

## BLOGS

Legislative Developments; Medical Monitoring

# Proposed PFAS Accountability Act Would Create Medical Monitoring Program for PFAS Exposure

United States Senator, Kristin Gillibrand (D-NY), along with other House and Senate Democrats, recently announced new legislation targeted at addressing per- and polyfluoroalkyl substances ("PFAS") contamination. The proposed PFAS Accountability Act, which has not yet been released, would establish a federal cause of action allowing individuals who have been exposed to PFAS to sue companies that manufacture or use the chemicals. Senator Gillibrand's legislation will also provide legal pathways for federal courts to set up medical monitoring programs for individuals exposed to PFAS to prevent against premature morbidity, disability, or death. Specifically, courts may award medical monitoring, if an individual or a class, has suffered an increased risk of developing a disease associated with exposure to PFAS, and there is a "reasonable basis" that the individual or class must undergo periodic and diagnostic medical monitoring for diseases associated with PFAS exposure.

Additionally, if enacted the PFAS Accountability Act will: (1) incentivize funding for epidemiological research on PFAS compounds, and (2) create a national registry designed to update members on latest developments in medical research and treatments. While unveiling the legislation at a roundtable with environmental advocacy groups in New York, Senator Gillibrand said exposure to PFAS contaminants is a national issue, and hopes that a medical monitoring system for PFAS exposure will be made available across the United States.

Lathrop GPM is following this and other PFAS legislative developments as Congressional attention over PFAS continues to grow. Follow the PFAS Playbook for further developments.

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