

STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in OPPOSITION to Senate Bill 0911
Relating to Latex**

SENATOR JOSH GREEN, CHAIR
SENATOR ROSALYN H. BAKER, CHAIR

SENATE COMMITTEE ON HEALTH AND
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date: Tuesday, February 10, 2015 Room Number: 229

1 **Fiscal Implications:** The fiscal implications of enforcement are unclear but no moneys are
2 being requested under the governor's budget proposal.

3 **Department Testimony:** This bill would prohibit the use of latex gloves in healthcare facilities,
4 at EMS, and in food establishments. The bill is silent on the need for such a wholesale
5 prohibition and the department is unaware of any public health concerns to justify the
6 prohibition. There are no known instances where a latex glove used to touch food transmits an
7 allergic reaction to latex sensitive persons, the FDA and the Food Code remain silent on the type
8 of gloves to use, latex glove allergy has not been a topic at the Conference for Food Protection
9 (FDA Model Code) among many states implementing the "no bare hands" policy in their food
10 rules, and the department has not investigated any consumer complaints regarding latex glove
11 allergies being transferred from food handlers to consumer's food.

12 The American College of Allergy, Asthma, and Immunology previously issued a
13 statement accepting the use of latex gloves as mandated by accepted Universal Precautions
14 standards; that the routine use of latex gloves by food handlers, housekeeping, transport and

1 medical personnel in low risk situations should be discouraged; but the use of low-latex allergen,
2 powder-free gloves is acceptable. However, this bill would prohibit the use of all latex gloves.

3 Without such justification, the department OPPOSES this bill as unnecessary and a
4 distraction from other priorities.

5 **Offered Amendments:** None.



Testimony in Support of **SB911**, Relating to Latex

Ellie Kelley-Miyashiro, RDH, BS

Chairperson, Regulations and Practice Hawaii Dental Hygienists' Association

February 5, 2015

Dear Respected Members of the Health Committee and Committee on Commerce and Consumer Protection:

The Hawaii Dental Hygienists' Association (HDHA) supports your efforts to ban the use of Latex gloves in Hawaii's dental facilities. The American Latex Allergy Association estimates that 8%-17% of healthcare workers have a latex sensitivity and develop symptoms from contact dermatitis, swelling of the effected area, headaches and asthma like symptoms. The use of non-latex products would help create a healthier environment for those who work in dental facilities in Hawaii with such sensitivities/allergies.

Use of non-latex products would also reduce the risk of Latex exposure to patients with Latex allergies. Many times, patients are not asked if they have a latex allergy and/or do not let the dental professionals know they have an allergy to latex, so unnecessary exposure happens unknowingly. If latex gloves were banned and non-latex products were routinely used, these unnecessary exposures could be completely eliminated. Again, this would create a healthier environment for the staff and patients seen in Hawaii's dental facilities.

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports** the intent of **SB911**. We look forward to working toward our common goal of increased oral health care with decreased risk for Hawaii's people.

Thank you for your time and consideration.



Noelani Greene, RDH, BS
President, Hawaii Dental Hygienists' Association
P. O. Box 23313
Honolulu, HI 96823

Dear Respected Members of Committee on Health & Committee on Commerce and Consumer Protection :

SUBJECT: SB 911 Relating to Latex

My name is Noelani Greene I am a licensed Registered Dental Hygienist in the State of Hawaii and the President of Hawaii Dental Hygienists' Association (HDHA). I am submitting testimony on behalf of HDHA.

The HDHA **SUPPORTS SB 911**. HDHA applauds your efforts to protect the general public by prohibiting the use of latex gloves in dental health facilities and healthcare facilities. The measure will ensure compliance and avoid inadvertent use of latex gloves in the healthcare setting.

HDHA is the professional association representing Hawaii's licensed Registered Dental Hygienist and we strongly support the intent of **SB 911**

I ask for your support of this legislation. Thank you for your time and consideration of **SB 911**.

Sincerely,

Noelani Greene, RDH, BS
President, Hawaii Dental Hygienists' Association



63334 Lohmann Lane
Eastman, WI 54626
Phone: 608-874-4044 1-888-97-ALERT
Website: www.latexallergyresources.org

February 10, 2015

Senator Josh Green, Chair
Senator Glenn Wakai, Vice Chair
Committee on Health

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection

Support for SB 911 - Relating to Latex

We are writing in support of SB 911 – “RELATING TO LATEX. Prohibits the use of latex gloves in dental health facilities, health care facilities, by personnel providing ambulance services or emergency medical services pursuant to the state comprehensive emergency medical services system, and in food establishments.”

Latex allergy is a serious concern because it causes reactions ranging from mild rashes to difficulty breathing to deadly anaphylaxis. The allergy progresses with each exposure, and there is currently no medically approved treatment except strict avoidance. Approximately three million people in the general population of the United States have this allergy, and incidence is even higher in certain at-risk populations, such as children with spina bifida (up to 68%), health care workers (up to 17%), and anyone who has a history of other allergies, frequent surgeries, or frequent exposure to natural rubber latex gloves - including food service workers.

Research has shown that the latex proteins that cause allergic reactions can be transferred from natural rubber latex gloves to food. Latex-allergic individuals must be hyper vigilant about latex exposure, and need to be aware if the food they're eating in a restaurant might be a source of a potential allergic reaction. Passing this legislation will protect Hawaii residents and the millions of tourists who visit each year. This bill may also protect food service workers from occupational health risk.

For more information on latex allergy you can contact ALAA at alert@latexallergyresources.org or visit our website www.latexallergyresources.org

Thank you in advance for your support of Senate Bill 911.

Sincerely,

Sue Lockwood, CST
Executive Director

Marsha S. Smith, RDH, BSDH
President

Senator Josh Green, Chair
Senator Glenn Wakai, Vice Chair
Committee on Health

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection

Tuesday, February 10, 2015

Support for S.B. No. 911 Related to Latex

I am a mother of a 16-year old daughter that has a severe latex allergy. My daughter's latex allergy was diagnosed at 2 years of age after a dental appointment; the dentist gloved hand imprint was left on my daughter's face in the form of hives wherever the dentist had touched her. Once a contact dermatitis, my daughter now reacts to airborne latex particles. She became reactive to airborne latex at 5 yrs. old, at a birthday party where the clown was releasing the air out of the balloons. I didn't even carry Benadryl in those days; I just removed her from the area and washed her hands and face.

There is no cure for a latex allergy, only prevention of future reactions by avoidance of latex. With each latex exposure the person's reaction may increase to the next level.

I became aware of inconsistencies in latex allergy awareness and education, when my daughter was seeing an orthodontist at the age of 8. He was made aware of her latex allergy and he said it would not be a problem. At first she was seeing him in a consulting room separate from his treatment room. Once she was 12 and had her braces applied, she was then treated in an open room where the orthodontist treated 3 other patients at the same time and he went from patient to patient. The orthodontist felt it was okay to just change from latex gloves to latex-free gloves to treat my daughter. She had 3 different reactions at 3 different appointments. The reactions progressed. As she walked out of the office her throat felt funny, her lips started to swell, and her eyes became itchy and watery. I gave her Benadryl immediately and drove her straight to Maui Memorial ER and we were very fortunate that they are a latex-safe facility. They treated her with prednisone and instructed me that she would require Benadryl around-the-clock for up to a week to treat the residual reactions. Her residual reactions lasted 3 full days. With the latex exposure at the orthodontist's office, my daughter now is required to carry a EPI pen where ever she goes. I did phone the orthodontist immediately after going to the ER and he said he didn't want my daughter to return to his office as "She is just too overly sensitive."

We did find a latex-safe orthodontist to remove my daughter's braces. Even though they used latex free gloves, they did not understand the extent of latex allergies and the severity of potential reactions.

Latex is an airborne pathogen and, like dust, its residue floats in the air and remains on surfaces. My daughter also reacts to food that has been touched with latex gloves or utensils. Upon digesting food that has been touched or exposed to latex, her reactions start with a "funny feeling" in her throat and progresses to tongue and lip swelling requiring Benadryl.

There are over 40,000 latex products in our environment; the American Latex Allergy Association has provided a guide to help a person with a latex allergy to help maneuver through the many latex obstacles in everyday life. <http://latexallergyresources.org/consumer-products>

The one thing that is difficult to maneuver as a person with a latex allergy, though, is the use of latex gloves. Medical facilities, dentist, emergency vehicles, and food entities do not display warning signs or warn patrons by noting latex glove use on their menu.

Even grocery stores can be unsafe. We've had to leave a grocery store immediately due to my daughter starting to have a reaction. Once we got to the produce aisle when my daughter's throat started to "feel funny" and her eyes started to itch. Upon looking around we saw that the produce clerk was wearing latex gloves while putting the vegetables in the display bins.

Our family is fortunate that we have a farmer that produces CSA Baskets (produce). He has changed his harvesting practice to accommodate our needs and has extended it to all his customers. He stopped using latex gloves and rubber bands and only uses twist ties when bundling the vegetables. He said it was a no brainer for him as the safety and wellbeing of his customers always come first. There was no increase in cost of his operating expense; it was just a matter of changing his ordering practice.

My daughter is a student at Maui High School and we have a 504 plan in place to accommodate her disability. Principal Bruce Anderson has been very supportive educating his staff about latex allergy. Mr. Anderson even suggested that the video journalism students do a PSA on latex allergy awareness and was accomplished as a PBS HIKI No Segment last year. <http://vimeo.com/96538486>. In this segment, Principal Anderson mentions he educated staff and teachers and changed his ordering practices. He has told me there was no difference in cost and alternatives are readily available.

With my daughters 504 plan, I needed to inquire about emergency transport should that ever be required. Before the 2013 school year, I spoke with American Medical Response, the company that Hawaii has contracted for emergency vehicle transport, and learned that ambulance crews have a difference of practice. The Oahu contact told me that they use only latex-free gloves in their vehicles, but the Maui contact told me that they carry both latex and latex-free and that it was the choice of the EMT personal whether to use latex or latex-free based on personal preference. We need legislation in place to have consistency of care for public safety. If there is a traffic accident and the person is unresponsive not wearing a medical alert bracelet, exposing them to latex gloves could put them in danger if they have a latex sensitivity. Even being transported in an ambulance that carries both latex and latex-free gloves puts a patient at risk. Latex particles are airborne -- you do not have to be touched to be exposed to cause you to react. Why would an emergency vehicle risk that? 1 in every 1000 people has a latex allergy or a sensitivity that can progress at any time. Why put someone at risk when safe, affordable, latex-free gloves are readily available?

With the Bare Hand Food Code, eating prepared food has become another danger. A latex allergy sufferer must talk to manufacturers and processors to learn if latex gloves, utensils, or conveyor belts have been used in the preparation and handling of the food. Even in harvesting of the vegetables or bread, which the restaurant may not even be able to answer if this food has been sourced from another facility. In October 2014, the Maui Culinary Arts director allowed a latex allergy informational table to be set up outside of the Paina building. We spoke to several culinary instructors and the program has changed their ordering practices and now stock only latex free-gloves. They have incorporated allergy education in their programs including information on latex allergy awareness.

With our latex allergy awareness display, several student nurses came up and were very interested in learning more about latex allergy. They mentioned they are made aware of latex allergy but not the full extent of it. One student nurse mentioned she gets a rash from rubber bands yet she did not realize that latex gloves were made from natural rubber latex and that she was at risk being exposed to latex.

Another lady told me about her experience at the dentist. She told the dental hygienist she was allergic to the latex gloves, the hygienist did not believe her. The hygienist touched the patient on the arm and since no reaction occurred the hygienist continued to treat her while wearing the latex gloves. The lady told me the reaction did not hit her until she got home. She was sick for a whole week. Allergic reactions don't always occur immediately; they can be slow and take 20 minutes to a few hours to appear. There have been several deaths of children having reactions hours after being exposed to allergens. The same can happen with a latex allergy.

If you have a latex sensitivity, eat at a restaurant and get gastric symptoms, you may just think that food didn't agree with you or even suspect food poisoning, but it may be from the latex glove use in the preparation of the food. Latex residual remains on a surface for 24 hours. You cannot see it nor smell it, but you will digest and absorb the latex if food has been prepared with latex gloves.

I belong to a large latex allergy support group. Daily we hear a member's story recounting reactions that they have had from food handled with latex or exposure while trying to obtain medical or dental care. Even though precautions are taken by screening restaurants, businesses, and health care providers carefully about their latex use, it is not enough. Food maybe outsourced, farmers in the field may have used latex gloves while harvesting, someone may bring balloons into the school gym, the doctor's staff switched to latex gloves, or the nurse not knowing there was latex in the flu vaccine or the Band-Aid.

Traveling is also difficult. In 2012, my daughter's school went on a national park adventure traveling by plane, car and train throughout the western United States to Yellowstone, Grand Tetons and Yosemite. At that time, the airlines could not guarantee that latex gloves would not be used in the cabin. The airlines instructed me that I could bring latex-free gloves for the flight crew to use while we were on board. They could not guarantee that the food that they were serving would be latex-free, so we took our own. With the TSA restrictions of what you are allowed to carry on board we were limited to dry crackers. Most snacks, energy bars and treats available in vending machines have a latex-based adhesive seal. In order for the adhesive not to touch the treat, a scissors is required to open the package, which was not allowed in our carry-on bag. Being that we traveled from Hawaii, we had several stops and connections on different airlines requiring an overnight stop over. The hotel was able to provide a latex-safe room but advised us that the kitchen did use latex gloves. We were unable to eat at the airport as all the food vendors also used latex gloves. It was two days before my daughter was able to eat a latex-safe meal at Olive Garden that has a corporate "No latex Glove Use" policy.

One of the stops was to a Six Flags amusement park. It was nice to see the food concessions all used latex-free gloves. However, my daughter had a prepackaged Ice cream treat and developed an allergic reaction. My daughter could smell the latex in the wrapper when she took a bite of the ice cream with the open wrapper still attached to the ice cream stick. Her throat started to get tight and her lips and tongue tingled. She had to be medicated and had residual reactions for remaining 3 days of the vacation.

The passing of SB 911 is very important. The bill will help with consistency and continuity of care. Remove the risk of developing a latex sensitivity /allergy from overexposure of latex in the workplace

These are the current latex allergy statistics from the American Latex Allergy Association: it is estimated that...

- 18-73% of people with Spina Bifida
- 38% of dental care workers

- 34% of children who have three or more surgical procedures
- 10-17% of Health care workers
- 11% of rubber industry workers
- 6.8 % of atopic (allergies) individuals
- 8.3% of the general population
- Also recently it was noted that 11% of the elderly also have a latex allergy
<http://www.immunityageing.com/content/11/1/7>

There are many alternative products: vinyl, nitrile, poly, and new synthetic gloves and medical supplies. There are even latex-free finger cots. There is no increase in cost for latex-free gloves. In fact, latex-free gloves are cheaper. http://www.uline.com/Grp_366/Nitrile-Gloves?keywords=latex+free+gloves&pricode=WF908&AdKeyword=latex%20free%20gloves&AdMatchtype=e&gclid=COFjw9T8zMMCFY9ffgodNoAArA&gclsrc=aw.ds

Three states have Latex legislation in place Rhode Island, Arizona and Oregon. It would be wonderful if Hawaii joins them.

Rhode Island: Enacted 2001 - H 5907A Latex Glove Safety Act enacted on 7/13/01

<http://latexallergyresources.org/articles/food-service-rhode-island>

http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/DOH_2008_.pdf

Arizona updated the food code to ban latex gloves and latex utensils

http://www.fda.gov/ohrms/dockets/ac/03/slides/3977s2_Herrington.ppt

<https://extension.arizona.edu/sites/extension.arizona.edu/files/resources/fs04handlingreadytoeat.pdf>

Oregon latex glove ban

<http://latexallergyresources.org/articles/oregon-soon-ban-latex-glove-use>

Oregon: Dept. of Human Services Food Protection Program State Rule OAR [333-150-000](http://www.oregon.gov/DHS/ph/foodsafety/docs/foodsafetyrulesweb.pdf) Section 3-30415: Bans use of latex gloves in food service facilities Went into effect 7/1/2006.

www.oregon.gov/DHS/ph/foodsafety/docs/foodsafetyrulesweb.pdf

Hawaii Senate Bill 911 is very important. Removing latex glove use in medical/dental/health facilities, emergency response and transport vehicles, and all food entities will help to remove a substantial risk to a person with latex allergy. It will also remove the risk of employees being exposed to the over use of latex which increases their risk of developing a latex allergy.

Thank you for this opportunity to share my family's personal experience and encourage your support of SB 911.

Anne Marie Owens Jacintho

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SB911 :An act that prohibits the use of latex gloves in dental health facilities, health care facilities, by personnel providing ambulance services or emergency medical services pursuant to the state comprehensive emergency medical services system, and in food establishments.

My name is Carolyn Mirek. I serve on the Town Council in South Windsor, CT and I have a life-threatening latex allergy. I support the latex ban in Hawaii to prevent others who have a latex allergy or who could develop latex allergy from being exposed to a known allergen without their knowledge. I am grateful for the opportunity to explain why latex-free gloves can protect both consumers and those who work with gloves.

I was licensed in 1983 to practice dental hygiene after graduating from Northeastern University and Forsyth School for Dental Hygienists. I served as a trustee to the Connecticut Dental Hygienists' Association and was an active member of the Hartford component, later serving as President of the Hartford Dental Hygienists' Association. I have presented lectures to dental hygienists about latex allergy. In 2001 I was disabled from my career as a registered dental hygienist due to latex allergy. I also have permanent partial disability as I may inadvertently have other exposures to latex. Having to change my career was the hardest thing I ever had to do. How could I provide for my family now? My insurance denied my claim. I was forced to fight a long grueling battle culminating in a six day federal jury trial followed by a bad faith claim. First, I had to sue the glove manufacturers to prove their liability. These events were extremely stressful. I went through counseling while mourning the loss of my 18 year career as a dental hygienist. I started fresh, retrained for a career in dental sales, although I must practice strict avoidance of latex. Who knew that the latex gloves that I wore for protection while treating dental patients could cause life threatening anaphylaxis? If I enter a room or business that has latex balloons, I must leave immediately. Latex particles are invisible: I cannot see latex toxins in the air or food.

Here are a few examples of my past latex allergy reactions. In 2001, my family was having lunch at an amusement park in Connecticut. After one bite, my eye swelled shut, and I could not breathe. I saw the box of latex gloves behind the counter. Unprepared, I soon learned that the park was also unprepared- without an emergency kit, Benadryl, or EpiPens. Imagine how frightening that was for my four and six year old children! I knew I was sensitive to latex gloves, but no one ever told me that anaphylaxis could occur from latex touching my food. I had been eating latex without my knowledge, and it could kill me! According to the American Latex Association, latex gloves are dangerous in food preparation since proteins shed from the gloves onto the food. Eating food contaminated with latex proteins can cause anaphylactic shock and possible death in sensitive individuals. At my husband's company party, I ate latex contaminated baby greens and vinaigrette which caused severe nausea, vomiting, diarrhea, swelling, hives, and airway closure. A year ago, one restaurant assured me prior to and reassured three more times that they did not use latex gloves. I had anaphylaxis after one bite of food. Later, the manager admitted, "Oh yes, the chefs did use some latex gloves." In July 2014, I had my most severe reaction ever, and I thought I was going to die. I was transported by ambulance to Saint Francis Hospital.

How many people have latex allergy? The number of people with latex allergy is under reported. Diagnostic tests are unreliable and not standardized in the US. Many family physicians do not

realize they need to diagnose latex allergy based on clinical symptoms rather than unreliable and expensive tests. Thus, many people don't know they have it. Many don't know they have it. I, personally, was undiagnosed for many years. When anyone today visits a medical or dental facility they are asked in their medical history if they have a latex allergy. It is common and severe! An estimated 15 million people worldwide suffer from latex allergy. According to The Spina Bifida Foundation, experts think latex could be a problem for up to 73 percent of children and youth with Spina Bifida. There is a rise in the number of elderly- now 11%. Among the general population it is reported, but probably exceeds up to 6% while healthcare workers it is 10-17%.

Oregon, Rhode Island, Boston, and Arizona have banned latex from restaurants. A restaurant in Manchester, CT recently went latex free because one of their cooks developed latex allergy. Why are food establishments putting their workers at risk when there are several safe and inexpensive alternatives? Restaurant chains such as Subway, Chipotle, Bonefish Grill and some others made a policy not to use latex because it made economic sense and was the right thing to do. However, others have a no-latex glove and utensil policy in food prep, yet allow latex balloons which makes the environment unsafe for the people with latex allergy. I sell gloves for my dental supply company and latex gloves are more expensive now than other types. So why would anyone choose the more expensive, life-threatening kind?

If a food establishment's policy is to protect and prevent cross-contamination, then why are they using latex gloves? Latex is proven to transfer and stick to food, glasses, and plates for 24 hours. Latex protein becomes a hidden food allergen. Latex particles from gloves, rubber cooking utensils, and balloons becomes airborne and inhaled. Workers in food service are often unaware of the latex risk and the potentially deadly consequences. Many professionals wear latex gloves today that did not before-such as food service, hair stylists, day care workers, repairmen, and janitors- and they are experiencing a wave of newly developed latex allergy like health care workers experienced since the 1980's.

The food safety manual "The Safe Food Handler" states: "Provide workers with non- latex gloves because latex gloves might cause a reaction in some workers." When some states banned latex glove use in the food industry, a major impetus for this was an increase in workers compensation claims related to latex allergy. Our own CT Department of Public Health website has a section titled "Food Protection." This article provides a link to Centers for Disease Control and Prevention's that since 1997: "Non-latex gloves are recommended for tasks (such as food preparation, routine housekeeping, and maintenance) that are not likely to involve contacts with infectious materials such as blood." Shouldn't the state of Connecticut abide by the CDC, especially if they list it as a reference?

Less expensive, safer alternatives to latex gloves are available. The risk of exposure to this hidden toxin being served to unsuspecting diners, as well as those preparing the food, can be minimized. Health care facilities and urgent care providers should be proactive to protect all by going latex-free. Latex allergies are real and preventable. Reduce the incidence of increased latex exposure, allergic reactions, workers compensation claims, lost wages, and disability claims. Let's follow the CDC Guidelines.

Thank you for your consideration, and I hope you will support this important bill.

Sincerely,

Carolyn Streeter Mirek, RDH
48 Sele Drive South Windsor, CT
cmirek@cox.net

References:

http://www.ct.gov/dph/cwp/view.asp?a=3140&q=387486&dphNav_GID=1828

<http://www.cdc.gov/niosh/updates/latexpr.html>

<http://latexallergyresources.org/articles/are-there-hidden-dangers-food-prepared-latex-gloves>

<http://www.latexallergyinfo.com/latexfreerestaurants.htm>

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4017681/>

http://www.kintera.org/site/c.liKWL7PLlRf/b.2700271/k.1779/Latex_Natural_Rubber_Allergy_in_Spina_Bifida.htm

http://www.foodbase.org.uk/admintools/reportdocuments/11_27_Latex_final_report.pdf

http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCAQFjAA&url=http%3A%2F%2Fwww.fda.gov%2Fohrms%2Fdockets%2Fac%2F03%2Fslides%2F3977s1_Heumann.ppt&ei=BsvFVJGODYqZNRtCgcAH&usg=AFQjCNGGpBWF7Gj4w6zM8E1zFQuWeylBg&sig2=5WkTkCGA
http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCAQFjAA&url=http%3A%2F%2Fwww.fda.gov%2Fohrms%2Fdockets%2Fac%2F03%2Fslides%2F3977s1_Heumann.ppt&ei=siO88nNg_uKsKw&bvm=bv.84349003,d.eXY

<http://latexallergyresources.org/articles/letter-us-dept-health-and-human-services>

To: Senator Josh Green, Committee of Health; Senator Rosalyn Baker, Committee on Commerce and Consumer Protection

Re: SB 911

Hearing: Tuesday 2/10/15 at 9am

My name is Catherine Ward, and I'm writing to present my testimony in support of measure SB 911. I am 40 years old and am disabled by a debilitating latex allergy. Before I became disabled, I had a wonderful career as a court-certified Spanish interpreter. Prior to that, I worked in the healthcare field as a Spanish interpreter where I was exposed to latex gloves.

After sleeping on a new natural latex rubber foam bed I bought in November of 2012 for 10 months, I became extremely ill due to an airborne and contact latex allergy, which I was diagnosed with in October of 2013. Earlier that year, I had started to have problems that were milder at first: hay fever-like symptoms, itchy eyes, watery nose, and chest congestion that later progressed to wheezing. The itching became much more severe in September of 2013 and felt like stinging on my head, stomach, legs and different parts of my body. These kept getting worse until even going into the bedroom without getting on the bed started to cause symptoms. I was reacting to the elastic in my clothing as well. I began to have worse wheezing/asthma, hives, and terrible confusion, dizziness and fatigue and would forget what I was doing. I didn't realize that what I was experiencing was anaphylaxis caused by the latex proteins in the bed. I had the bed removed to the garage; yet, I was still having severe latex allergy reactions due to latex residue that was left behind in the house from the bed and was coming in to the house from the garage. I began to constantly have severe allergic reactions to latex in everyday items such as rubber bands, balloons, printer's ink, and floor mats at home, at the grocery store, at medical offices and in any environment I found myself in. At work, I was having latex allergy reactions to my office chair, a plunger in the restroom, newly installed carpet, rubber cell phone cases used by others, and exercise bands that were made of latex. No matter where I went I was always reacting to something made of latex.

I sought medical treatment for my latex allergy with a physician whose office I believed to be latex-free because only nitrile gloves were used there. I would get symptoms of a severe latex allergy reaction every time I went there for treatment. I experienced itching and swelling of my mouth, throat, itching of my eyes, face and body, wheezing, and confusion. On two or three of these occasions, after I left the doctor's office, I experienced fever and chills, a migraine, and nausea and diarrhea along with the other symptoms. It would take me two or three days to recover from this. One day I turned around where I was sitting in the exam room when the reaction started and saw that there was a stethoscope and a couple of other instruments made of rubber (latex) on a small table sitting right behind me, so we were able to identify that the doctor's instruments were causing my reactions.

I had been seeing another provider who had dropper bottles of medication on shelves in the lobby of his office. Every time I would go to his office I would react to the airborne latex from the rubber in the dropper bottles as well as to the elastic used in the sheets on the tables where he did my treatments. Once I figured this out, I began to bring my own sheets but would still react to the residue of the latex elastic in the air from previous patients being treated. I would also react to just being in the room where he had a stethoscope, even though he was not using it on me.

At my chiropractor's office, I was getting the same latex allergy reactions from the exercise balls he had in the room where he treats patients. He replaced them with latex free ones; however, I still get latex reactions there because not everything in his office can be replaced.

I get severe latex allergy reactions from printer's ink (contains latex) in the air when I go into my doctor's office, even though no latex gloves are used there. I have to be seen outside in the back of the office whenever possible, and when I do have to go into the office, I wear a gas-mask type respirator, change my clothes when I leave, and then go home and take a shower immediately to remove the latex residue. I've also reacted to latex in some of their instruments such as a blood pressure monitor which was used on me and stethoscopes that were feet away from me and not being used on me.

I was referred to a neurologist for another condition but was unable to find one in my area that does not use latex gloves even though I spent days calling numerous neurologists, so I haven't been able to see one since it would be too dangerous for me to be exposed to the latex residue in the air from the gloves.

On January 21, 2015, I had an anaphylactic reaction which required the use of an EpiPen in order to stop my throat/airway from closing up, which was caused in part by eating off a paper plate that unbeknownst to me was contaminated with latex residue from latex glove use and in part from a sock which contained latex elastic inadvertently being left on top of the dryer while in use which caused latex particles to become airborne.

I hope you will seriously consider banning the use of latex in food service and healthcare settings in order to protect others from becoming sensitized to it so that hopefully they will never have to face trying to live their lives with such an extreme latex allergy. You would be making Hawaii a much safer place for people to live and vacation, and your decision would save people from needless suffering and they could lead more productive lives. This would also save employers the expense of having to pay out Worker's Compensation claims when some employees inevitably become sensitized to latex from using latex gloves at work and become disabled due to their latex allergy. SB 911 is a win-win proposition – your state will save money and bolster its economy by making itself a safer place for tourists to vacation and for residents to work, get safer medical care, and enjoy meals out at restaurants without the concern of life-threatening and possibly fatal anaphylactic reactions due to latex residue on food from the use of latex gloves.

Thank you for your kind consideration.

Sincerely,



Catherine Ward

16037 W Latham St
Goodyear, AZ 85338
623-882-9920

Fax Cover Sheet

To: Senate Health Committee

808-586-9391

Senate Commerce and Consumer Protection

808-586-6071

From: Coryne Wong

Email: rn.teach@yahoo.com

RE: Testimony for SB 911

Hearing scheduled on Tuesday February 10, 2015

Number of pages 3 Including cover

3 January 2015

RE: Latex Allergy and Latex Anaphylaxis

To Whom It May Concern:

If I may introduce myself: I am Coryne Wong, a registered nurse who practiced for 20 years as a pediatric acute care and pediatric transplant nurse. We knew that patients, such as spina bifidas, needed extra care regarding using latex, as they had hundreds of exposure to latex, including multiple surgeries and catheter usage.

This is not merely a cause, but rather a plea from someone who suffers the repercussions of the exposures, as well as someone who lost dear friends, fellow nurses, due to this environmental hazard.

The current statistics for people sensitized to natural rubber latex are broken down by risk groups and are as follows:

- **8-17% of health care workers**
- **Up to 68% of children with spina bifida (related to frequent surgeries - anyone who has multiple surgeries is at risk)**
- **Less than 1% of the general population in the U.S. (about 3 million people) (1)**

- ✓ **Latex gloves have proved effective in preventing transmission of many infectious diseases to health care workers. But for some workers, exposures to latex may result in allergic reactions. Reports of such reactions have increased in recent years--especially among health care workers.**
- ✓ **NIOSH Publication No. 97-135 (June 1997)**
Detailed description of latex allergy including presentation of existing data and description of six case reports of workers who developed latex allergy. The document also presents NIOSH recommendations for minimizing latex-related health problems in workers while protecting them from infectious materials. (2)

Unfortunately, as an RN, I first developed sensitivity to latex; I now have anaphylactic reaction to this substance. If I may detail just a few of my experiences regarding the above noted subject matter:

- A friend, a pediatric ICU nurse, had "sensitivity" to latex, as later pegged, related to her hospital exposure. She was painting her bathroom; it was latex paint. She died; she was only 33 years old!
- When I went to the dentist, I related many, many times, my anaphylactic reaction to latex. I don't know why they had nitrite and latex gloves, in that nitrite is an effective substitute
 - Twice!!! They used latex, although I asked, questioned, warned, had warnings put in my chart!! Both times they had to use epinephrine on me, in that I stopped breathing. Interestingly, both times they, the doctors, did not know how to use an epi-pen! While gasping for breath, I had to administer it myself!

- Another time my dentist placed a device in my mouth. Before that I asked, again, if it had latex. He stated no. I could not breathe, and once again, I administered my own epi-pen, in that they didn't know what to do. As I was turning blue, the doctor, from what he said, was looking up the device on-line to see if it contained latex!
- During a root canal, again, begged, asked, looked at their gloves, I stopped breathing! After, once again, administering epi to myself, the "assistant" stated that she didn't touch me, she only handed the instruments and devices over to the dentist; she was wearing latex gloves!
- Airborne latex particles are potentially life-threatening!

I am pleased with the progress made regarding having epi-pens in the schools, in that I am also a District Nurse. However, I request:

1. Latex, as feasible, should be banned from medical institutions
2. Education regarding an anaphylactic reaction

I thank you for your time and consideration. Unfortunately, in this ever changing world, inundated by chemicals and other man-made or otherwise overused substances, more and more immune diseases and reactions are becoming apparent and a true health concern. I don't want to lose my life; I don't want anyone else, like my fellow nurse Kelly, to lose theirs.

Sincerely,

Coryne Wong

Coryne Wong, RN, PHN, CSN, DE, PN

(1) <http://latexallergyresources>

(2) [Latex Allergy: A Prevention Guide](#)

NIOSH Publication No. 98-113

Questions and Answers about identifying and preventing latex allergy.

Fax Cover Sheet

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Senate Commerce and Consumer Protection

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Email: rn.teach@yahoo.com

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Sincerely,

Coryne Wong

Coryne Wong, RN, PHN, CSN, DE, PN

(1) <http://latexallergyresources>

(2) [Latex Allergy: A Prevention Guide](#)

NIOSH Publication No. 98-113

Questions and Answers about identifying and preventing latex allergy.

Testimony in Support of SB 911
RELATING TO LATEX

Senator Josh Green, Chair
Senator Glenn Wakai, Vice Chair
Committee on Health

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection

February 10, 2015

Thank you for the opportunity to present written testimony regarding SB 911 which would prohibit the use of latex gloves in dental health, health care facilities, ambulance or emergency medical services, and the food industry. My name is Cindy Hespe and I am a pharmacist who became severely allergic to natural rubber latex through exposure to latex gloves at work and through medical and dental procedures.

Banning the use of natural rubber latex gloves, utensils and other latex products in the health care and food industry will provide the following benefits:

- 1) allow individuals with a latex allergy to safely obtain health care;
- 2) assist individuals with a latex allergy to safely purchase food;
- 3) prevent unnecessary exposure to latex to individuals required to wear gloves in their work; and
- 4) prevent unaware patients and patrons from the inoculation and potential development of latex allergy.

A secondary outcome will be to decrease Workers' Compensation claims and potential law suits against restaurants and health care employers.

Statistics vary by resource because reporting of latex allergy is not mandated or consistent, and traditional diagnostic testing is unreliable. However, the Centers for Disease Control (CDC) and American Latex Allergy Association (ALAA) estimate that 1-6% of the general population, up to 17% of health care workers, 38% of dental workers, and up to 68% of people with Spina Bifida have latex allergy.(1,2) A study published in 2014 indicates that 11.4% of elderly have latex allergy.(3) There is evidence that food industry workers' latex allergy rate is similar to health care workers.(4)

Because latex comes from a plant, there are over 60 different latex proteins. Currently diagnostic tests do not test for all the proteins; thus, the blood and skin tests are not reliable. Many people are indeed allergic, but because their family practice doctor or allergist does not understand the limitations of the available tests, the patient is told s/he is not allergic because the blood or skin test is negative. Clinical history should be the primary diagnostic tool if tests are negative, but many practitioners are not aware of this. These challenges in getting a diagnosis often delays care and the patient is further exposed to latex; their allergy may progress to anaphylaxis before getting a diagnosis.

People at risk of developing latex allergy include:

- Health care workers
- Food service employees
- Rubber industry workers
- Patients with "atopic" conditions such as asthma, eczema, hay fever

- Patients who have undergone multiple surgeries or medical procedures
- Workers in any environment with chronic latex exposure such as: restaurant/food industry, day care staff, hair salons, green house/agriculture workers, balloon and tattoo artists, security personnel, painters/artists, military, emergency response (police, fire fighters, EMTs), mortuary/funeral home staff, construction workers

Latex allergy ranges from mild (rash, runny nose) to severe (anaphylaxis/death). There is no cure for a latex allergy. The only treatment is avoidance of latex.(5) Medication is used for managing anaphylaxis or allergy symptoms, but cannot prevent reactions. Latex allergy has been proven to be progressive with repeated exposure. The person with contact latex allergy can transition to full anaphylaxis with a single exposure. I know this to be true as it happened to me.

Latex allergy extends beyond latex gloves. According to the ALAA, there are over 40,000 consumer products that contain natural rubber latex. And the latex particles of many products become airborne which can lead to “occupational asthma.” Approximately half of sensitized hospital workers develop latex-induced asthma.(1)

Latex is often used in glues and adhesives. Deaths have been reported from glue used to apply hair extensions and I personally know two people who have had anaphylaxis to surgical glue. Anecdotal reports of reactions to food packaging commonly occur in the USA, but a report in the United Kingdom found 1/3 of food packaging contained natural rubber latex.(6)

Currently, the use of latex gloves is prohibited in food preparation in three states: Arizona, Oregon and Rhode Island. RI also mandates that all (non-food) businesses post warning if latex products are in use. Grass roots efforts are being organized to get legislation introduced in Connecticut and California.

One significant consideration in Rhode Island’s law was the reduction of Workers’ Comp claims. According to allergist Anthony Ricci, MD, in a communication with the American Latex Allergy Association:

“... I was instrumental in convincing the administrators and medical directors of our community hospital (Kent Hospital) to clean the entire hospital and make it the only latex-safe hospital in Rhode Island. Our workers compensation cases went from approximately 80 prior to the change to zero since. This has resulted in significant cost savings. Many nurses and other health care professionals with latex allergy have returned to work at Kent Hospital....”

While once more expensive, today latex-free gloves, utensils and products are no longer more expensive than latex products and are frequently less expensive to purchase.

While use of latex gloves and balloons in health care environments has declined (but by no means eliminated), the use in other environments has increased. Today everyone has access to disposable latex gloves and the vast majority of users have no idea the gloves put them at risk of developing a life-changing, irreversible allergy. These gloves are used by plumbers, hair stylists, restaurant workers, tattoo artists, house cleaners, day care staff, travel industry staff, police/fire /military staff, and more. Latex balloons provide cheap decoration for parties, fundraisers, charity events, and celebrations. This extensive use in many professions and environments is causing the next wave of new – and often preventable—patient groups with latex allergy.

MY PERSONAL STORY:

I graduated from pharmacy school in 1981 right as the AIDS frenzy began. I obtained latex allergy by wearing powdered latex gloves as a hospital pharmacist and as a patient treated by dentists and physicians wearing latex gloves. I had risk factors: eczema, seasonal allergies and exposure to natural rubber latex gloves and medical/dental products.

By 1983, my hands were chapped, red, itchy and oozing. We knew nothing about latex allergy at this time; I wrongfully assumed the heat of wearing gloves many hours during my shift caused the irritation. After being stuck on night shift for almost 5 years, I made a career shift and went to work for a pharmacy association. Today I know that my job change saved my life: I would have been anaphylactic in no time and very little was known about latex allergy back then.

In the early 90s, I went back to work as a hospital pharmacist. By then, pharmacy technicians were making most of the IVs and TPNs, so I rarely wore gloves. However, I soon developed symptoms of food allergies that we now know are associated with latex allergy. Neither my internal medicine doctor nor my dentist could explain the symptoms of what we now know is “oral allergy syndrome” whenever I ate fresh tomato, strawberries, or green pepper.

In 2003 following my second c-section (and more medical exposure to latex), I progressed – as this allergy is known to do – from a mild, contact latex allergy to full anaphylaxis from 2 bites of a restaurant meal that was prepared with latex gloves. I have had 3 episodes of life-threatening anaphylaxis from eating restaurant food prepared with latex gloves in spite of drilling staff about latex use by the chefs. The last episode happened on our anniversary after being assured and reassured that no latex gloves were used by the restaurant. The next day after I recovered from a nasty reaction, I called the restaurant and the manager admitted that latex gloves were indeed used in chopping vegetables in the prep kitchen, just not in the final plating of my meal. They thought they could make a safe meal by not touching my final food with latex gloves. This is a common misperception by chefs: they think they can prepare a safe meal, but their entire kitchen is contaminated with latex particles or the plates were washed using latex gloves.

People with latex allergy have to research all pre-packaged foods to see if latex gloves, conveyor belts, or latex-based adhesive seals or packaging might contaminate our food. We search for produce without latex rubber bands and we cut off (rather than peel off) produce stickers in fear of a latex-based adhesive. I have had two episodes of life-threatening anaphylaxis from a meal using 2 different brands of pre-packaged ground turkey (cooked at home) and another occasion using jarred, pre-chopped garlic. I later verified with the manufacturers that latex gloves were used in processing of the turkey and garlic.

I am unable to dine at over half the restaurants in my community due to latex use at area restaurants. I am unable to purchase produce at our local farmers’ market due to latex glove use and balloons. I could not attend my state professional conference recently for continuing education due to latex use (food prep and room cleaning) at the hotel. My family plans vacations around states that are latex-safe for me: usually Arizona or Oregon. I vacationed five times in your beautiful state of Hawaii prior to my latex allergy – it is my favorite vacation destination. We would love to be able to bring our children to Hawaii and add Hawaii to our latex-safe vacation list.

In 2009 while living in Idaho, my allergy progressed further to reacting to airborne latex. I was working as a consultant pharmacist to skilled nursing facilities and handled charts that nurses touched with latex gloves. I developed “occupational asthma” where I react to latex particles in the air. I now develop asthma symptoms and hives when I step into a room with latex gloves or balloons. I now must wear a mask to attend my son’s soccer games that are played on recycled tire artificial turfs. After being flat-out rejected by one employer because of my latex allergy (and in violation of ADA), I was fortunate to find work in Idaho at a latex-safe psychiatric hospital where all gloves were latex-free and no balloons were

allowed. My supervisor bought latex-free fatigue mats, rubber bands, keyboards, mouse pads, and office supplies to accommodate me. The costs were minimal and he was happy to learn more about latex allergy to better care for our many latex-allergic patients. Since we moved to California in 2013, sadly, I have not been able to find latex-safe employment.

Since my allergy progressed to occupational asthma and anaphylaxis, I have also struggled to obtain latex-safe health care. Most health care professionals do not understand latex allergy – not even some allergists. Many feel that as long as they have latex-free gloves and medical supplies available, they can provide safe care. But this is not true: latex particles are in the air and remain on their bodies after they remove latex gloves. Most health care workers are not aware of latex content in medicine, medical supplies and therapy equipment. While the FDA mandates that manufacturers label medical supplies with a warning about latex content, there is no requirement for medications. As such, many health care professionals – even many pharmacists – are unaware that medications could contain latex particles from processing equipment or the corks in injectable vials.

I cannot be safely treated in any clinic, hospital, pharmacy, or ancillary care facility that uses latex gloves or allows latex balloons. Another problem is the lack of awareness of what products contain latex. Here are examples where my care was compromised or I was unable to access care:

- I was unable for 2 years to find a primary care practitioner or gynecologist for that did not use latex gloves. I finally found a primary care doctor who did not wear latex gloves, but she could not do a complete exam because her stethoscope and blood pressure monitor had latex components.
- During carpal tunnel surgery, I was not able to have a steroid injection to minimize post-op swelling because all hospital steroid products had latex corks in the injectable vials.
- I had a surgery scheduled in December 2013 to rule out cancer. While I was proactive in educating my surgeon (who didn't wear latex gloves, but knew very little about latex allergy) and the hospital staff about the severity of my allergy and communicated steps needed to ensure my safe care (ie, first case of the day after the OR suite was cleaned thoroughly since they still use latex gloves in the OR, latex-free medications may need to be ordered, latex-free anesthesia equipment, etc), my surgery was cancelled at the last minute because the anesthesiologist felt he was unable to safely care for me. I was not happy, but he clearly saved my life. The hospital OR nurse supervisor told me they had IV bags with latex ports (something I have not seen in years), the pharmacy could not tell the surgeon or anesthesiologist what medications had latex, and so forth. She promised to find a safe place for my surgery in a sister hospital, but after one month of waiting with no plan in place, I gave up and transferred to a university teaching hospital in a nearby town. My care was delayed over 3 months, so fortunately I did not have cancer.
- I currently live in a metropolitan area with 3 major health-system hospitals. I have learned that two are not latex-safe: one is the hospital I described above and the other still uses latex gloves for general patient care. The third is a major university teaching hospital that allows latex gloves in the operating room, but not in the rest of the hospital. I can only have surgery if I am the first patient of the day as that is the only time the OR would be clean and free of latex particles. They have no plan in place for emergency surgeries for patients like me.
- During a pre-surgery EKG, radiology staff was unable to tell me if EKG leads were latex-free. I had to show him where to look on the packaging.
- During routine blood tests, the laboratory worker was unable to tell me if band-aids and tapes were latex-free. They buy these products in bulk and the outside package which would be labeled re: latex content (by FDA mandate for "medical supplies") had been discarded.
- After being assured that a local pediatrician's office did not use latex gloves, I took my son to an appointment to find latex gloves in every exam room.

- An office nurse attempted to administer a vaccine from a vial with a natural rubber latex cork – arguing that “everything is latex-free these days” when in fact it is not.
- Balloons at a retail pharmacy to promote a vaccination clinic required that I leave without my antibiotic prescription.
- A nurse wanted to use a latex-based ACE wrap on my knee and rolled her eyes and argued “It is just an ACE wrap” when I refused it.
- I was unable to get physical therapy for a knee injury due to latex use at all area PT clinics.
- I pay cash for “out-of-network” care (per my insurance) for my son who needs occupational therapy because all “in-network” occupational therapists use latex supplies. I could not safely participate in his care at the in-network providers and he has risk factors for latex allergy.
- A dental hygienist used latex gloves as she began to clean my teeth even though my chart is clearly marked. I fortunately smelled the latex before she touched the inside of my mouth. On another occasion, I developed hives from latex balloons in another examination room at my dentist’s office.
- While living in Idaho from 2002-2013, I was only able to find one latex-safe dental provider. She, however, was not a good dentist. I am now paying cash to have all her work redone.

As a health care employee, I would like to suggest that you include an education component to your bill that requires mandatory latex allergy education for all health care workers. Employees that work in environments that do not use latex gloves, often assume that “everything is latex free” but with 40,000 products, that is not possible. If you eliminate latex gloves, I can be safely treated; however, the employees need to be aware that latex is also in products such as surgical glue, ACE wraps, medications, disposable absorbant pads (Chux), grips on pens, and much more.

SB 911 would address several major challenges for people with latex allergy: finding safe health care, dental care, emergency services, and food services. I applaud this effort and admire Hawaii for stepping up to address this extremely challenging disability.

Please support the proposed SB 911 to prohibit the use of natural rubber latex from use dental health care, health care facilities, ambulance services or emergency medical services, and food establishments.

Cynthia Hesper, RPh, FCSHP
 5610 Marden Drive
 Davis CA 95618
 530/564-4647

References:

- 1) <http://www.cdc.gov/healthcommunication/ToolsTemplates/EntertainmentEd/Tips/LatexAllergy.html>
- 2) American Latex Association www.latexallergyresources.org
- 3) <http://www.immunityageing.com/content/11/1/7>
- 4) Journal of Food Protection, Vol 71, No. 11, 2008 Page 2336, Latex Glove Use by Food Handlers: The Case for Non-latex Gloves
- 5) <http://acaai.org/allergies/types/skin-allergies/latex-allergy>
- 6) <http://www.foodproductiondaily.com/Safety-Regulation/Latex-used-in-one-third-of-food-packaging-study-finds>

State regulation/law references:

RI: <http://law.justia.com/codes/rhode-island/2013/title-23/chapter-23-73>

AZ: see slide 24

<http://www.azdhs.gov/phs/oeh/fses/pdf/az-food-safety-food-code-requirements.pdf>

OR: see 3-304.15(E) <http://public.health.oregon.gov/HealthyEnvironments/FoodSafety/Documents/foodsantiationrulesweb.pdf>

Connecticut:

<http://www.cga.ct.gov/2015/TOB/H/2015HB-05347-R00-HB.htm>

Resources:

American Latex Allergy Association www.latexallergyresources.org

American Academy of Allergy Asthma & Immunology www.aaaai.org

American College of Asthma, Allergy and Immunology www.acaai.org

OSHA www.osha.gov/SLTC/lattexallergy/index.html

CDC/NIOSH Alert: Preventing Latex Allergic Reactions to Natural Rubber Latex in the Workplace

I was informed that there is now a bill before the Hawaii Senate, SB911, and a companion House bill to ban the use of latex gloves in food service and health care. I would like to tell you a bit about how this affects me, as a tourist.

For our 10th anniversary, my husband and I wanted to celebrate in Maui. Our 2003 honeymoon (before my latex allergy became severe) was in Kauai and we wanted to go back, but explore one of the other islands. By 2013, my sensitivity to latex had progressed to the point where, per my allergist, I had zero tolerance for natural rubber latex in any form, contact, airborne, or ingested. Many of my reactions by now required lifesaving epinephrine, ambulance and hours spent in the emergency department restoring vitals and pulmonary function. Food handled with latex gloves in any part of the farm to fork process caused me to go into severe anaphylaxis, due to the transfer of latex proteins from the gloves to the food. Even groceries I had to wash repeatedly to remove any possible traces. I also could no longer enter any building or office where latex gloves were in use, because I would react within minutes of walking in the door.

For our Maui trip, I worked for several months, trying to find the needed combination of latex free hotel, nearby latex free restaurants and latex free emergency care (ambulance and emergency dept) so that I would be able to survive the vacation without serious repercussions. As our anniversary approached, I finally told my husband we would have to settle for someplace close by, where the options were safer. We were both very disappointed.

If SB911 and the House bill are enacted, we will be able to finally recreate our honeymoon dream.

I would also like to add testimony regarding latex in health care and restaurants, based on my personal experiences with over 100 anaphylactic reactions just since 2010. First, in medical care, I can not have a needed surgical procedure that uses special equipment, because the only facilities equipped for it near me use latex gloves. I have had to change my PCP of 6 years when my doctor moved his office, because others on his floor use latex. I have had to change my pain medicine doctor, who would not stop using latex gloves, and change again when I repeatedly reacted to the latex gym equipment attached to the office of the new doctor, who became afraid for me to even enter the clinic anymore after witnessing several of my reactions from the airborne latex in the gym. I cannot go to needed physical therapy because of latex therapy equipment in all PT offices.

Recently as a tourist in France I had a severe latex reaction (from a restaurant) and the ambulance that came had latex gloves and caused my reaction to get significantly worse. I had to wait, barely able to breathe, until they could strip another rig down and send that. I had been told the ambulances only used latex free gloves in my research before that trip. That turned out to be not true.

In food service, I enquired at a restaurant and was assured they only used vinyl gloves on food. After a couple bites of the bread, I went into anaphylaxis, used epi, took benedryl. It was soon clear that I was going to need a second epi, so went to ER for anaphylaxis treatment. I called the restaurant the next day and found out where the bread was made. That bakery used latex gloves.

As a tourist in Europe, a restaurant assured me months in advance they only used latex free gloves. When the waiter stepped close to recommend a menu item to me, I immediately reacted with severe throat swelling and asthma from latex residue on his clothes. The manager then confirmed that latex gloves were in use in the kitchen after all. Reaction developed quickly to full anaphylaxis, requiring 2 epis before ambulance could arrive. Transported to hospital for treatment.

Another recent exposure was to latex gloves in use at Whole Foods. WF normally does not use latex on anything. I was already having a reaction and did not know the source. I was surprised to see what looked like latex at the seafood counter and asked the fish handler to show me the box. When he pulled a latex glove out for me my reaction turned to full anaphylaxis. I used epi and all my rescue meds and was transported by ambulance immediately to ER, treated en route with rescue meds, oxygen, and IV, then treated further at the ER where I went into a rebound reaction requiring yet another epi, etc.

Latex gloves are dangerous, and completely unnecessary with many safe alternatives available, including just washing hands thoroughly. I grew up traveling around the world with my family and continued to enjoy frequent travel as an adult until recently. I have had to severely limit tourism and can only travel to places I have spent months researching to make sure it will be safe. I have family and friends in Hawaii, and cannot come to visit them as the situation is now. Please pass this bill, and make Hawaii a welcoming place to explore and reconnect for me, and for the 3-18 million people in America who have latex allergy.

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: gerrainehignite@gmail.com
Subject: *Submitted testimony for SB911 on Feb 10, 2015 09:00AM*
Date: Tuesday, February 03, 2015 8:49:19 PM

SB911

Submitted on: 2/3/2015

Testimony for HTH/CPN on Feb 10, 2015 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gerraine Hignite	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

I am writing to you in support of the Hawaii State Bill 911 with regards to latex regulations. I was diagnosed with a latex allergy when I was about 4 years old and over the course of my life I have watched it grow and progress from a reaction as simple as a rash to something as complex as temporary paralysis, tachycardia, anaphylaxis, potential kidney damage and so, so much more. This is, unfortunately, a progressive disease that has no cure and very few, very risky, treatments. I am not writing to you for sympathy, but contrarily to raise awareness so that you can make sure that nobody else has to go through what my family and I have been through.

Here is my story:

I was born premature and therefore, I had numerous health problems in infancy. Most likely, the combination of latex exposure (from latex gloves and equipment in the hospital) and my family history of latex allergies caused the onset of my allergy. Initially, I had simple contact dermatitis, so as long as I didn't touch a large amount of latex, then I wouldn't have a reaction. Unfortunately, when I was diagnosed, most doctors were not aware that latex was a progressive allergy, meaning that every exposure I had could potentially make my allergy worse. So as a result, I also did not have this information...

My allergy finally progressed to a new stage when I was 14; I began to have facial swelling. I noticed that I became extremely ill when balloons were nearby and I was unable to use certain products that I then noticed contained latex. There was an incident where my dentist grabbed the wrong gloves (possibly due to her latex-glove-grabbing muscle memory) and I woke up the next morning with a swollen face and lips. I found that there were many restaurants where I thought that I had gotten food poisoning and so I stopped eating there (I now know that I was having gastro anaphylaxis due to their use of latex gloves). I learned very quickly what I reacted to and I adapted.

I had been semi-reaction-free for a few years until a hospital made a grave mistake. I was admitted to a hospital, about two years ago, because I had esophageal ulcers. Upon admittance, I was given a flu shot – a latex-laced flu shot (and yes, I had already warned them about my latex allergy). I spent the next few days in and out of consciousness with cycling bouts of heart palpitations, extreme fevers, and swelling that rendered one of my arms temporarily useless. I partially recovered (very slowly) and I thought that it was behind me, until my next hospitalization occurred in March of last year. I went in for a simple outpatient sinus surgery and wound up staying in the hospital for six days. I had been given the wrong IV (latex), had the wrong syringes used (latex), had been given medication that was housed in a latex container, and had many other unfortunate exposures. I woke up after the surgery just in time to save my own life. I felt liquid filling up my lungs, my legs, my arms, and my chest. I felt my whole body swelling up (ironically) like a balloon. Over the course of the next few days I had six doctors and countless nurses working around the clock trying to save my life. While I was fortunate enough to leave that hospital with my life, I also left with a great deal of irreparable damage.

Suddenly, at 22 years old, my life drastically changed. I had to be worried about doctor's offices (latex gloves), grocery stores (latex gloves and balloons – a double whammy), the way my food was prepared and packaged (latex gloves, adhesives,

and other things), the clothes I wore, and so much more. If I am ever in need of emergency assistance, I will not be able to get it. Police officers, firefighters, and most importantly EMTs often times use latex gloves. My Medical ID bracelet doesn't do much good if they check it while wearing their latex gloves. In one year, I graduated college, temporarily became a quadriplegic, learned how to pee in a bedpan, had a crash cart called on me, and almost lost my life to my illness (which will most likely happen if things do not change). People like me are in great need of some help and are desperately looking for some hope.

Please do not read my case and think that this was a 1 in a million type of situation. It's not. If it was, then this bill would not have been put forward. If you do not believe me, then look on the American Latex Allergy Association's website under "Latex Allergy Stories." Or, if you search on Google, then you will see numerous testimonies just like mine. There have been too many of us whose lives have been risked or lost because of the unnecessary use of this allergen. Please, please, help us put a stop to it.

Thank you for your time,

Jillian LeMaster-Dwyer

Here are some photos for your reference.

Before



During:



After:



TESTIMONY IN FAVOR OF BANNING LATEX FROM HEALTH FACILITIES AND FOOD ESTABLISHMENTS

My name is Lori Spielman and I developed a life threatening latex allergy while working in a job that I loved with the Dallas Fire Department. It has become exhausting to me to educate people that YES- one latex balloon or glove could put me in the hospital and potentially kill me. Avoidance is the only option. It became a burden to have to call ahead to ask the questions, “Do you have latex gloves?” “Balloons?” “Is it safe for me to go?” It is embarrassing to have to decline birthday parties and other celebrations where latex balloons would be or where latex gloves are used. It is frustrating to not know what hospital, medical office, dental practice, or ambulance is safe for me.

Natural Rubber Latex Allergy is caused by sensitization to proteins in the sap-like fluid (latex) in the commercial rubber tree, *Hevea brasiliensis*. There are many different latex proteins that can trigger an allergic reaction. 13 have been identified as allergens and characterized. There are various high risk populations such as Spina Bifida patients, healthcare workers, and rubber industry workers. Now, other glove wearing professionals such as food service workers, janitors, hair stylists, and day care providers are becoming latex allergic. There are different types of latex allergy reactions. Type I, the immediate type, is hypersensitivity upon exposure when histamine and other mediators are released causing symptoms which may be local such as hives or systemic which is anaphylaxis. There is also Type IV which is delayed hypersensitivity. This typically occurs 24-96 hours after exposure may also be referred to allergic contact dermatitis. My latex allergy began this way but worsened with each exposure.

Often, patients diagnosed with a life-long disorder will experience the stages commonly associated with grief: denial, anger, bargaining, depression and finally acceptance. One may experience all or one of these emotions while learning to live with latex allergy. Being diagnosed with latex allergy often leads to life changes that may be stressful. It may also affect work and social settings, impacting relationships with family, friends, and co-workers.

I am developing my support system as I continue to navigate this allergy. I am asking you all to be a part of the solution in preventing life-threatening anaphylaxis and future exposures to latex.

Lori Spielman

Where can I learn more about the allergy?

American Latex Allergy Association (ALAA)

www.latexallergyresources.org

American Academy of Asthma Allergy and Immunology (ACAAI)

www.aaaai.org

American College of Asthma Allergy and Immunology (ACAAI)

www.aaaai.org

Hawaii State Legislature
SB NO. 911
February 10, 2015

My name is Victor Gennaro. I am writing in support of SB No. 911 – A Bill For An Act Relating To Latex – prohibiting the use of latex gloves in dental, healthcare, Emergency medical services and food establishments.

I have been allergic since I was 5 years old. My mother, a physician who has a severe latex allergy, noticed I had a bad reaction to a Band-Aid. My skin was actually sloughing off under the area that the Band-Aid was covering. I had no further issues as my mother made sure that no one used latex around me and that we only went to latex free restaurants. Where I grew up in NH the hospitals were already latex-safe and many restaurants had changed their practices after my mother wrote them a letter explaining the risks of latex gloves.

Growing up we were unable to have latex balloons in the house, we could not go to restaurants that used latex and my mother could not go into many stores – especially sporting goods stores. We were unable to have any toys made out of latex, which limited us to Legos, puzzles and Fisher Price.

It was not until I got to college and ignored my mother's advice that I discovered I really was allergic to latex. I began to notice if I ate in a restaurant that used latex gloves extensively I would have stomach cramping and depending on the exposure diarrhea after.

I did not realize that latex was in 40,000 products and as a healthy young college student found out the hard way – no pun intended- that I could not use certain types of contraception. The reaction was severe, uncomfortable and most embarrassing.

I was recently very ill and had to go to the Emergency Room. I had severe diarrhea and cramping. Nothing made me better except time. I had no fever. I was diagnosed with colitis and told it would clear up. I do not know if the doctors used latex gloves on me when they examined me. I have not had the problem since. I believe this was a severe allergic reaction to latex ingestion. I lived in Los Angeles, CA at that time where most restaurants use latex gloves and I had been eating out with my girlfriend twice that day. It was shortly after the second meal that this began.

Please ban latex from medical, dental, emergency medical service and food service. The latex protein transfers to any surface or liquid it touches. It becomes part of the food or medication. If someone gives me that food or that medication I could have an anaphylactic reaction and possibly die. If the ambulance comes and they are using latex gloves and supplies like syringes with latex plungers, vials of medication with latex stoppers, oxygen delivery systems with latex in the tubing/bag or IV tubing that has latex they will only make me worse and possibly kill me. When you

are having a medical emergency you do not want to worry that the people coming to help you could make you worse.

I know, because both of my parents are physicians, that you can safely treat patients, even operate on patients, without using any latex products. I know that the food service industry does not need to use latex gloves in food preparation there are many, less expensive, gloves that do the job just as well.

Please look favorably on SB No. 911 and prohibit the use of latex gloves and utensils in EMS, dental, healthcare and food service. Thank you

Victor John Gennaro
Your address in CA
Email if you want.

Smile

"We'll get you a Fresh Start"

RONALD J. ALBERT D.M.D.

February 2, 2015

Re: Proposed Bill HB 5347; An Act Prohibiting the Use of Latex Gloves in Food Businesses

To Whom It May Concern:

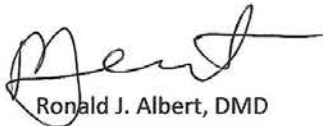
This letter is to support this proposed bill to prohibit the use of latex gloves in food businesses. Since we face similar situations when treating patients in dental offices, I was invited to write a testimony in favor of the proposed bill.

My office has been latex free for quite a few years. From clinical experience and literature reviews it was clear that the general population has been developing latex sensitivities and allergies (including powders and surface additives to improve handling). Our office eliminated use of latex gloves and dental dams so there would not be a surprise one day with a patient who had a newly discovered latex allergy. Allergy development with individuals may first seem harmless with a mild rash, yet one day results in anaphylactic response with continued exposure. By eliminating latex from our office, we removed the risk to triggering a life threatening response if a patient was unaware of allergy or concealed their history.

Anaphylactic responses could happen with individuals through contact of the skin or mucosal membranes. It could happen even after a single mild rash episode. Since our body's mucosa is more sensitive to allergic response than normal skin, an individual eating food prepared with latex gloves could have an anaphylactic response if they eat the food. Anaphylactic response primarily closes an individual's airway, restricting breathing. This is even worse since the primary contact is in the pharynx and epiglottis. If the airway is not relieved of swelling and respirations not supported during the event, it will result in lack of oxygen leading to brain damage or death.

It appears inappropriate that in food establishments preparing meals for others would use latex, considering the increased allergy and sensitivity in our population. Certainly if latex were used, a medical history or warning may be indicated. With the supply of alternate gloves for medical procedures and food preparation in good abundance, the only contraindication to using alternate material gloves would be convenience, operator comfort and expense. Risk management to food businesses should advise avoiding latex. If common sense does not prevail, then legislation is indicated.

Sincerely,



Ronald J. Albert, DMD

February 4, 2015

To Whom It May Concern:

My name is Trish Malone and I have a severe allergy to latex. Specifically Type I (immediate-type) hypersensitivity Natural Rubber Latex Allergy (NRL). - See more at: <http://latexallergyresources.org/definition#sthash.0ALUopOW.dpuf>. There is no cure for latex allergy, which affects me along with approximately 3,000,000 people in the United States, and in fact symptoms generally get worse with repeated exposure. That means it can change from an annoying allergy one day to a life threatening one the next. Somebody who today gets an itchy rash from a Band-Aid might be fighting for their life tomorrow after having been in the same room as a balloon. For those of us with this allergy, our bodies cannot handle being exposed to latex. Our bodies see latex as a foreign invader that it must fight off and our bodies go haywire in doing so. For me that used to mean if I came into contact with latex I would get a skin reaction, a red rash and blisters, but with repeated exposure it now means when I come into contact with latex, my body reacts with anaphylactic shock. In my case along with other symptoms, my tongue swells and my throat closes which, if not immediately treated, can be fatal. I take daily antihistamines to try to dull my body's automatic reaction. I also must keep multiple Epi-pens and more antihistamines on me at all times. Every minute of every day is spent trying to keep myself safe from an often invisible invader.

I am hyper-vigilant in buying only latex-free items for my family. From erasers and shoes to toothbrushes and exercise equipment latex is everywhere, but I research like crazy and protect myself and my family as much as humanly possible. Where I have had my most severe reactions however is somewhere I cannot control, in restaurants.

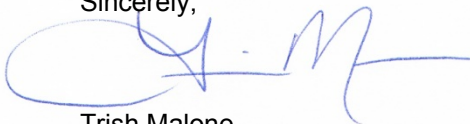
Dining out for a latex allergy sufferer is like playing Russian roulette. I always call ahead before eating anywhere, but the front of the house staff does not always understand what goes on in their kitchen. I have had MANY reactions when the host and/or server told me no gloves were used in their kitchen only to find out that gloves are used when cutting meat or other preparation work. Even speaking with the kitchen manager or Chef doesn't guarantee I will be safe. I have had reactions because someone on the morning prep line handled my food with latex gloves hours before and the Chef thought it was safe for me to eat because he/she cooked my food without wearing gloves. Just having latex gloves in a kitchen at all puts us latex allergy sufferers at risk. If one particle gets on our food we can die.

It is has also become very difficult to travel out of my home area unless it is to a state that has banned the use of latex because I never know if there will be any safe places for me to eat when I arrive. For example, my husband and I travelled to Las Vegas recently and could only find ONE restaurant that was latex free and that was because one of their servers had a latex allergy. In a city as big as Las Vegas, I had ONE dining option. I will not likely be returning to Las Vegas for this reason alone.

There is currently little to no legislation in most states protecting latex allergy sufferers like myself from being exposed unknowingly to a potentially deadly allergen by contact with food by food services workers wearing latex gloves. In addition, the workers are being placed at risk of becoming allergic themselves by repeated exposure to latex gloves. This risk can be mitigated very easily and inexpensively by banning the use of latex gloves in food preparation. Alternate gloves such as vinyl, nitrile or polyvinylchloride are readily available for purchase and at a similar cost to latex without any of the risk.

I appreciate your time and am available by email or by phone if I can answer any questions you may have.

Sincerely,



Trish Malone

Hawaii State Legislature
S.B.No. 911
February 10, 2015

My name is Victor Gennaro, DO. I am a board certified orthopedic surgeon and I have not used latex gloves since 2001. My wife has been severely allergic since 1993 and our son developed the allergy as a young boy. I am writing to support Hawaii State Senate Bill No. 911 A Bill for An Act Regarding Latex, banning latex from medical, dental and food establishments.

When my wife was first diagnosed with the latex allergy we did not know how serious this allergy was nor did we know the properties of the latex protein were such that they transferred from the glove to any surface it touched and it stays on that surface for 24 hours regardless of washing. Not much was known about latex allergy in 1993.

In 1990, 3 years prior to her diagnosis we noticed she would break out in hives every evening after she worked as an Emergency Room physician. She also routinely had rashes on her hands after glove use. About 18 months later she began to develop symptoms of food poisoning whenever we went to certain restaurants.

These symptoms would start within the hour of ingesting the food – not a typical food poisoning presentation. We did not understand this as I would have tasted her food most evenings and I would have no symptoms. These symptoms progressed over 6 months from mild cramping to severe abdominal cramping and flushing that would begin within 20-30 minutes of eating and then severe, crippling diarrhea that would start within the hour. These anaphylactic symptoms would last from one to three days. We still had no idea what was causing it.

Early in 1993 she called me from her work as a family doctor/ ER doctor and told me there was something wrong. Her hands, wrists and arms up to her shoulders were swelling and she was hot and flushed and felt very sick and weak and lightheaded. I told her to come to my office. At that point she had taken the gloves off for about 20 minutes but still had mild wheezing and hives with residual swelling in her hands and wrists. But she was improving. I had her call an allergist immediately. She went back to work and all the symptoms returned. Fortunately, the allergist called back and told her to remove the gloves immediately. She did so but was not told she could not be around latex. Her symptoms worsened throughout the day but she returned to normal by the next morning. She never wore latex gloves again.

In 1994 we finally figured out that the latex gloves were contaminating the food she was eating and that was why she was having anaphylactic symptoms after eating in certain restaurants. This was proved scientifically in 2000. When a study was done

that proved the latex protein transferred 100% of the time to food and as well as any other surface it touched.

Her symptoms seemed to be getting worse. She had daily issues; headaches, never feeling well, severe fatigue and asthma. I thought she was depressed and just needed to get a grip. Then one day I came home from performing surgery all day. I had washed my hands several times since wearing the gloves and I had changed my clothes. I went to give her a hug and a hello kiss and she began to develop allergy symptoms immediately - itchy runny eyes, shortness of breath racing heart and some shortness of breath. We finally put it together. She was allergic to me! I have not used latex gloves since. This was around 2000.

Latex is so dangerous that Johns Hopkins Hospital banned it from their facility in 2008. As physicians we ask specifically "Do you have an allergy to latex?" Here in NH we have removed it from our major medical centers - Catholic Medical Center and Dartmouth Hitchcock as well as our local hospitals here in northern NH.

I use vinyl gloves in the offices and synthetic poly-isoprene gloves in the operating room. I am able to perform microsurgery without any problem using these non-latex gloves. I only use the synthetic poly-isoprene glove - which has no latex protein in it- for surgery. Otherwise I use the much less expensive vinyl glove in my office without any problems. My wife is no longer allergic to me!

This allergy has caused significant lifestyle changes. My wife and son cannot go out to dinner unless the restaurant does not use latex gloves. They cannot go into any showroom or store that has latex balloons, as the protein is airborne and will trigger asthma symptoms. They cannot go into any hospital, medical or dental office that uses latex or even has latex products in the room. It will trigger asthma symptoms.

The CDC states the only way to prevent a latex allergy is to avoid latex. The only way to treat it is to avoid latex. Every time any person comes in contact with latex through food (eat it) through airborne (breath it), through glove use in the mouth or in surgery or on the skin- (mucous membranes absorb it directly into the blood stream). How can we prevent this allergy if we are feeding it and exposing it to our entire population every day?

How can people avoid latex if it is in medical, dental offices, emergency medical systems and restaurants? They cannot be resuscitated or treated by anyone wearing latex gloves; they cannot be transported to the hospital by an ambulance that has latex gloves or products on board. They cannot be given medication that has to go through a latex stopper or port in an IV. The very system in place designed to help them or save their lives could kill them. Please remove latex from EMS, medical and dental facilities.

There is no reason to use latex in any situation anymore. The glove companies know the product is dangerous and they all make credible, less expensive, excellent

gloves that work at least as well. Changing to non-latex gloves will reduce the workers compensation claims, reduce lost wages, reduce disability and reduce medical costs for treatment of the daily symptoms as well as the more expensive emergency treatments.

I am not asking you to spend more money to put this ban into effect but rather spend less money. In December 2012 a court ruled that latex allergy was covered under the American with Disabilities Act. We are not asking you to make expensive renovations to accommodate my family and the more than 3,000,000 people who suffer from this allergy. We are asking that you use less expensive, appropriate, credible alternatives to not only keep people with the allergy safe but to prevent further growth of this allergy. We have been latex-safe in NH since the mid 2000's. Many of our restaurants have stopped using latex. With so many credible, inexpensive alternatives I believe there is no excuse to risk harm to even one patient or patron. Please look favorably on this S.B. No. 911.

Sincerely,

Victor Gennaro, DO
Plymouth Orthopedics and Sports Medicine
16 Hospital Road
Plymouth, NH 03264
603-536-1565