

JAN 19 2017

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# A BILL FOR AN ACT

RELATING TO FLUORIDATION.

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

1           SECTION 1. The legislature finds that fluoride is a  
2 naturally occurring mineral. The legislature further finds that  
3 increasing the fluoride concentration in the water supply to an  
4 optimal level known to reduce tooth decay and promote good oral  
5 health is an extremely effective means of stopping or even  
6 reversing tooth decay. This practice is known as community  
7 water fluoridation and benefits all people who drink that water.  
8           According to the Center for Disease Control and Prevention  
9 (CDC), the nation's premier public health agency, water  
10 fluoridation is safe and the most cost-effective way of  
11 preventing tooth decay. This method of fluoride delivery has  
12 been so successful in decreasing rates of tooth decay that the  
13 CDC named community water fluoridation as one of ten great  
14 public health achievements of the twentieth century. Since  
15 1945, hundreds of cities have utilized community water  
16 fluoridation. As of 2012, more than 210 million people, or  
17 three in four Americans who use public water supplies, drank



1 water with enough fluoride to prevent tooth decay. Drinking  
2 fluoridated water keeps teeth strong and reduces tooth decay by  
3 about twenty-five per cent in children and adults. The value of  
4 water fluoridation has been recognized internationally and is  
5 used in countries as varied as Australia, Canada, Chile,  
6 Colombia, Ireland, Malaysia, New Zealand, Singapore, and the  
7 United Kingdom.

8 Hawaii public water systems have no added fluoride except  
9 on military bases; consequently, the State has the lowest  
10 proportion of residents with access to the benefits of  
11 fluoridated drinking water in the U.S. (eleven per cent verses  
12 seventy-five per cent nationally in 2012). According to the  
13 Department of Health report, "Hawaii Smiles 2015: The Oral  
14 Health of Hawaii's Children," Hawaii has the highest prevalence  
15 of tooth decay among third graders in the United States. More  
16 than seven out of ten third graders (seventy-one per cent) are  
17 affected by tooth decay, which is substantially higher than the  
18 national average of fifty-two per cent. Hawaii has received a  
19 failing grade in three recent oral health report cards published  
20 by the Pew Center on the States, a division of the Pew  
21 Charitable Trusts.



1           The legislature concludes that the benefits of fluoridation  
2 outweigh the risks. It is important to note that our water  
3 already has chlorine added to reduce the chance of contracting  
4 water borne illnesses. Chemically, fluoride and chlorine are  
5 very similar.

6           The purpose of this Act is to:

- 7           (1) Require the counties to fluoridate public water  
8                 systems under their respective jurisdiction, with the  
9                 amount of fluoride in the water to be managed and  
10                adjusted by the respective boards of water supply  
11                based on optimal fluoride levels for community water  
12                fluoridation that are established by the United States  
13                Department of Health and Human Services; and  
14           (2) Require the department of health and the counties to  
15                submit an implementation plan to the legislature.

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

19           "§340E- Fluoridation of public water systems. (a)  
20 Prior to January 1, 2019, the respective boards of water supply  
21 shall adjust the levels of fluoride in public water systems with



1 one thousand or more service connections to the optimal fluoride  
2 level for community water fluoridation established by the United  
3 States Department of Health and Human Services, as amended.

4 (b) Prior to December 15, 2017, boards of water supply  
5 subject to this section shall submit to the department for its  
6 review and approval, implementation plans for the purchase and  
7 installation of equipment relating to this section.

8 (c) The department shall reimburse the boards of water  
9 supply for initial capital expenses necessarily incurred to  
10 comply with this section; provided that to be eligible for  
11 reimbursement, the boards of water supply shall submit plans to  
12 the department on or before December 15, 2017.

13 (d) The department shall provide the boards of water  
14 supply with technical assistance and training relating to  
15 community water fluoridation and the management of fluoridation  
16 systems."

17 SECTION 3. The department of health, with the cooperation  
18 of the boards of water supply, shall submit a report, including  
19 any proposed legislation, to the legislature no later than  
20 twenty days prior to the convening of the regular session of



1 2018 that sets forth a plan to implement the requirements of  
2 this Act.

3 SECTION 4. The reimbursement by the department of health  
4 of initial capital expenses necessarily incurred by the boards  
5 of water supply pursuant to section 2 of this Act shall be  
6 deemed to satisfy the requirements of article VIII, section 5,  
7 of the Hawaii State Constitution.

8 SECTION 5. New statutory material is underscored.

9 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

Hal Rhoads



# S.B. NO. 125

**Report Title:**

Water Supply; Fluoridation; Counties

**Description:**

Requires the boards of water supply to fluoridate public water systems with 1,000 or more service connections. Requires the Department of Health, with the cooperation of the boards of water supply, to submit a report to the legislature regarding implementation of fluoridating the public water systems.

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

