

JAN 17 2025

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# A BILL FOR AN ACT

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RELATING TO HEALTH.

**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 a  
3 public water supply to an optimal level promotes good oral  
4 health and is an extremely effective means of stopping,  
5 preventing, or even reversing tooth decay. The practice of  
6 community water fluoridation benefits all people who drink from  
7 the public water supply of a community.

8       The legislature recognizes that according to the United  
9 States Centers for Disease Control and Prevention (CDC), the  
10 nation's premier public health agency, water fluoridation is  
11 both safe and the most cost-effective way of preventing tooth  
12 decay in a community. The success of water fluoridation in  
13 decreasing the rates of tooth decay has led the CDC to name  
14 community water fluoridation as one of ten greatest public  
15 health achievements of the twentieth century. Since 1945,  
16 hundreds of cities have implemented community water  
17 fluoridation. As of 2022, more than 209 million people, or



1 nearly three out of every four Americans who used public water  
2 supplies, drank water with enough fluoride to prevent tooth  
3 decay. Drinking fluoridated water keeps teeth strong and  
4 reduces tooth decay by approximately twenty-five per cent in  
5 both children and adults. The value of water fluoridation has  
6 been recognized internationally and is used in many countries,  
7 including Australia, Canada, Chile, Colombia, Ireland, Malaysia,  
8 New Zealand, Singapore, and the United Kingdom.

9       The legislature further finds that the State's public water  
10 systems have no added fluoride, except on military bases.  
11 Consequently, only nine per cent of individuals in the State  
12 have access to the benefits of fluoridated drinking water, the  
13 lowest percentage among all states in the nation, which has a  
14 corresponding national average of seventy-two per cent.  
15 According to "Hawaii Smiles 2015: The Oral Health of Hawaii's  
16 Children", the most recent comprehensive report on children's  
17 dental health from the department of health, "Hawaii's children  
18 have the highest prevalence of tooth decay in the United  
19 States". More than seven out of ten third graders in the State  
20 are affected by tooth decay, which is a substantially higher  
21 rate than the national average of fifty-two per cent. The State



1 also received a failing grade in three oral health report cards  
2 published by the Pew Center on the States, a division of the Pew  
3 Charitable Trusts, which made the State the worst overall  
4 performer in the nation.

5 The legislature also finds that many state residents do not  
6 have dental care insurance. According to "Hawaii Oral Health:  
7 Key Findings", another 2015 report from the department of  
8 health, the number of emergency room visits for preventable  
9 dental problems has increased. For example, in 2012, there were  
10 more than three thousand visits to emergency rooms in the State  
11 for preventable dental problems. This represented an increase  
12 of sixty-seven per cent from 2006. For comparison, according to  
13 the same report, emergency room visits for preventable dental  
14 problems increased nationwide by twenty-two per cent from 2006  
15 to 2009.

16 The legislature concludes that the benefits of fluoridation  
17 outweigh the risks. Notably, the State's drinking water already  
18 has additional chlorine, which is chemically similar to  
19 fluoride, in its water supply for the purpose of reducing  
20 exposure to water borne illnesses. Notwithstanding the benefits  
21 of fluoridation, residents who have dental care insurance will



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1 have better opportunities to take preventative measures for  
2 their own and their children's dental care.

3 Accordingly, the purpose of this Act is to ensure good  
4 dental health of the residents of the State by:

5 (1) Requiring each supplier of water in the State to  
6 adjust the level of fluoride in its public water  
7 system in conformance with a standard published by the  
8 board of water supply of each county pursuant to the  
9 most recent standard for the optimal fluoride level  
10 for community water fluoridation established by the  
11 United States Department of Health and Human Services  
12 until the governor issues a proclamation declaring the  
13 date on which all residents of the State have either  
14 obtained or affirmatively rejected insurance coverage  
15 for dental services;

16 (2) Requiring the department of health to provide each  
17 supplier of water with technical assistance and  
18 training relating to community water fluoridation and  
19 the management of fluoridation systems and submit  
20 annual status reports to the legislature;



1 (3) Allowing the department of health to reimburse each  
2 supplier of water for necessary expenses incurred to  
3 comply with the required fluoride adjustment; and

4 (4) Requiring the department of health to monitor the  
5 status of state residents' dental insurance coverage,  
6 submit annual status reports to the legislature, and  
7 upon confirmation that all residents of the State have  
8 either obtained or affirmatively rejected dental  
9 insurance coverage submit a written verification to  
10 the governor, who shall immediately issue a  
11 proclamation declaring the date on which all residents  
12 of the State have either obtained or affirmatively  
13 rejected insurance coverage for dental care services.

14 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
15 amended by adding two new sections to be appropriately  
16 designated and to read as follows:

17 "§321-A Fluoridation of public water systems; county  
18 standard; technical assistance; training; reimbursement; annual  
19 status report. (a) Notwithstanding any other law to the  
20 contrary, each supplier of water in the State shall adjust the  
21 level of fluoride in its public water system in conformance with



1 the standard published by the board of water supply of each  
2 county pursuant to subsection (b).

3 (b) The board of water supply of each county shall  
4 establish and publish a standard for the level of fluoride  
5 applicable to public water systems in its jurisdiction pursuant  
6 to the most recent standard for the optimal fluoride level for  
7 community water fluoridation established by the United States  
8 Department of Health and Human Services.

9 (c) The department of health:

10 (1) Shall provide each supplier of water with technical  
11 assistance and training relating to community water  
12 fluoridation and the management of fluoridation  
13 systems; and

14 (2) May reimburse each supplier of water for necessary  
15 expenses incurred to comply with this section.

16 (d) The department of health, with the cooperation of the  
17 board of water supply of each county and all other suppliers of  
18 water in the State, shall submit a report to the legislature  
19 regarding each public water system's status of compliance with  
20 this section no later than forty days prior to the convening of  
21 each regular session.



1       (e) Upon the issuance of a proclamation by the governor  
2       declaring the date on which all residents of the State have  
3       either obtained or affirmatively rejected insurance coverage for  
4       dental care services pursuant to section 321-B(c), this section  
5       shall no longer apply to suppliers of water in the State. This  
6       section, while applicable, shall supersede any regulation,  
7       ordinance, or rule to the contrary adopted by the State, a  
8       county, or any department thereof.

9       (f) For the purposes of this section:

10       "Public water system" means a system that provides water  
11       for human consumption through pipes or other constructed  
12       conveyances and has at least one thousand service connections.

13       "Person" means any individual, partnership, firm,  
14       association, joint venture, public or private corporation,  
15       trust, estate, commission, board, public or private institution,  
16       utility, cooperative, municipality, or any other private or  
17       public legal entity. "Person" does not include the United  
18       States or its wholly owned agencies or instrumentalities.

19       "Supplier of water" means any person who owns or operates a  
20       public water system.



1        §321-B Dental care insurance; coverage; annual status  
2        report; written verification; proclamation. (a)

3        Notwithstanding any other law to the contrary, the department of  
4        health shall monitor on an annual basis the number of residents  
5        in the State who:

6            (1) Have insurance coverage for dental care services; and  
7            (2) Do not have insurance coverage for dental care  
8            services,

9        and obtain from residents who do not have insurance coverage for  
10       dental care services the reason therefor, including affirmative  
11       rejection of coverage by the resident.

12       (b) The department of health shall submit a report to the  
13       legislature regarding the status of dental care insurance  
14       coverage for residents of the State no later than forty days  
15       prior to the convening of each regular session.

16       (c) Upon confirmation that all residents of the State have  
17       either obtained or affirmatively rejected dental insurance  
18       coverage, the department of health shall submit a written  
19       verification to the governor, who shall immediately issue a  
20       proclamation declaring the date on which all residents of the  
21       State have either obtained or affirmatively rejected insurance





1 coverage for dental care services. The governor shall also  
2 immediately deliver a certified copy of the proclamation to the  
3 revisor of statutes."

4 SECTION 3. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$ or so  
6 much thereof as may be necessary for fiscal year 2025-2026 and  
7 the same sum or so much thereof as may be necessary for fiscal  
8 year 2026-2027 for the department of health to:

9 (1) Provide suppliers of water with technical assistance  
10 and training relating to community water fluoridation  
11 and the management of fluoridation systems; and

12 (2) Reimburse suppliers of water for necessary expenses  
13 incurred to comply with this Act.

14 The sums appropriated shall be expended by the department  
15 of health for the purposes of this Act.

16 SECTION 4. In codifying the new sections added by section  
17 2 of this Act, the revisor of statutes shall substitute  
18 appropriate section numbers for the letters used in designating  
19 the new sections in this Act.

20 SECTION 5. New statutory material is underscored.

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1 SECTION 6. This Act shall take effect on July 1, 2025.

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INTRODUCED BY:

*Karl Rhoads*



# S.B. NO. 727

**Report Title:**

DOH; Counties, Water Fluoridation; Water Suppliers; Public Water Systems; Training; Dental Care Insurance; Coverage; Proclamation; Reports; Appropriations

**Description:**

Requires suppliers of water in the State to adjust the level of fluoride in its public water system in conformance with a standard published by the Board of Water Supply of each county until the issuance of a proclamation by the Governor declaring the date on which all residents of the State have either obtained or affirmatively rejected dental insurance coverage and provide a certified copy to the Revisor of Statutes. Requires the Department of Health to provide suppliers of water with technical assistance and training and submit annual status reports to the Legislature regarding the public water systems' status of compliance with the fluoride adjustment requirement. Allows the Department of Health to reimburse suppliers of water for necessary expenses incurred for compliance. Requires the Department of Health to monitor dental insurance coverage of the State's residents, submit annual status reports to the Legislature, and upon confirmation that all residents of the State have either obtained or affirmatively rejected dental insurance coverage, submit a written verification to the Governor. Requires the Governor to issue a proclamation. Appropriates funds.

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

