



April 12, 2022

Dear Chair Michaelson Jenet and Committee Members:

I am writing on behalf of the American Diabetes Association (ADA) in support of HB22-1358. This bill will ensure Colorado children have access to safe and clean water throughout the day at schools and child care centers by requiring facilities install filters at every drinking source.

Research shows that sugar-sweetened beverages (SSB) can lead to obesity, type 2 diabetes, heart disease, and other health complications.<sup>1</sup> When children do not have access to clean water, they tend to drink less healthy beverages including SSBs. It is estimated that children consume twice the calories from sugary drinks when compared to children who drink water.<sup>2</sup> The ADA supports legislation that will improve access to quality drinking water and help children develop healthy diet habits that will continue into adulthood.<sup>3</sup>

Additional research has shown that many students opt to not drink water in schools because they are concerned about the quality and the safety of it.<sup>4</sup> This perception has shown to be even greater among African Americans, Hispanics, and lower-income youth.<sup>5</sup> HB22-1358 will not only improve water safety but also shift perceptions and encourage more children to drink water.

We all want our children to grow up healthy. Access to clean water is part of a healthy environment that helps set children up for a bright future. By taking steps to ensure the water is safe to drink our children, no matter where they live can get the water they need to thrive in school and in life. For these reasons the ADA supports HB22-1358

Sincerely,

Carissa Kemp

Director of State Government Affairs  
American Diabetes Association

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<sup>1</sup> CDC, Get the Facts: Suga-Sweetened Beverages and Consumption, <https://www.cdc.gov/nutrition/data-statistics/sugar-sweetened-beverages-intake.html>

<sup>2</sup> 7 Rosinger AY, Bethancourt H, Francis LA. 2019. Association of Caloric Intake from Sugar-Sweetened Beverages With Water Intake Among US Children and Young Adults in the 2011-2016 National Health and Nutrition Examination Survey. *JAMA Peds* 173(6), 602-604.

<sup>3</sup> Centers for Disease Control and Prevention. Increasing Access to Drinking Water and Other Healthier Beverages in Early Care and Education Settings. Atlanta, GA: US Department of Health and Human Services; 2014.

<sup>4</sup> Patel AI, MD, Bogart LM, Uyeda KE, Rabin A, Schuster MA. Perceptions About Availability and Adequacy of Drinking Water in a Large California School District. *Prev Chronic Dis* 2010;7(2):A39.

<sup>5</sup> Onufrak SJ, Park S, Sharkey JR, Merlo C, Dean WR, Sherry B. Perceptions of tap water and school water fountains and association with intake of plain water and sugar-sweetened beverages. *J School Health*. 2014; 84(3): 195–204.



Filter First Bill - AFT Colorado supportKallie Leyba to amanda.king 04/12/2022 04:30  
PM  
Cc "Gilchrist, Sam"

Ms. King,

Please share with the committee that AFT Colorado enthusiastically supports the Filter First bill. We know that all of Colorado's students should be safe from any level of lead in their water at school. Thank you!

Respectfully,

Kallie Leyba (she/hers)  
Executive Director, AFT Colorado



Letter in support of HB 1358Sheela Mahnke to amanda.king 04/12/2022 05:32 PM

Letter of support of HB1358 on behalf of the Colorado Chapter of the American Academy of Pediatrics.

Dear Committee Members,

Thank you for your time and for addressing such a critical issue in children's health. My name is Dr. Mahnke. I am here today on behalf of AAP Colorado and our nearly 800 members across the state to urge your support for HB22-1358.

I am a pediatrician working in a non-profit clinic in Thornton. In our clinic, we screen every child at 1 and 2 years old for lead in their blood. The reason we do this is because we know the toxic impact that lead has on the developing brain and nervous system. Lead exposure can lead to decreases in IQ, difficulties paying attention and poor school performance.

Given that there is no safe lead exposure level, prevention is critical. Unfortunately, there is still lead in the plumbing and faucets that supply our children's drinking water. Fortunately, there is an easy solution to getting rid of that lead in the way of filters.

Filtering water for lead in schools and child care facilities and having a system in place to provide ongoing monitoring of lead levels in drinking water will provide protection for our children. Lead exposure is a known problem that this bill provides the tools to aid in its prevention.

In the state of Colorado 72% of children were found to have detectable lead levels in their blood. We can do better for our children and provide them with safe drinking water in their schools and daycares. This will have a large impact on the health of my patients and the children of Colorado. For this reason, the American Academy of Pediatrics, Colorado, supports this bill and thanks Rep. Sirota and McLachlan and Sen. Winter and Fields in their dedication to keeping our children safe.

Thank you,

Sheela Mahnke, MD, FAAP

## Regarding HB22-1358 Clean Water In Schools And Child Care Centers

**Arnie Schultz** to dafna.michaelson.jenet.house,  
: emily.sirota.house, judy.amabile.house,  
: mary.bradfield.house, lisa.cutter.house,  
Cc amanda.king

04/12/2022 12:56 AM

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Dear Honorable Members of the House Public & Behavioral Health & Human Services Committee,

My name is Arnie Schultz and I am asking for your support on HB22-1358 Clean Water In Schools And Child Care Centers. I am a member leader of Colorado People's Alliance. We are a member lead organization working on climate justice issues through grassroots organizing. Our organization centers directly on impacted communities across Colorado.

Filters need to be installed because the sad fact is, if you test for lead, you will find it. State mandatory and voluntary testing programs have demonstrated this, from Colorado, New York, Indiana. It's important to keep in mind that there is no safe level of lead in drinking water, and children are the most susceptible to the irreversible adverse effects of lead, which include the failure to concentrate, reduced cognitive ability, and aggressive behavior.

So, what have states found? About 82% of New York's public schools had at least one test result above 15 parts per billion (ppb). In Indiana, about 62% of schools had at least one source that tested above 15 ppb. In Colorado, that figure was about 60%. If you look at results lower than 15 ppb, the number of schools exceeding those limits is far greater. This is very concerning and must be fixed, because the experts—including the Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics and the World Health Organization—all agree that there is no safe level of lead exposure.

These figures don't even tell the complete picture. This is especially true in Colorado, where the state relied on voluntary testing and had extremely low participation. Testing can also be inaccurate because of the variability of lead release-- test results at the same water source can vary dramatically from one water sample to another. This is in part because lead can be released in chunks, because of lead scale, and because lead levels can increase with the time that water has been sitting in contact with lead plumbing.

Filter First is quick and cost-effective. Installing filters protects kids sooner than testing for and chasing the lead problem. Filtration stations take only a few hours to install, and faucet mount filters take minutes. These systems protect kids now. Repeated testing to attempt to identify all the leaded plumbing in a system, then removing and replacing those pipes and fixtures takes time and more money. Cost analysis for Michigan's Filter First bill demonstrates this. The Filter First program is cheaper in year one and in year ten; in the first year, they found savings of \$26 million, and by year ten, it balloons to \$331 million.

Respectfully yours,

Arnie Schultz, Ph.D.

**House Public & Behavioral Health & Human Services**  
**04/12/2022 01:30 PM**  
**HB22-1358 Clean Water In Schools & Child Care Centers**  
**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Velma Campbell For Self	<p>Thank you for this opportunity to offer comments on HB22-1358, Clean Water in Schools and Child Care Centers. I am a medical doctor specializing in public health, particularly environmental and occupational health. Lead in drinking water is an educational issue as well as public health because studies have shown that very low levels can lower the ability of children to learn. It can affect long term health in both children and adults. These impacts are particularly significant for disproportionately impacted communities such as low income and people of color, adding to the burden of other disparities. This legislation is very reasonable in that it requires facilities to perform testing and evaluations, and requires action only if there is an identified problem. It is likely that with EPA's programs grants and other funding will be available to assist with implementation. Preventing these exposures even at very low levels is an investment in the future of our communities, our country, and most of all these children. I urge support for this legislation.</p>



House Public & Behavioral Health & Human Services Committee  
State Capitol Building  
200 E. Colfax Ave.  
Denver, CO 80203

April 12, 2022

Madam Chair & members of the committee:

My name is Angelina Sierra-Sandoval, Director of Government Affairs for the Colorado League of Charter Schools.

The Colorado League of Charter Schools is a non-profit, membership organization dedicated to supporting the charter schools in the state. There are currently 266 charter schools in Colorado serving 131,000 students. Charter school enrollment in Colorado equals approximately 15% of total public school enrollment.

While we certainly agree with the goal of ensuring students have access to lead-free water, we anticipate numerous implementation challenges with the proposed legislation, all of which currently leave us little choice but to oppose HB22-1358. The League, along with Colorado Association of School Executives, Colorado Association of School Boards and Colorado Rural Schools Alliance sent a memo to the bill's sponsors last week explaining our reasons as to why we are opposed.

Schools absolutely want what is best for the students we serve, and over the decades have taken on more and more responsibilities to ensure the health and safety of our students. Often, schools are the healthiest place a child can be with access to hearing/eye exams, expanding mental health supports, access to food, and mandatory reporters to identify when a child needs outside intervention.

While we agree with the goals of the Clean Water Act and ensuring students have access to lead-free water, charter schools do not control the water they receive from municipalities. They also do not receive funds to replace old pipes in buildings where they may have problems. We appreciate the sponsors' enthusiasm at the possibility of one-time funding to help pay for new

water dispensing with filters, but must also acknowledge the ongoing costs and burdens this start-up program would place on schools and districts.

Since charter schools are not able to manage the water coming to their buildings, they cannot control the lead levels that may be present. If this is a statewide problem, then we feel that the state and local municipalities should be the primary levers through which regulation and fixes are sought. Schools are simply not in the position, especially right now with all the COVID-related challenges we're trying to overcome, to take on all of the implementation responsibilities and timelines associated with this proposal.

These are just some of the concerns we have related to this bill as currently written. It places the vast majority of the responsibility for implementation at the feet of schools and districts at a time when schools and districts are struggling mightily with issues related to staffing and competitiveness. We don't object to the bill's ultimate goal; it's simply that others are better positioned to implement and oversee it.

Thank you for the opportunity to submit written testimony today.

Angelina S. Sandoval, MPA  
Director of Governmental Affairs  
Colorado League of Charter Schools  
[asandoval@clcsaction.org](mailto:asandoval@clcsaction.org)



April 11, 2022

Chair Dafna Michaelson Jenet  
Public & Behavioral Health & Human  
Services Committee  
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The Honorable Emily Sirota  
Public & Behavioral Health & Human  
Services Committee  
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**Position: SUPPORT for HB 1358, *Clean Water In Schools And Child Care Centers*, Pending Language Clarification**

Dear Public & Behavioral Health & Human Services Committee Members,

On behalf of the American Supply Association (ASA), International Association of Plumbing and Mechanical Officials (IAPMO), NSF International (NSF), and the Water Quality Association (WQA), we want to share our support for HB 1358, *Clean Water In Schools And Child Care Centers*, and offer technical amendments that clarify the intent of this bill.

Lead contamination of drinking water poses known health risks, and even low levels of lead exposure can cause permanent cognitive deficits and behavioral difficulties in children. To reduce the presence of lead in drinking water and combat these potential health threats, the United States Environmental Protection Agency (EPA) and Centers for Disease Control and Prevention (CDC) suggest using point of use (POU) filters tested and certified to comply with the U.S. national standard for water filters.<sup>1, 2</sup>

HB 1358 appropriately requires drinking water filters to meet nationally recognized industry standards for lead reduction, NSF/ANSI Standard 53 for lead reduction and NSF/ANSI Standard 42 for Class 1 particulate reduction. Given that the bill also includes a use of lead-free fittings, we suggest including the definition of “lead-free” from the federal lead law.<sup>3</sup> These industry standards are referenced in building and plumbing codes throughout the country and provide uniform and consistent requirements in the marketplace designed to protect public health.

We also recommend that the products used in remediation efforts be certified by a third-party certifying body accredited by the American National Standards Institute (ANSI) National Accreditation Board (ANAB). This clarification will ensure that the filters and fittings meet the relevant NSF/ANSI American National Standard for drinking water treatment units for lead reduction

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<sup>1</sup> <https://www.epa.gov/system/files/documents/2021-07/epa-3ts-guidance-document-english.pdf>

<sup>2</sup> [https://www.cdc.gov/nceh/lead/prevention/sources/water.htm?CDC\\_AA\\_refVal=https%3A%2F%2Fwww.cdc.gov%2F0%2Fnceh%2Flead%2Ftips%2Fwater.htm](https://www.cdc.gov/nceh/lead/prevention/sources/water.htm?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2F0%2Fnceh%2Flead%2Ftips%2Fwater.htm)

<sup>3</sup> <https://www.epa.gov/sdwa/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water>



and perform as intended.<sup>4</sup> This recommendation aligns with federal government agency guidelines to remove lead from drinking water. It also underscores the need for independent product testing and certification as a critical step to ensuring that products meet the performance, health and quality assurance required by these regulations. Third-party product certification can help the state provide consumer confidence that water filters and filtration systems, will function as they claim, and help eliminate concerns that consumers may purchase and install either non-complying products, or counterfeit products available on the market. It is important to note that there are numerous organizations accredited by the American National Standards Institute to provide this service.

Lastly, it's important to note that federal guidance by EPA and under the federal Lead & Copper Rule establishes an action level for lead to be 15 parts per billion (ppb). Although there is no "safe" level of lead, water filtration devices certified to NSF/ANSI standards for lead reduction have been verified to reduce lead to 5ppb or less. Currently, certifying bodies accredited through ANAB test and certify water filtration devices to remediate lead to 5ppb as prescribed under the standards NSF/ANSI 42 and NSF/ANSI 53 for lead reduction. There may be devices and filtration systems that claim to remediate lead below 5ppb, however, this is currently outside of the established and adopted NSF/ANSI Standards against which products are tested and certified. Therefore, we recommend changing the one parts per billion requirement in the bill to five parts per billion to better align with the requirements for water filters to meet the latest version of industry standards. Along with requiring third-party certification, this change will help ensure that filtration devices used in remediating lead have been verified to do so.

We strongly support the intent of HB 1358 and appreciate the opportunity to collaborate on this vital water quality legislation. We will be happy to work with you and others to answer questions surrounding water treatment.

Sincerely,

Stephen Rossi, Director of Government Affairs, ASA  
Robyn Fischer, Director of Government Relations, IAPMO  
Harold Chase, Director of Legislative & Regulatory Affairs, NSF International  
Jeremy Pollack, Director of Government Affairs, WQA

### **About ASA**

The American Supply Association is the national industry trade association representing distributors and their manufacturers and manufacturer representative agencies serving the PHCP & PVF channel. Serving wholesaler-distributors and their supply chain partners in the plumbing-heating-cooling-piping (PHCP) and industrial pipe-valve-fitting (PVF) industry, ASA is a one-stop-shop for legislative and regulatory advocacy, ongoing business intelligence, employee training and education and peer-to-peer networking.

### **About IAPMO**

IAPMO was founded in 1926 by government officials in the US to protect public health and safety by developing the most progressive and technically advanced plumbing, mechanical and water efficiency codes in the world. A large part of

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<sup>4</sup> [https://www.epa.gov/sites/default/files/2018-12/documents/consumer\\_tool\\_for\\_identifying\\_drinking\\_water\\_filters\\_certified\\_to\\_reduce\\_lead.pdf](https://www.epa.gov/sites/default/files/2018-12/documents/consumer_tool_for_identifying_drinking_water_filters_certified_to_reduce_lead.pdf)



IAPMO's work focuses on product testing for the industry. Our research and testing labs are capable of testing products to more than 400 standards and we provide testing to new plumbing products that enter the market every year. These include such devices as shower heads, faucets, and water filters. Our rigorous process includes following the criteria of the American National Standards Institute (ANSI) and the International Organization for Standardization (ISO).

### **About NSF**

NSF is an independent, not-for-profit organization founded in 1944 in Ann Arbor, MI that develops consensus national standards, provides product inspection, testing and certification, auditing, education, and related services in public health and safety. The core purpose of NSF is to “protect and improve human and environmental health.” NSF has a long history of working with the EPA, FDA, USDA, CDC, and health related governmental entities at the state and local levels, as well as international bodies. NSF is a Collaborating Centre of the World Health Organization for Food Safety, Water Quality, and Medical Device Safety. NSF/ANSI 53 and NSF/ANSI 58, American National Standards developed by NSF, allow for the certification of some point of use and point of entry drinking water treatment units to reduce the levels of specified contaminants in drinking water including lead.

### **About WQA**

WQA is a not-for-profit trade association representing the residential, commercial, and industrial water treatment industry with over 2,700 members worldwide. Since its creation in 1974, WQA has worked tirelessly to improve water quality through sustainable technologies and services. Our members are manufacturers, dealers, and distributors who specialize in point-of-use (POU) and point-of-entry (POE) water filtration systems, which treat water at the tap or entry point of a home or building. WQA also operates an American National Standards Institute (ANSI) accredited testing and certification laboratory that certifies water filtration products to nationally accepted industry standards for contaminant removal.