12 the environment;

13 (d) Biomonitoring data supports public health by establishing  
14 trends in chemical exposures, validating modeling and survey methods,  
15 supporting epidemiological studies, identifying affected communities,  
16 assisting in emergency health responses to unanticipated emergency  
17 exposures, assessing the effectiveness of current regulations, and  
18 helping to set priorities for chemical exposure reduction strategies;

19 (e) A grant from the federal Centers for Disease Control enabled  
20 the Washington department of health, through the assistance of an  
21 advisory committee of public health professionals, to develop a  
22 biomonitoring plan, completed in 2003, that identifies the high  
23 priorities for the chemicals, environmental settings, and populations  
24 for monitoring. However, Washington did not receive federal funding  
25 for the implementation of this plan and to date no funding has been  
26 identified to move forward with any portion of this plan;

27 (f) The Washington environmental public health tracking network is  
28 working to improve the state of information concerning environmental  
29 contaminants, human exposure to hazards, and potentially related health  
30 outcomes statewide. The program is developing network infrastructure  
31 to integrate environmental and public health information systems,  
32 improve the completeness and timeliness of data for monitoring health  
33 outcomes attributable to environmental hazards and exposures, and  
34 improve access to information in those data systems.

35 (2) It is therefore the purpose of this chapter to authorize a  
36 biomonitoring program in Washington as an integral part of the  
37 environmental public health tracking network, to secure initial funding

1 for implementing the highest priority elements of the program, and to  
2 identify a long-term funding source for implementing the balance of the  
3 priorities identified in 2003.

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

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

7 (2) "Biomonitoring" means the process by which the presence and  
8 concentration of toxic chemicals and their metabolites are identified  
9 within a biospecimen as a means to assess the chemical body burden.

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

13 NEW SECTION. **Sec. 3.** (1) The department shall conduct  
14 biomonitoring as an element of the environmental health tracking  
15 program administered by the department. The biomonitoring shall be  
16 conducted in collaboration with the department of ecology, local health  
17 jurisdictions, and other public health agencies with the objective of  
18 assisting public health agencies and policymakers in allocating  
19 resources to maximize environmental health improvements.

20 (2) The department shall adopt guidelines and model protocols to  
21 guide local and state agencies conducting biomonitoring and that are  
22 consistent with the requirements and priorities of this chapter. The  
23 guidelines and model protocols shall address, without limitation, the  
24 following:

25 (a) Ensuring confidentiality and informed consent, and  
26 communicating findings to participants, communities, and the general  
27 public;

28 (b) Emphasizing that all aspects of the program are culturally  
29 sensitive; and

30 (c) When communicating with participants regarding the purposes of  
31 biomonitoring and the uses of biomonitoring results and data, providing  
32 a clear explanation of the distinction between exposure data and  
33 analysis of the health effects that may occur from chemical exposures.

34 (3) In selecting biomonitoring measurements, the department shall  
35 accord a priority to:

- 1 (a) Measuring the prevalence of elevated levels of toxic substances  
2 in a population group;
- 3 (b) Determining levels of exposure in population groups that may be  
4 at increased risk of exposure;
- 5 (c) Providing information on levels of human exposure for studies  
6 examining the relationship between exposure to a toxic substance and  
7 adverse health effects;
- 8 (d) Tracking the trends in levels of exposure of a population group  
9 to specific toxic substances; and
- 10 (e) Assessing effectiveness of public health efforts to reduce the  
11 exposure of specific populations to toxic substances.

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

14 NEW SECTION. **Sec. 5.** By September 30, 2006, the department of  
15 health, in consultation with the department of ecology and local health  
16 jurisdictions, shall provide recommendations to the governor and the  
17 appropriate committees of the senate and house of representatives for  
18 funding the biomonitoring program. The recommendations shall provide  
19 a proposed phase-in of the top ten highest priorities identified by the  
20 department of health's 2003 biomonitoring plan, and shall include  
21 recommendations for sharing of costs among federal, state, local, and  
22 nongovernmental entities. The department of health's implementation  
23 recommendations shall include the objective of integrating with and  
24 complementing nationwide monitoring programs.

25 NEW SECTION. **Sec. 6.** Sections 2 and 3 of this act take effect  
26 July 1, 2007.

27 NEW SECTION. **Sec. 7.** The sum of fifty thousand dollars, or as  
28 much thereof as may be necessary, is appropriated for the biennium  
29 ending June 30, 2007, from the state toxics control account to the  
30 department of health for the purposes of this act.

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