

HOUSE No. 2011

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for environmental risk fact sheets from the state Department of Public Health.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kristin Beatty</i>		<i>1/15/2019</i>

HOUSE No. 2011

By Mr. Vega of Holyoke (by request), a petition (accompanied by bill, House, No. 2011) of Kristin Beatty that the Department of Public Health create cautionary warning fact sheets on certain technological risks. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act providing for environmental risk fact sheets from the state Department of Public Health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Laws are hereby amended by inserting after Chapter 111D
2 section 2 in Title XVI Part I the following section:-

3 SECTION 2A. ENVIRONMENTAL RISK FACT SHEETS

4 Section 1. Ensuring public safety and adopting a cautionary stance in relation to risks
5 from old and emerging technology is the primary objective of this section, as well as insuring
6 transparency and public input.

7 (a) As used in this section, the following words shall have the following meanings:

8 “Reasonable interpretations from scientific knowledge” or “Reasonable interpretations
9 from current science” shall mean that medical risks shall be acknowledged when logic, trends,
10 patterns, and/or laboratory science indicate potential risk, and assessments of risk shall consider
11 the sum of clearly credible laboratory and epidemiological studies. A pattern or trend of similar

findings in different studies can provide reasonable indication the finding is true. Reasonable interpretations shall mean recommendations of beneficial health practices, foodstuffs, and nutrients shall be reasonable only when these practices are known to be safe and free of harm based on traditional consumption or use, but not necessarily when extreme dosages or unusual intake with unknown results are recommended. Reasonable interpretations shall not apply to recommending novel medicines, non-traditional or extreme dosages, and novel or non-traditional therapies unless certainty of safety or greater benefit exists based on common sense or until credible scientific testing is completed that insures toxicological safety. Reasonable interpretations shall mean recognizing that medical practice or scientific knowledge proven wrong with numerous examples of concrete, verifiable evidence in research must be set aside rather than used to falsely validate medical practice or scientific myths.

“Credible laboratory and epidemiological scientific studies” and “credible scientific testing” shall mean all relevant scientific research that demonstrates sufficient control of subjects, time, and materials to prevent corruption of data or false conclusions. The small size or short length of a study in itself shall not necessarily mean lack of credibility, although small size or short length requires acknowledgement that impacts on larger or more diverse populations or in the long term are lacking. However, conflicts of interest in research funding or other financial interest shall, when existing, need to be negligible to be considered moderately credible and shall be acknowledged as lacking full independence and therefore lacking full credibility.

“Technology Addiction” or “TA” shall mean compulsive use of technology and inability to control use combined with withdrawal from real life interactions, interpersonal relations, and ordinary responsibilities or personal care. In less acute cases, developing addicts may continue to attend to responsibilities, but progressively increase technology use during free time, losing

interest in other activities, and becoming more irritated or anxious from interruption of technology use. Technology Addiction includes more specialized subsets of addiction such as video game, mobile phone, or social media addiction. Certain subsets may be more vulnerable to digital addiction, such as adolescents due to lack of impulse control, and children may be indirectly impacted by the digital addiction of caretakers.

“Screen time” or “ST” shall mean the amount of time spent in front of a technological screen, including television, computer, virtual reality, video game, and other electronic device screens, and may be further defined in more specialized subsets such as active or passive use.

(b) The Department of Public Health shall provide Cautionary Warning Fact Sheets based on reasonable interpretations of scientific knowledge of technological risks to the public and a cautionary stance. A cautionary stance means that not only will known risks be admitted, but that possible risks indicated by credible laboratory and epidemiological scientific studies will also be admitted and related cautionary warnings and suggestions provided. These Cautionary Warning Fact Sheets shall first be provided in order on the subjects of wireless communications, electrical power frequencies, technology addiction & excessive screen time, artificial light, and electrical harmonics and transients.

The time allowed for completion and publication of a fact sheet on these topics, from the time of establishment of this law, shall be at minimum as follows: four months for wireless communications; six months for electrical power frequencies; eight months for technology addiction and excessive screen time; one year for artificial light; and one year and four months for electrical harmonics and transients.

56 In these fact sheets, the Department of Public Health shall provide information, where
57 appropriate, regarding the risks in pregnancy, to youth, children, the immune-compromised, and
58 any other special population subsets with greater vulnerability. Regarding screen time
59 Cautionary Warning Fact Sheets, the Department of Public Health shall emphasize a cautionary
60 stance of avoidance as best for young children and minimal exposure through adolescence to
61 develop healthy interpersonal relationships and intellectual capacity.

62 To assist writing Cautionary Warning Fact Sheets the Department of Public Health may
63 hire or take the advice of a credible expert or experts in the field, provided that each expert is
64 clearly identified as an author and further that each expert in question has no concerning history,
65 affiliation or financial arrangement with an industry using said technology and can be fairly
66 considered as independent of corrupting influences from relationships with the technology
67 industry. No assisting expert may be a product defense expert or product defense witness, nor
68 shall such expert be employed by a company whose primary clientele is industry or primary role
69 is in product defense.

70 In preparing the Cautionary Warning Fact Sheets, the Department of Public Health shall
71 follow a cautionary stance by admitting, where relevant, on each Cautionary Warning Fact Sheet
72 that: “A safe level of exposure has not been identified” and, again where relevant, “Further
73 research is necessary to identify other effects or risks.” When relevant, the Department of Public
74 Health will provide Cautionary Levels of Exposure to avoid known risks, but shall clearly label
75 these as tentative when safe levels of exposure are not known, and shall further be required to
76 update Cautionary Warning Fact Sheets based on reasonable interpretations of current science in
77 regard to facts, cautions, and exposure levels presented.

78 The object of the Cautionary Warning Fact Sheets shall be to provide the public with an
79 understanding of known and potential health risks according to common sense, credible
80 laboratory and epidemiological scientific studies, and reasonable interpretations from current
81 science, so that the fact sheets shall require a respectable length and simplicity of language to
82 convey such understanding. A press release or press conference shall accompany the release of
83 each fact sheet, and fact sheets with relevance to school settings shall be provided to the
84 departments of education for distribution.

85 In order to insure continuing attention to public and emerging health risks, the people of
86 the Commonwealth shall be allowed to submit other technological and chemical risks to the
87 Department of Public Health via a transparent and simple process set in place by the department.
88 Requests for new Cautionary Warning Fact Sheets shall be kept for public record and freely
89 available to the public unless withdrawn by the person submitting the request.

90 Upon receiving a request for a Cautionary Warning Fact Sheet on a new topic, the
91 Department of Public Health shall begin to prepare Cautionary Warning Fact Sheets on the
92 subject, place the item on a wait list if still working on a different Cautionary Warning Fact
93 Sheet, or shall provide an understandable and reasonable response denying the request within
94 two months and which shall be a part of the public record and freely available to the public. Any
95 statement of denial on the part of the Department of Public Health shall also include the names
96 and signatures of the Department of the Public Health approving of this decision as well as the
97 signature of the governor as a measure of his or her approval.

98 Cautionary Warning Fact Sheets shall not be used for diseases, but instead shall be
99 designed to address risks of environmental pollution from chemicals or technologies.

100 To prevent the Department of Public Health from being overwhelmed in duties, the
101 department shall be allowed five months time for the construction of new Cautionary Warnings
102 Fact Sheets, although these may be completed sooner. When competing requests exist, the
103 department shall create a waiting list and but shall select first those topics that are least
104 understood by the public and appear to pose greatest risks.