

HOUSE BILL No. 4585

March 24, 2005, Introduced by Reps. Kolb, Vagnozzi, Plakas, Cheeks, Cushingberry, Bieda, Kathleen Law, Leland, Alma Smith, Zelenko, Meisner, Phillips and Lemmons, III and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 12151.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 12151. (1) WITHIN 3 MONTHS AFTER THE EFFECTIVE DATE OF
2 THIS SECTION, THE DEPARTMENT, IN COOPERATION WITH THE DEPARTMENT OF
3 ENVIRONMENTAL QUALITY, SHALL ESTABLISH AN ADVISORY COMMITTEE TO
4 REVIEW TOXICOLOGICAL STUDIES AND ANY OTHER SCIENTIFIC EVIDENCE AS
5 IT RELATES TO MOLD AND ADVISE EACH DEPARTMENT AND THE LEGISLATURE
6 ON THE ISSUES AND TOPICS RELATED TO TOXIC MOLD AND THE ADVERSE
7 HEALTH EFFECTS OF EXPOSURE TO SUCH MOLDS ON THE GENERAL POPULATION.

8 (2) THE ADVISORY COMMITTEE SHALL BE COMPOSED OF ALL OF THE
9 FOLLOWING:

1 (A) LOCAL HEALTH OFFICERS.

2 (B) ENVIRONMENTAL HEALTH OFFICERS.

3 (C) CODE ENFORCEMENT OFFICERS.

4 (D) EXPERTS ON THE HEALTH EFFECTS OF THE MOLD.

5 (E) MEDICAL EXPERTS.

6 (F) CERTIFIED INDUSTRIAL HYGIENISTS.

7 (G) MOLD ABATEMENT EXPERTS.

8 (H) REPRESENTATIVES OF GOVERNMENT-SPONSORED ENTERPRISES.

9 (I) REPRESENTATIVES FROM SCHOOL DISTRICTS OR COUNTY OFFICERS
10 OF EDUCATION.

11 (J) REPRESENTATIVES OF EMPLOYEES AND REPRESENTATIVES OF
12 EMPLOYERS.

13 (K) AFFECTED CONSUMERS.

14 (l) AFFECTED INDUSTRIES.

15 (3) MEMBERS OF THE COMMITTEE SHALL SERVE ON A VOLUNTARY BASIS
16 AND ARE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH THEIR
17 PARTICIPATION IN THE ADVISORY COMMITTEE. THE DEPARTMENT IS NOT
18 RESPONSIBLE FOR TRAVEL COSTS INCURRED BY ADVISORY COMMITTEE MEMBERS
19 OR FOR OTHERWISE COMPENSATING MEMBERS FOR COSTS ASSOCIATED WITH
20 THEIR PARTICIPATION IN THE ADVISORY COMMITTEE.

21 (4) WITHIN 1 YEAR AFTER THE ADVISORY COMMITTEE IS ESTABLISHED
22 UNDER SUBSECTION (1), THE ADVISORY COMMITTEE SHALL COMPLETE AND
23 PRESENT TO THE DEPARTMENT OF COMMUNITY HEALTH, THE DEPARTMENT OF
24 ENVIRONMENTAL QUALITY, AND THE LEGISLATURE A REPORT, ALONG WITH ITS
25 RECOMMENDATIONS, OF ITS STUDY OF TOXIC MOLD. THE REPORT SHALL
26 INCLUDE, AT A MINIMUM, RECOMMENDATIONS ON ALL OF THE FOLLOWING:

27 (A) IF DETERMINABLE, PERMISSIBLE EXPOSURE LIMITS TO MOLD FOR

1 INDOOR ENVIRONMENTS THAT AVOID ADVERSE EFFECTS ON HEALTH AND AVOID
2 ANY SIGNIFICANT RISK TO PUBLIC HEALTH. IF EXPOSURE LIMITS ARE
3 INDETERMINABLE, A WRITTEN EXPLANATION ABOUT THE BARRIERS OR
4 OBSTACLES THAT IMPEDE THE ABILITY TO ESTABLISH EXPOSURE LIMITS AS
5 THEY RELATE TO MOLD IN THE INDOOR ENVIRONMENT.

6 (B) PRACTICAL STANDARDS TO ASSESS THE HEALTH THREAT POSED BY
7 THE PRESENCE OF MOLD, BOTH VISIBLE AND INVISIBLE OR HIDDEN, IN AN
8 INDOOR ENVIRONMENT.

9 (C) MOLD IDENTIFICATION GUIDELINES FOR THE RECOGNITION OF
10 MOLD, WATER DAMAGE, OR MICROBIAL VOLATILE ORGANIC COMPOUNDS IN
11 INDOOR ENVIRONMENTS.

12 (D) REMEDIATION GUIDELINES FOR THE REMOVAL OF MOLD AND THE
13 ABATEMENT OF THE UNDERLYING CAUSE OF MOLD AND ASSOCIATED WATER
14 INTRUSION AND WATER DAMAGE IN INDOOR ENVIRONMENTS.

15 (E) EDUCATION AND OUTREACH STRATEGIES TO INFORM THE PUBLIC OF
16 THE THREAT POSED BY THE PRESENCE OF MOLD IN INDOOR ENVIRONMENTS.

17 (5) MEETINGS OF THE ADVISORY COMMITTEE ARE SUBJECT TO THE OPEN
18 MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

19 (6) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
20 RETAINED BY THE ADVISORY COMMITTEE IN THE PERFORMANCE OF AN
21 OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT,
22 1976 PA 442, MCL 15.231 TO 15.246.