

JAN 18 2023

A BILL FOR AN ACT

RELATING TO WATER FLUORIDATION.

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

1 SECTION 1. The legislature finds that increasing the
2 concentration of fluoride, a naturally occurring mineral, in the
3 State's water supply to an optimal level promotes good oral
4 health to prevent or even reverse tooth decay. The practice of
5 community water fluoridation benefits all people who drink from
6 the public water supply.

7 The legislature recognizes that according to the United
8 States Centers for Disease Control and Prevention, water
9 fluoridation is both safe and the most cost-effective way of
10 preventing tooth decay. This success of water fluoridation in
11 relation to decreased rates of tooth decay has led the Centers
12 for Disease Control and Prevention to name community water
13 fluoridation as one of ten great public health achievements of
14 the twentieth century. Since 1945, hundreds of cities have
15 implemented community water fluoridation. As of 2018, over two
16 hundred million people, or seventy-three per cent of the United
17 States' population served by community water systems, consumed



1 water with enough fluoride to prevent tooth decay. Drinking
2 water with the optimal fluoride concentration keeps teeth
3 strong, lowers the risk of cavities, and reduces tooth decay by
4 approximately twenty-five per cent in both children and adults.
5 The value of water fluoridation has been recognized
6 internationally and is used in many countries, including
7 Australia, Canada, Chile, Colombia, Ireland, Malaysia, New
8 Zealand, Singapore, and the United Kingdom.

9 Presently, Hawaii's public water systems have no added
10 fluoride, with the exception of military bases. Consequently,
11 only eleven per cent of individuals in the State have access to
12 the benefits of fluoridated drinking water. However, the
13 State's drinking water already has additional chlorine, which is
14 chemically similar to fluoride, in its water supply for the
15 purpose of reducing exposure to water borne illnesses.

16 According to "Hawaii Smiles 2015: The Oral Health of
17 Hawaii's Children", a report from the department of health,
18 Hawaii has the highest prevalence of tooth decay among third
19 graders in the United States. More than seventy per cent of
20 third graders in the State are affected by tooth decay, which is
21 a substantially higher rate than the national average of fifty-



1 two per cent. Hawaii also received a failing grade in three
2 recent oral health report cards published by the Pew Center on
3 the States, a division of the Pew Charitable Trusts.

4 The legislature further finds that many state residents do
5 not have dental care insurance. Among those on medicaid managed
6 care plans, children generally receive dental services as a
7 covered benefit, while the majority of adults do not receive
8 dental benefits. According to "Hawaii Oral Health: Key
9 Findings", another 2015 report from the department of health,
10 the number of emergency room visits for preventable dental
11 problems has increased. For example, in 2012, there were more
12 than three thousand visits to Hawaii hospital emergency rooms
13 for preventable dental problems, representing a sixty-seven per
14 cent increase from 2006, and forty-five per cent higher than the
15 increase seen in the United States nationally during the same
16 period. Therefore, water fluoridation may address ongoing oral
17 health issues across the State by providing communities with
18 enough fluoride in local water systems to prevent cavities.

19 Accordingly, the purpose of this Act is to:

- 20 (1) Require all suppliers of public water throughout the
21 State, including privately owned public water systems



1 and county entities with jurisdiction over water
2 supplies, to fluoridate the water under their
3 respective jurisdictions, with the amount of fluoride
4 in the water to be managed and adjusted by the
5 respective county entities based on optimal fluoride
6 levels for community water fluoridation that are
7 established by the United States Department of Health
8 and Human Services;

9 (2) Require each public water supplier in the State to
10 conduct periodic tests of water fluoridation in
11 accordance with requirements and intervals established
12 by the department of health; and

13 (3) Require the department of health to submit annual
14 reports on the fluoridation of water in Hawaii,
15 including fluoride concentrations across the State.

16 SECTION 2. Chapter 340E, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§340E- Water fluoridation; testing; report. (a) All
20 suppliers of water in the State with one thousand or more
21 service connections, whether the supplier is a privately-owned



1 or governmental entity, shall adjust the level of fluoride in
2 their respective public water systems to the optimal fluoride
3 level for community water fluoridation established by the United
4 States Department of Health and Human Services; provided that
5 this section shall not apply to any federal agency operating a
6 public water system in the State.

7 (b) Each supplier of water shall monitor and sample for
8 fluoride in water systems periodically at intervals established
9 by the department. Each supplier of water shall report results
10 of sampling required under this subsection to the department of
11 health.

12 (c) The department shall provide each supplier of water
13 subject to this section with technical assistance and training
14 relating to community water fluoridation and the management of
15 fluoridation systems.

16 (d) The department shall submit a report regarding its
17 findings and recommendations on fluoride concentration levels in
18 private and government-owned water systems across the State,
19 including any proposed legislation, to the legislature no later
20 than twenty days prior to the convening of each regular
21 session."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'B. S. L.', is written over a horizontal line.



S.B. NO. 134

Report Title:

Water Fluoridation; Department of Health; Water Testing;
Training; Report

Description:

Establishes water fluoridation requirements for privately-owned and government entity water suppliers in the State to conform with the United States Department of Health and Human Services standards for optimal water fluoridation levels. Exempts federal water suppliers. Requires water suppliers to test water systems for fluoride levels at intervals established by the Department of Health. Requires the Department of Health to provide training to water suppliers for the implementation of water fluoridation. Requires the Department of Health to submit annual reports to the Legislature.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

