



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0680

Introduced 2/6/2007, by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Biomonitoring Safety Net Act. Requires the Department of Public Health, in collaboration with the Illinois Environmental Protection Agency, to establish an Environmental Contaminant Biomonitoring Program to monitor the presence and concentration of designated chemicals in the bodies of the people of this State. Requires the Department and Agency to establish a Scientific Guidance Panel to make recommendations regarding the design and implementation of the Program, including specific recommendations for chemicals that are priorities for biomonitoring, with members appointed by the Governor, the President of the Senate, and the Speaker of the House. Designates the criteria for determining priority chemicals for inclusion in the Program. Requires that biomonitoring findings be disseminated to the general public and the Department, in collaboration with the Agency, submit a report every 2 years to the General Assembly containing the findings of the Program.

LRB095 03973 KBJ 24006 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Biomonitoring Safety Net Act.

6 Section 5. Findings and purposes.

7 (a) The General Assembly finds all of the following:

8 (1) An estimated 100,000 chemicals are registered for  
9 use today in the United States. Another 2,000 chemicals are  
10 added each year.

11 (2) Some toxicological screening data exists for only  
12 7% to 10% of these chemicals. More than 90% of these  
13 chemicals have never been tested for their effects on human  
14 health. Large numbers of these chemicals are found in  
15 cosmetics, personal care products, pesticides, food dyes,  
16 cleaning products, fuels, and plastics.

17 (3) As a result, people are exposed to chemicals daily.  
18 Many of these chemicals persist in the environment or  
19 accumulate and remain in body fat and have been shown to be  
20 toxic.

21 (4) The Centers for Disease Control and Prevention has  
22 documented the presence of 148 environmental chemicals in  
23 the blood and urine of Americans of all ages and races.

1 (b) The purposes of this Act are all of the following:

2 (1) To establish an Environmental Contaminant  
3 Biomonitoring Program to monitor the presence and  
4 concentration of designated chemicals in the bodies of the  
5 people of this State.

6 (2) To produce biomonitoring studies that provide data  
7 helping scientists, researchers, public health personnel,  
8 and community members explore linkages between chemical  
9 exposure and health concerns.

10 (3) To collect biomonitoring data that supports  
11 Illinois public health by establishing trends in chemical  
12 exposures, validating modeling and survey methods,  
13 supporting epidemiological studies, identifying highly  
14 exposed communities, addressing the data gaps between  
15 chemical exposures and specific health outcomes, informing  
16 health responses to unanticipated emergency exposures,  
17 assessing the effectiveness of current regulations, and  
18 setting priorities for reform.

19 Section 10. Definitions. As used in this Act:

20 "Agency" means the Illinois Environmental Protection  
21 Agency.

22 "Department" means the Department of Public Health.

23 "Program" means the Environmental Contaminant  
24 Biomonitoring Program.

1           Section 15. Environmental biomonitoring safety net. The  
2 Department of Public Health, in collaboration with the Illinois  
3 Environmental Protection Agency, shall establish an  
4 Environmental Contaminant Biomonitoring Program to monitor the  
5 presence and concentration of designated chemicals in the  
6 bodies of the people of this State. The Program shall utilize  
7 biological specimens, as appropriate, to identify designated  
8 chemicals that are present in the bodies of the people of this  
9 State. Biomonitoring shall take place on a strictly voluntary  
10 and confidential basis. Results reported shall not disclose  
11 individual confidential information of participants.  
12 Appropriate biological specimens must be used to monitor and  
13 assess the presence and concentration of designated chemicals.  
14 Biological specimens shall be analyzed by laboratories  
15 operated by the Department, the Agency, or their contractors.

16           All participants must be evaluated for the presence of  
17 designated chemicals as a component of the biomonitoring  
18 process. Individual participants may request and shall receive  
19 their complete results. When either physiological or chemical  
20 data obtained from a participant indicate a significant known  
21 risk, Program staff experienced in communicating biomonitoring  
22 results shall consult with the individual and recommend  
23 follow-up steps as appropriate.

24           The Program shall incorporate, as appropriate, the methods  
25 utilized by the Centers for Disease Control and Prevention for  
26 the studies known collectively as the National Report on Human

1 Exposure to Environmental Chemicals. The Department, in  
2 collaboration with the Program, shall conduct statistical and  
3 epidemiological analyses of the biomonitoring results. No  
4 governmental agency or private person or entity may  
5 discriminate against a person or community based upon the  
6 biomonitoring results.

7 Section 20. Scientific Guidance Panel. In implementing the  
8 Program, the Department and the Agency shall establish a  
9 Scientific Guidance Panel. The Panel shall be composed of 9  
10 members, whose expertise shall encompass the disciplines of  
11 public health, epidemiology, biostatistics, environmental  
12 medicine, risk analysis, exposure assessment, developmental  
13 biology, laboratory sciences, bioethics, maternal and child  
14 health with a specialty in breastfeeding, and toxicology. The  
15 Governor shall appoint 3 members to the Panel, the President of  
16 the Senate shall appoint 3 members, and the Speaker of the  
17 House shall appoint 3 members. Members shall be appointed for  
18 3-year terms, except that, with respect to the initial  
19 appointees, each appointing power shall appoint one member for  
20 a one-year term and one member for a 2-year term. Members may  
21 be reappointed for additional terms without limitation.  
22 Members shall serve until their successors are appointed and  
23 have qualified. Vacancies shall be filled in the same manner as  
24 the original appointments, and any member so appointed shall  
25 serve during the remainder of the term for which the vacancy

1 occurred. The Panel shall meet, at a minimum, 3 times per year.  
2 The Agency shall be responsible for staffing and administration  
3 of the Panel. Members of the Panel shall be reimbursed for  
4 travel and other necessary expenses incurred in the performance  
5 of their duties under this Act, but shall not receive a salary  
6 or compensation.

7 The Panel shall provide scientific peer review and make  
8 recommendations regarding the design and implementation of the  
9 Program, including specific recommendations for chemicals that  
10 are priorities for biomonitoring. The Panel shall retain final  
11 decision-making authority. The Panel shall recommend priority  
12 chemicals for inclusion in the Program using all of the  
13 following criteria:

14 (1) The degree of potential exposure to the public or  
15 specific subgroups, including, but not limited to, certain  
16 occupations.

17 (2) The likelihood of a chemical being a carcinogen or  
18 toxicant based on peer-reviewed health data, its chemical  
19 structure, or the toxicology of chemically related  
20 compounds.

21 (3) The limits of laboratory detection for the  
22 chemical, including the ability to detect the chemical at  
23 levels low enough to be expected in the general population.

24 (4) Any other criteria the Panel deems significant.

25 The Panel may recommend additional designated chemicals  
26 not included in the National Report on Human Exposure to

1 Environmental Chemicals for inclusion in the Program using all  
2 of the following criteria:

3 (A) Exposure or potential exposure to the public or  
4 specific subgroups.

5 (B) The known or suspected health effects resulting  
6 from some level of exposure based on peer-reviewed  
7 scientific studies.

8 (C) The need to assess the efficacy of public health  
9 actions to reduce exposure to a chemical.

10 Section 25. Dissemination of biomonitoring findings. The  
11 Department and the Agency shall disseminate biomonitoring  
12 findings to the general public via appropriate media, including  
13 governmental and other Internet websites, in a manner that is  
14 understandable to the average person.

15 Section 30. Program findings; report. Every 2 years,  
16 beginning on the effective date of this Act, the Department, in  
17 collaboration with the Agency, shall submit a report to the  
18 General Assembly containing the findings of the Program and  
19 shall include in the report additional activities and  
20 recommendations to date. Copies of the report shall be made  
21 available via appropriate media to the public.