State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2681

05/18/2017 Authored by Theis
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

A bill for an act

relating to health; establishing water management practices to prevent waterborne diseases; requiring investigations of cases of Legionnaires' disease; amending Minnesota Statutes 2016, section 144.382, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2016, section 144.382, is amended by adding a subdivision to read:

Subd. 3a. **Legionnaires' disease.** "Legionnaires' disease" means a serious type of pneumonia caused by exposure to legionella bacteria.

EFFECTIVE DATE. This section is effective August 1, 2018.

Sec. 2. Minnesota Statutes 2016, section 144.382, is amended by adding a subdivision to read:

Subd. 3b. **Potable water.** "Potable water" has the meaning given in section 115.01, subdivision 14.

EFFECTIVE DATE. This section is effective August 1, 2018.

Sec. 3. Minnesota Statutes 2016, section 144.382, is amended by adding a subdivision to read:

Subd. 3c. **Public water distribution system.** "Public water distribution system" means an interconnected system of pipes, storage facilities, and other components that convey potable water from a treatment plant or water source to consumers.

EFFECTIVE DATE. This section is effective August 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 144.382, is amended by adding a subdivision to read:

Subd. 6. **Water supply system operator.** "Water supply system operator" has the meaning given in section 115.71, subdivision 10.

EFFECTIVE DATE. This section is effective August 1, 2018.

Sec. 5. Minnesota Statutes 2016, section 144.382, is amended by adding a subdivision to read:

Subd. 7. **Waterborne disease.** "Waterborne disease" means an acute infectious illness epidemiologically associated with the aspiration or inhalation of water originating from a public water distribution system that is deficient in treatment, as determined by the commissioner of health or the community health board with jurisdiction over the public water distribution system.

EFFECTIVE DATE. This section is effective August 1, 2018.

Sec. 6. **[144.3845] WATER MANAGEMENT PRACTICES TO PREVENT WATERBORNE DISEASES.**

Subdivision 1. **Application.** This section applies to public water distribution systems that serve one or more counties, cities, towns, or other public authorities.

Subd. 2. **Use of chlorine-based chemical disinfectant.** A water supply system operator for a public water distribution system that uses a chlorine-based chemical disinfectant method of treatment must maintain chlorine at one of the following minimum concentrations at the entry point of the public water distribution system and throughout the public water distribution system:

(1) for water with a pH value lower than 7.0, the free chlorine residual must be at least 0.5 milligrams per liter;

(2) for water with a pH value equal to or above 7.0 but lower than 8.0, the free chlorine residual must be at least 0.6 milligrams per liter;

(3) for water with a pH value equal to or above 8.0 but lower than 9.0, the free chlorine residual must be at least 0.8 milligrams per liter; and

(4) for water with a pH value equal to or above 9.0, the free chlorine residual must be at least 1.0 milligram per liter.

Subd. 3. **Use of continuous chloramination method.** A water supply system operator for a public water distribution system that uses a continuous chloramination method of treatment must maintain a minimum concentration of 0.5 milligrams per liter of chloramine, measured as total chlorine, at the entry point of the public water distribution system and throughout the public water distribution system.

Subd. 4. **Monitoring.** For a public water distribution system using a chlorine-based chemical disinfectant, a water supply system operator must monitor the public water distribution system to ensure that the free chlorine residual is detectable in a concentration of at least 0.5 milligrams per liter based on pH value at all points throughout the public water distribution system. For a public water distribution system using a continuous chloramination method, a water supply system operator must monitor the public water distribution system to ensure that the chloramine residual is detectable in a concentration of at least 0.5 milligrams per liter measured as total chlorine at all points throughout the public water distribution system.

Subd. 5. **Notice to customers.** (a) A water supply system operator for a public water distribution system must notify customers who are served by the system and are in the affected area of:

(1) disruptions in the public water distribution system that could result in legionella or other waterborne disease-causing bacteria being present in potable water delivered for use and consumption by humans;

(2) the presence of legionella or other waterborne disease-causing bacteria in the system; or

(3) a Legionnaires' disease or other waterborne disease outbreak.

(b) Disruptions for which customer notice must be provided include but are not limited to a water main break; construction taking place near the public water distribution system; cleaning the public water distribution system; flooding or other rain events that affect water quality or color; algae or bacterial blooms in the surface water supply; changes in water disinfection chemistry or concentration; changes in the method of water filtration; changes to the public water distribution system's piping; water pressure loss due to fire hydrant use, mechanical failure, or electrical failure; an increase in the temperature of the water supply above the average temperature; or any other event that may affect the ability of a public water distribution system to provide safe potable water.

(c) Notice to customers in the affected area must be provided as soon as practical, but no later than 24 hours after the water supply system operator is made aware of a disruption, the presence of legionella or other waterborne disease-causing bacteria, or a Legionnaires' disease or other waterborne disease outbreak in the area served by the system. The notice provided must include information about the nature of the disruption, bacteria presence, or disease; possible adverse health effects to at-risk populations; when the disruption is expected to be resolved; and alternate sources of safe potable water.

EFFECTIVE DATE. This section is effective August 1, 2018.

Sec. 7. **[144.3847] LEGIONNAIRES' DISEASE INVESTIGATIONS.**

The commissioner of health or a community health board with delegated authority under section 145A.07 shall investigate all cases of Legionnaires' disease reported to the commissioner according to Minnesota Rules, chapter 4605. When investigating a case of Legionnaires' disease, the commissioner or community health board shall:

(1) utilize all of the investigative tools for single cases of Legionnaires' disease and for clusters or outbreak cases of Legionnaires' disease developed by the federal Centers for Disease Control and Prevention, in order to positively identify the source of legionella bacteria that resulted in disease;

(2) sample and test potable water for the presence of legionella bacteria at all locations where the individual diagnosed with Legionnaires' disease resided, frequently visited, or was employed in the month prior to the individual's diagnosis; and

(3) utilize further testing to confirm the presence of legionella bacteria in any sources in which the bacteria is detected through initial testing according to clause (2).

EFFECTIVE DATE. This section is effective August 1, 2018.