

# The Janey Ensminger Act of 2019

## 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 1953 to 1987. ATSDR's scientific analysis has been critical to informing the benefits for veterans and their family members who are sick as a result of the 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 years, 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. Care for veterans and their families should not be further delayed 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 2019 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 for 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 future research by ATSDR determines that the casual connection between the contaminated water at Camp Lejeune and a medical condition is not as strong as once believed, those veterans and their families who are being treated for that disease or condition shall continue to receive care in order to ensure continuity of care. However, for veterans and their families who are not already receiving care for such a condition, medical care would no longer be available because the causal connection is no longer scientifically supportable.