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SB 302: Legionnaires' Disease Prevention Act

The Issue:

- Legionnaires' disease is a severe and often deadly form of pneumonia caused by the bacterium *Legionella pneumophila* (*L. pneumophila*), which grows in water.
- When an individual breathes in water vapor from a shower, hot tub, cooling tower, etc. that contains *Legionella pneumophila* bacteria, it can cause severe pulmonary disease, leading to death (up to 33% of cases) or long-term disabilities.
- Between 52,000 and 70,000 Americans suffer from Legionnaires' disease every year. Maryland has seen a 100% increase in cases in recent years. Between 2016 and 2017 alone, Maryland's crude disease incidence rate rose from 2.36 to 3.09 cases per 100,000 persons and this is likely a significant underestimate of the true Legionnaires' disease case rate in our state.
- Covid-19 has increased the risk of Legionnaires' disease. Many more Marylanders are vulnerable to the disease because they have weakened respiratory systems. At the same time, building closures and lower occupancy rates mean more water that is stagnant or without sufficient disinfectant, allowing *L. pneumophila* bacteria to grow and become aerosolized.

What SB 302 Does:

- SB 302 will make water management programs for minimizing growth and transmission of *L. pneumophila* mandatory for government owned or operated buildings.
- The American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) currently has a voluntary national standard that private and public organizations can implement to mitigate the growth of the bacteria and prevent Legionnaires' disease. SB 302 would make this standard mandatory.
- SB 302 focuses exclusively on public buildings and takes the first step toward moving toward implementation of these standards to protect the public and state employees from this severe but preventable disease.

Why SB 302 Matters:

- According to CDC data 90% of Legionnaires' disease cases *could have been prevented* (illnesses and deaths) if an effective water management plan had been in place.
- Building owners and operators have been encouraged to follow ASHRAE 188 and implement water management plans voluntarily since 2016. But today buildings with water management plans are still the exception, not the norm. Education is not enough; legislation is needed to protect the public.
- SB 302 will establish mandatory regulations for public buildings, so there is a standard across the state of Maryland.
- Most importantly, this bill will dramatically decrease the risk of Marylanders contracting deadly, but preventable Legionnaires' disease by breathing air contaminated with *Legionella pneumophila* while working in, living, or simply visiting public buildings.

Additional Background Information:

- Legionnaires' disease can impact anyone, but individuals who are over 50, past and current smokers, those with COPD, and especially anyone with a compromised respiratory system are particularly susceptible. As we know from studies of social determinants of health, individuals from under-resourced communities are overrepresented in this high-risk category.
- Public building owners and operators will be required to follow the 7-step process outlined in ASHRAE Standard 188 to develop a water management plan which is tailored to their specific building and takes into consideration how the building is used and its typical occupants.
- The owners and operators of public buildings will be able to take simple, cost-effective steps like understanding their water systems, checking water temperatures, and flushing their pipes when needed so that the people that they serve do not get sick and potentially die from a disease that is 90% preventable.
- As part of the water management planning process, SB 302 requires validation testing of water to ensure the growth and transmission of *L. pneumophila* is minimized. The testing frequency will be determined by the building's water management plan team.
- The owners or operators of the public buildings are required to retain a copy of their water management plans and sampling test results for at least three years and to make them available upon request of any department or agency with inspection authority.