

April 13, 2023

Re: Support for House Bills 4340, 4341, and 4342 "Filter First" Bills

Chair Rogers, Majority Vice Chair Whitsett, Minority Vice Chair VanderWall, and members of the Health Policy Committee:

We urge you to support House Bills 4340, 4341, and 4342 to protect Michigan children from lead exposure via their school and childcare center drinking water. These bipartisan bills, sponsored by Representatives Puri, Neeley, and VanderWall will ensure all schools and childcare centers in Michigan follow the "Filter First" approach designed and recommended by drinking water and public health experts to reduce lead in school and childcare center drinking water. Last session, the bills passed out of the Michigan Senate with nearly unanimous support on a vote of 35 to 1. This session, the Senate Energy and Environment Committee unanimously passed the bills, and they are currently on the Senate floor awaiting action.

There is no safe level of lead exposure. Lead is a potent neurotoxin that can impact individuals at any age, but it is particularly damaging for children whose brains are still developing. Even low levels of lead exposure in young children have been linked with severe health impacts, including damage to the central nervous system and kidneys, as well as impaired neurobehavioral development, decreased stature and growth, and impaired hearing.^[1]

Children are especially vulnerable to lead exposure in schools and childcare centers given the amount of time children spend at these institutions and the challenges their yearly calendars pose to traditional mitigation methods. When students and staff leave for weekends, breaks, and summer vacation, water sits stagnant in pipes. The lack of regular water flow dilutes the effectiveness of corrosion control chemicals, which are meant to reduce the amount of lead that leaches into drinking water. Faucets, fixtures, and plumbing new, old, and certified "lead free" are equally vulnerable, because *even "lead free" materials can still contain lead up to .25% of their weight.*

The Filter First approach is the most protective, cost-effective, and immediate option for addressing lead contamination in school and childcare center drinking water.

The Filter First bills call for schools to provide one filtered drinking water station for every 100 students and staff and test water from the filtered drinking stations annually to ensure the filters are working properly. Filtered drinking water stations, often called hydration stations, are drinking water fountains with bottle fillers and ¹filters that are certified for lead removal. These devices can replace

^[1] American Academy of Pediatrics,

https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Lead-Exposure-In-Children-Affects-Brain-And-Behavior-045.aspx October 2017.

old water fountains, be retrofitted for existing fountains, or be installed independently. On-tap or in-fridge filters are allowed to be used in school kitchens and where filter stations are not practical.

Given the wide variety of buildings licensed childcare centers occupy, the Filter First bills create more flexibility for childcare centers while still protecting children's health. These bills do not require childcare centers to install filtered drinking water stations. Instead, the bills ensure that water furnished to children in childcare centers comes from a filtered source. Those sources could be a low-cost on-tap filter or filtered pitcher. Furthermore, the substitute versions of the bills remove the requirement for childcare centers to sample and instead incorporate water sampling into the existing health inspection process that LARA oversees. Childcare staff would be asked under the bills to periodically participate in training on filter maintenance and use, which can be as easy as watching a tutorial video. In short, the bills achieve the goal of safeguarding children with minimal compliance burden placed on centers.

The legislature already appropriated funding for the Filter First program; policy bills are critical to ensure the funding is well implemented.

A \$50 million down payment to fund Filter First implementation was included in Senate Bill 565, which passed out of the legislature and was signed by Governor Whitmer in March of 2022. Unfortunately, that bill included a 50% match requirement, which could create a two-tiered approach to implementation with those schools that can afford to pay the match doing so and other schools being left behind. Consequently, we are currently requesting another \$50 million and the elimination of the match requirement through the appropriations process so Michigan can fully establish the program.

House Bills 4340, 4341, and 4342 are the implementation bills for the funding, and they will ensure the state departments properly launch the program and provide guidance to schools and childcare centers for how to adopt a Filter First method. Without the implementation bills, we are concerned the funding will not be spent in a way that best protects children from lead in drinking water in schools and childcare centers.

The Filter First approach is more protective and more cost-effective than the "Test and Chase" policy that has been adopted in other states.

Test and Chase requires school districts to test all drinking water fixtures and replace fixtures and other plumbing products in locations that tested positive for lead above a certain level. This is an expensive approach that would at best confirm what we already know to be true — that there is lead in our schools' drinking water infrastructure. This approach doesn't address the problem because new "lead free" materials installed *still contain lead*. At worst, Test and Chase provides a false sense of security. Since lead release in drinking water is sporadic, one non-detect result for a drinking fountain does not mean the water is continuously safe and lead-free.

Additionally, both the first year and the 10-year costs of Filter First in schools are significantly lower than Test and Chase, with over \$331 million saved over ten years. Please see the "[Michigan Filter First Cost Estimate](#)" document for detailed cost analyses of both methods.

We, the undersigned health, education, and drinking water advocates, urge you to support House Bills 4340, 4341, and 4342 to protect children from lead exposure in school and childcare center drinking water through the Filter First method.

Sincerely,

Crystal M.C. Davis, VP of Policy & Strategic
Engagement
Alliance for the Great Lakes

Bridget Melinn, RN, Michigan Government
Relations Director
American Heart Association

Rebecca Lazarus, President & Trustee
Ann Arbor Public Schools Board of Education

LaTricea Adams, MAT, EdS
Founder CEO & President
Black Millennials 4 Flint (Memphis, TN)

Mary Brady-Enerson, Michigan Director
Clean Water Action

Christine M. Callahan, President
Early On Michigan Foundation

Rebecca Meuninck, Ph.D., Deputy Director
Ecology Center

John Rumpler, Clean Water Program Director
Environment Michigan

Nayyirah Shariff, Director
Flint Rising

Jameela Maun, Executive Director
Healthy Homes Coalition

Amy Barto, M.Ed., President
Learning Disabilities Association of Michigan

Sierra Cameron, CEO
Michigan Chapter American Academy of Pediatrics

Ann Marie Ramsey RN, MSN, CPNP-PC, President
Michigan Chapter of the National Association of
Pediatric Nurse Practitioners

Charlotte Jameson, Chief Policy Officer
Michigan Environmental Council

Monique Stanton, President and CEO
Michigan League for Public Policy

Nicholas Occhipinti, Director of Government Affairs
Michigan League of Conservation Voters

Dawn Kettinger, Government Affairs Director
Michigan Nurses Association

Phillip Bergquist, Chief Executive Officer
Michigan Primary Care Association

Kate Dorsey, Manager of State and Federal
Government Relations
Michigan State Medical Society

Mona Hanna-Attisha, MD MPH FAAP, Director
Michigan State University and Hurley Children's
Hospital Pediatric Public Health Initiative

Rhonda Conner-Warren PhD, RN, CPNP-PC,
Assistant Professor of Health Programs
Michigan State University College of Nursing

Cyndi Roper, Senior Policy Advocate
Natural Resources Defense Council

Ann Rogers, Chair
Northern Michigan Environmental Action Council

Tabitha Williams, President
Parents for Healthy Homes

Sarah Edgington, Board Secretary
Parents for Healthy Homes

Matt Casale, Environment Campaigns Director
PIRGIM

Patrick Kelly, MPH
Public Health Professional

Elin Betanzo, Principal
Safe Water Engineering, LLC

Christy McGillivray ,
Political and Legislative Director
Sierra Club Michigan Chapter

Raquel Garcia, Executive Director
Southwest Detroit Environmental Vision

Jennifer McKay, Policy Director
Tip of the Mitt Watershed Council

Nancy G. Love, Ph.D., P.E., BCEE, JoAnn
Silverstein Distinguished University Professor;
Borchardt and Glysson Collegiate Professor
University of Michigan Department of Civil &
Environmental Engineering

Abigail A. Dumes, PhD, Assistant Professor
University of Michigan Department of Women's
and Gender Studies

Horst Schmidt, President
Upper Peninsula Environmental Coalition

Melissa Mays, Director
Water You Fighting For? (Flint)