

By Senator Turner

36-856C-98

1 A bill to be entitled
 2 An act relating to community environmental
 3 health protection; creating ss. 381.102,
 4 381.103, 381.104, 381.105, 381.106, 381.107,
 5 F.S., the "Florida Community Environmental
 6 Health Protection Act"; providing a short
 7 title; providing for community environmental
 8 health protection; providing definitions;
 9 creating the Community Environmental Health
 10 Program; providing purposes of the program;
 11 designating pilot projects; providing for
 12 boards of directors; requiring a report to the
 13 Legislature; providing duties of the Department
 14 of Health; providing appropriations and
 15 prescribing purposes for which the funds may be
 16 used; providing an effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Section 381.102, Florida Statutes, is
 21 created to read:
 22 381.102 Short title.--Sections 381.102-381.107 may be
 23 cited as the "Florida Community Environmental Health
 24 Protection Act."

25 Section 2. Section 381.103, Florida Statutes, is
 26 created to read:
 27 381.103 Community environmental health protection.--
 28 (1) This state is committed to the economic,
 29 environmental, and public health revitalization of its
 30 communities;

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1 (2) Low-income communities of color bear a significant
2 burden of pollution which thwarts the revitalization of these
3 communities;

4 (3) This state has made progress in addressing the
5 economic development and environmental needs of its
6 communities;

7 (4) Measures to address the public health needs of
8 low-income communities of color that are exposed to
9 contaminated sites must be implemented in order to ensure the
10 sustainability of the communities in this state;

11 (5) The implementation of these measures will enhance
12 cooperative efforts among the private sector, government, and
13 nonprofit organizations in this state to ensure the
14 sustainability of this state; and

15 (6) Efforts to initiate measures that address public
16 health problems in communities affected by contaminated sites
17 will enable this state to leverage additional resources
18 available from the Federal Government and private foundations
19 for this purpose.

20 Section 3. Section 381.104, Florida Statutes, is
21 created to read:

22 381.104 Definitions.--As used in ss. 381.102-381.107,
23 the term "low-income community of color" means a contiguous
24 grouping of residences with a significant portion of occupants
25 who cannot afford to receive health care services and are
26 African-American, Asian-American, Hispanic, or
27 Native-American.

28 Section 4. Section 381.105, Florida Statutes, is
29 created to read:

30 381.105 Community Environmental Health Program;
31 creation; purposes.--There is created the Community

1 Environmental Health Program. The primary purpose of the
2 program is to ensure the availability of public health
3 services to members of low-income communities and communities
4 of color that may be adversely affected by contaminated sites
5 located in or near the community. These services extend beyond
6 health services that are currently provided pursuant to
7 chapter 154 and include measures to address the cumulative and
8 synergistic health impacts that may be associated with
9 exposure to pollution. An additional purpose is to ensure the
10 collection of information and data on health effects
11 potentially caused by acute and chronic exposure to low and
12 high levels of contaminants so that the information and data
13 may be used for research, education, and the improvement of
14 decisionmaking on sustainability goals.

15 Section 5. Section 381.106, Florida Statutes, is
16 created to read:

17 381.106 Community Environmental Health Program pilot
18 projects.--

19 (1) A Community Environmental Health Program pilot
20 project is hereby established to promote disease prevention
21 and health protection among low-income people who live in
22 communities that have Superfund or Brownfield sites. The
23 Legislature has determined that it would be beneficial to
24 provide resources in this state to undertake a series of pilot
25 projects that demonstrate techniques and approaches to ensure
26 health care for low-income persons of color who are living in
27 communities that are adversely affected by contaminated sites,
28 to mobilize additional resources from the government, private
29 sector, and private foundations to address this need, and to
30 develop a mechanism for collecting data. The pilot projects
31 must seek to build upon existing environmental and economic

1 efforts to address contaminated sites through the Florida
2 Brownfields Redevelopment Act, the Eastward Ho! Brownfields
3 Partnership, the federal Superfund Program, and other state
4 and federal programs that address public health and the
5 environment. The pilot projects may form partnerships with
6 existing health care providers and units, contribute to a
7 health care needs assessment, and serve as the basis for the
8 development of health care capacity in underserved areas.

9 (2) A pilot project must be established to serve each
10 of the following:

11 (a) In Escambia County, the low-income communities of
12 color surrounding the Escambia Treating Company and Agrico
13 Company Superfund sites, and the former workers at those
14 sites;

15 (b) In Broward County, the low-income communities of
16 color surrounding the Wingate Superfund site;

17 (c) In Palm Beach County, within the City of Riviera
18 Beach, the low-income communities of color surrounding the
19 BMI-Textron Superfund site;

20 (d) In Pinellas County, the low-income communities of
21 color designated as a pilot project under the 1997 Florida
22 Brownfields Redevelopment Act, including the Greenwood
23 community in Clearwater;

24 (e) In Miami-Dade County, Liberty City and
25 Brownsville; and

26 (f) Two additional low-income communities of color in
27 this state which are to be chosen by the Department of Health
28 so as to ensure equitable geographic distribution of resources
29 and services under this program. The communities selected
30 under this paragraph must have documented contamination and
31 actual or suspected contamination-related health problems in

1 members of the community, and must have established a history
2 of community cohesiveness.

3 (3) There shall be a voluntary board of directors for
4 each pilot project, and the majority of board members shall be
5 low-income residents who are beneficiaries of the pilot
6 project. The board must also include representatives from the
7 respective county health departments, health care
8 professionals and providers, and elected officials. The board
9 shall oversee the functions and operations of the pilot
10 project, evaluate the pilot project, and prepare for the
11 Legislature a report that discusses the progress of the pilot
12 project toward achieving its stated goals and recommends
13 future courses of action.

14 Section 6. Section 381.107, Florida Statutes, is
15 created to read:

16 381.107 Duties of Department of Health.--The
17 Department of Health shall:

18 (1) Assist the board of directors of each pilot
19 project in obtaining low-cost health care services designed to
20 treat the effects of exposure to contaminants and to ensure
21 disease prevention and health promotion.

22 (2) Develop a proactive, rapid identification system
23 for evaluating the health impact of exposure to pollution and
24 for detecting health effects reflecting environmental
25 injustice.

26 (3) Explore alternative methodologies for evaluating
27 the human health consequences of exposure to pollution.

28 (4) Develop and maintain a registry to track health
29 problems addressed by the project.

30 (5) Develop environmental education and outreach
31 programs for health care providers and communities which

1 increase awareness and reporting of health effects resulting
2 from exposure within communities.

3 (6) Work with affected communities, appropriate
4 agencies, and ongoing initiatives (e.g., Eastward Ho!
5 Brownfields Partnership) to implement communication between
6 government agencies and affected communities.

7 (7) Collect data on potential environmental health
8 effects of pollution.

9 Section 7. (1) There is appropriated from the General
10 Revenue Fund the sum of \$1.6 million during fiscal year
11 1998-1999 for the Community Environmental Health Program pilot
12 project, of which \$200,000 is allocated to the Pensacola pilot
13 project; \$200,000 is allocated to the Wingate pilot project;
14 \$200,000 is allocated to the Clearwater/Greenwood pilot
15 project; \$200,000 is allocated to the City of Riviera Beach
16 pilot project; \$200,000 is allocated to Liberty City and to
17 Brownsville, in Miami-Dade County; \$200,000 is allocated to
18 the Department of Health; and the remainder is allocated to
19 two additional low-income communities of color which meet the
20 purposes of the pilot project.

21 (2) The funds allocated under subsection (1) must be
22 used for:

23 (a) The delivery of health services, including
24 screening, diagnosis and treatment of disease; preventive
25 annual physical examinations; monitoring for effects of toxic
26 exposure; and consultation on measures to prevent diseases.

27 (b) Maintenance of the voluntary boards of directors
28 for the pilot projects.

29 (c) Resources for accessing the delivery of health
30 services through Medicare, Medicaid, and third-party coverage,
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1 among other sources, and for ensuring quality assurance and
2 quality control for the implementation of pilot projects.

3 Section 8. This act shall take effect July 1, 1998.

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6 SENATE SUMMARY

7 Creates ss. 381.102-381.107, F.S., the "Florida Community
8 Environmental Health Protection Act." Provides
9 legislative intent. Provides definitions. Creates the
10 Community Environmental Health Program and provides
11 purposes of the program. Designates areas in which pilot
12 projects are to be developed. Provides for voluntary
13 boards of directors. Requires a report to the
14 Legislature. Provides duties of the Department of Health.
15 Provides an appropriation and prescribes purposes for
16 which the funds may be used.
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