AMENDMENT TO RULES COMMITTEE Print 116–54

OFFERED BY MR. TRONE OF MARYLAND

Page 1220, after line 11, insert the following:

TITLE VI—OTHER MATTERS

SEC. 26001. WASTEWATER DRUG TESTING PILOT PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Environmental Protection Agency shall establish a pilot program to provide funding to States to incorporate wastewater testing for drugs at municipal wastewater treatment plants in order to monitor drug consumption and detect new drug use more quickly and in a more specific geographic region than methods currently in use.

(b) SELECTION.—In carrying out the pilot program established under subsection (a), the Administrator shall, subject to appropriations, select 5 States to each receive $1,000,000 in each of fiscal years 2022 through 2024 to provide funding to municipal wastewater treatment plants to incorporate testing for drugs into their routine wastewater testing protocol.

(c) REQUIREMENTS.—A State receiving funds pursuant to the pilot program shall—
(1) provide funding to municipal wastewater treatment plants to collect and test water samples;

(2) facilitate a partnership between local health departments and municipal wastewater treatment plants; and

(3) provide not less than 10 percent of the funds to applicable local health departments to develop public health interventions to respond to drug use in the community, as indicated by testing results.

(d) ANALYSES.—A State receiving funds pursuant to the pilot program may use a portion of the funding to have test results analyzed, including to develop estimates of how many doses of a drug have been consumed and to track results over time. The State shall report such analyses to the local and State health departments and to the Centers for Disease Control and Prevention.

(e) REPORTS.—

(1) STATE REPORTS.—Not later than 90 days after the end of the pilot program, each State that received funds shall submit a report to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives, the Committees on Health, Education, Labor, and Pensions and Environment and Public Works of the
Senate, and the Centers for Disease Control and Prevention that includes each year’s final budget, an explanation of how the program was established, what information the wastewater testing provided and whether findings were in line with other drug surveillance strategies, the usefulness of testing as an evaluation strategy for policy change and public health interventions, challenges encountered, and recommendations for responsible data use and maintaining privacy.

(2) CDC REPORT.—Not later than 180 days after the end of the pilot program, the Centers for Disease Control and Prevention shall submit a report to Congress analyzing the reports submitted under paragraph (1) and detailing best practices for implementing wastewater testing and using the results to inform public health interventions.

(f) RESTRICTIONS.—

(1) COLLECTION.—A State receiving funds pursuant to the pilot program may not use such funds to collect water samples from any location other than a municipal wastewater treatment plant.

(2) DISCLOSURE.—Analyses of samples collected pursuant to this section may not be disclosed to any entity other than the applicable State and
local health departments and the Centers for Disease Control and Prevention.

(3) REPORTS.—Any information relating to sample analyses included in a report submitted under subsection (e) shall not be made public.