

MedChi

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TO: The Honorable Dereck E. Davis, Chairman
Members, House Economic Matters Committee
The Honorable Andrew Serafini

FROM: Joseph A. Schwartz, III
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DATE: January 28, 2014

RE: **OPPOSE** – House Bill 189 – *Maryland Occupational Safety and Health Act – Chemical Information List – Submission to Department of the Environment – Repeal*

The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, opposes House Bill 189.

House Bill 189 repeals the current statutory requirement for employers to compile and maintain a chemical information list for all hazardous chemicals that are formulated, handled, manufactured, packaged, processed, reacted, repackaged, stored or transferred in the employer's workplace with certain defined exceptions. The chemical lists are submitted to the Maryland Department of the Environment (MDE). MDE must allow access to information under certain circumstances and notify the employer when there is a request for the information. These requirements bring Maryland into compliance with the federal Emergency Planning and Community Right-to-Know Act (EPCRA).

EPCRA was designed to provide all levels of government and the public with information required to plan for a chemical incident. The law was meant as a starting point for an ongoing dialogue between community representatives, emergency response personnel, and industry. EPCRA requires industries to provide the government with information about their activities with hazardous and toxic chemicals. Passage of House Bill 189 would completely undermine the goals and objectives of EPCRA and would most likely make Maryland non-compliant with federal law.

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The physician community must have access to information about hazardous chemicals when rendering care to individuals suspected of exposure to toxic or harmful substances. Without information on the chemicals to which a person may have been exposed, it becomes extremely difficult, if not impossible, to diagnose and properly treat the individual. The provisions of law that are proposed to be repealed are a critical component of Maryland's commitment to protecting employees from harm and working to ensure a safe and healthy work environment. There is no justifiable reason to delete this important employer responsibility. MedChi urges an unfavorable report.

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