

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 909  
Committee Substitute Favorable 8/31/21

Short Title: Legionnaires' Disease Prevention Study.

(Public)

Sponsors:

Referred to:

May 11, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO  
3 STUDY OPTIONS AVAILABLE TO REDUCE THE RISK OF LEGIONNAIRES'  
4 DISEASE IN THE STATE AND MAKE LEGISLATIVE RECOMMENDATIONS TO  
5 THE GENERAL ASSEMBLY.

6 Whereas, Legionnaires' disease is a serious respiratory disease and a form of  
7 pneumonia principally caused by the inhalation of the bacterium *Legionella pneumophila* in  
8 microscopic water droplets; and

9 Whereas, Legionnaires' disease is a significant public health threat having mortality  
10 rates of 10% within the general population and with significantly higher mortality rates in at-risk  
11 populations, a group that has dramatically increased in size due to the long-term respiratory  
12 impacts of the COVID-19 pandemic; and

13 Whereas, there have been multiple outbreaks of Legionnaires' disease in North  
14 Carolina; and

15 Whereas, it has been established by scientific evidence that improper management of  
16 building water systems may cause or contribute to the proliferation of *Legionella pneumophila*  
17 and can result in Legionnaires' disease; and

18 Whereas, national studies have shown that 90% of Legionnaires' disease outbreaks  
19 could have been prevented by more effective water management; and

20 Whereas, the American Society of Heating, Refrigerating and Air-Conditioning  
21 Engineers (ASHRAE) recently developed new guidance about how to minimize the risk of  
22 Legionnaires' disease from building water systems; Now, therefore,  
23 The General Assembly of North Carolina enacts:

24 **SECTION 1.(a)** The Department of Health and Human Services shall conduct a  
25 study to determine what actions the State may take to reduce the risk of Legionnaires' disease in  
26 North Carolina by minimizing the growth and transmission of waterborne *Legionella*  
27 *pneumophila*. As part of the study, the Department shall:

- 28 (1) Identify all current measures in place to reduce the risk of Legionnaires'  
29 disease, including State and federal statutory and regulatory requirements  
30 relating to building water systems and public water systems. For the purposes  
31 of this section, "building water systems" are potable and nonpotable water  
32 systems located in a building or on-site.  
33 (2) Compare the State's current statutory and regulatory framework to the  
34 recommendations contained in ASHRAE Standard 188-2018, Legionellosis:  
35 Risk Management for Building Water Systems and ASHRAE Guideline



1                           12-2020: Managing the Risk of Legionellosis Associated with Building Water  
2                           Systems and other pertinent guidance documents and literature.

3                           **SECTION 1.(b)** The Department shall report its findings and recommendations,  
4 including any legislative or regulatory proposals, to the Joint Legislative Oversight Committee  
5 on Health and Human Services no later than April 1, 2022.

6                           **SECTION 2.** The sum of ten thousand dollars (\$10,000) in nonrecurring funds for  
7 the 2021-2022 fiscal year is appropriated from the General Fund to the Department of Health and  
8 Human Services to carry out the study required by this act.

9                           **SECTION 3.** This act is effective when it becomes law.