

The Janey Ensminger Act of 2016

Senators Richard Burr (R-NC), Thom Tillis (R-NC), and Bill Nelson (D-FL)

Background

The Centers for Disease Control and Prevention's Agency for Toxic Substances and Disease Registry (ATSDR) at the Department of Health and Human Services (HHS) conducts public health assessments addressing environmental contamination and analyzing the health risks from this exposure for individuals who lived and worked at Camp Lejeune, NC. Current law extends health care to veterans and their family members who have certain diseases and conditions as a result of exposure to contaminated well-water in North Carolina from 1957 to the 1980s. ATSDR's scientific analysis has been critical to informing the benefits for veterans and their family members who are sick as a result of this tragic contamination in North Carolina. Despite ATSDR determining that a number of cancers and other health conditions were caused by the Camp Lejeune water contamination, the Veterans Administration (VA) continues to challenge these findings, ultimately delaying and denying care to veterans and their family members. For decades, service members and their family members who lived and worked at Camp Lejeune, NC were harmed by exposures to toxic substances. In the decades since, these men and women who served our nation, have had to fight to receive the care to which they are entitled as a result of their service to our country. Veterans and their family members should not be further harmed by the VA's failure to accept ATSDR's findings.

Ensuring Accountability to our Nation's Veterans and Family Members

The Janey Ensminger Act of 2016 codifies ATSDR's critical work on behalf of veterans and their family members who have been sickened by the toxic exposures that occurred at Camp Lejeune, in a way that ensures and strengthens accountability to these individuals. This bill provides critical transparency regarding the HHS and VA's Camp Lejeune-related work in a manner that respects and reflects the most current scientific understanding of the health risks associated with these toxic exposures.

This bill would require the ATSDR Administrator to review the scientific literature relevant to the relationship between the employment or residence of individuals at Camp Lejeune, NC for not fewer than 30 days between August 1, 1953, and December 21, 1987, and the specific illnesses or conditions incurred by those individuals. The ATSDR Administrator would also be required to determine each illness or condition for which there is evidence that exposure to a toxic substance at Camp Lejeune, NC, during this time period may be a cause of the illness or condition, categorize the level of evidence for these conditions, and publish this information on HHS' Internet website. Under this bill, the list of illnesses and conditions, and their corresponding evidentiary categorization from exposure to a toxic substance at Camp Lejeune, NC, would be regularly updated to ensure that this list reflects the most current scientific analysis. This transparency is key for ensuring that there is no denying, delaying, or disputing the health care benefits owed veterans and their family members who are sick because of exposure to a toxic substance at Camp Lejeune, North Carolina.

If the evidentiary connection between an illness or condition to exposure of a toxic substance at Camp Lejeune, NC, previously found to be sufficient or modest changes in the future, veterans and their family members who have received care tied to the previous categorization will continue to receive such care; however, newly registered veterans and family members would receive care based on the most current list by ATSDR. This approach balances the need to ensure continuity of care for current veterans and their family members, while ensuring that the care provided to future veterans and their family members reflects the most current science regarding exposure to a toxic substance at Camp Lejeune and related illnesses.