



PUBLIC HEALTH

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Integrating the New Federal Pool and Spa Safety Law with Water Recreation Facilities Rules Chapters 246-260 WAC and 246-262 WAC

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Drowning Deaths and Injuries in the US

- Children age 1 to 4 are most likely to drown in pools and spas (Center for Disease Control)
- Drowning is the 2nd leading cause of injury-related death to children under age 15 (Center for Disease Control)
- An estimated 5000 children under age 15 are hospitalized each year from near drowning
 - ✓ 15% die in the hospital
 - ✓ 20% suffer permanent neurological disability (National Safety Council & Foundation for Aquatic Injury Prevention)

State Regulatory Framework

- Two chapters of State Board of Health rules:
 - ✓ Water Recreation Facilities / WAC 246-260
 - ✓ Water Contact Facilities / WAC 246-262
- Review and approval of plans
 - ✓ DOH and five local health jurisdictions (LHJs)
- LHJs issue Operational Permits
- DOH provides technical guidance for facility design and operation

New Federal Law

- Virginia Graeme Baker Pool and Spa Safety Act
 - ✓ Adopted December 19, 2007
 - ✓ Effective December 19, 2008
- New requirements to improve drowning prevention
 - ✓ Entrapment prevention equipment for public facilities
 - ✓ Barrier enhancement for private facilities
- Enforced by Consumer Product Safety Commission

Entrapment Issues

- Hair Entrapment – 38% (51 of 133)
- Limb Entrapment – 29% (39 of 133)
- Body Entrapment – 27% (36 of 133)
- Evisceration – 4.5% (6 of 133)
- Mechanical Entrapment – 0.75% (1 of 133)
- 73% of reported incidents can be prevented by new safety covers
- 25% of reported incidents can be prevented by installing equipment that breaks the vacuum, releasing body entrapment

Source: Consumer Products Safety Commission Jan 1985- Mar 2002

New Federal Requirements

- All drain covers manufactured must meet new standard
- All drain covers in all public pools must meet new standard
- All pools with single main drain systems must add entrapment prevention equipment
- “Public pools” includes pools, spas, hot tubs, water parks, and spray parks governed by SBOH rules at:
 - ✓ Municipal facilities
 - ✓ Private clubs, athletic facilities
 - ✓ Apartments, condominiums, homeowner’s associations, mobile home parks, hotels and motels

Impacts of New Law on Existing Pools

- Existing facilities impacted: 4,000 (estimated)
- New drain covers needed: over 6,000 (estimated)
- Complicating factors for installing new covers:
 - ✓ Does a sump exist?
 - ✓ Is the sump in good condition and does it meet dimensional requirements?
- Single-main drain facilities needing additional entrapment prevention equipment: 2,000 (estimated)

Federal Law Implementation Issues

- Availability of replacement equipment
- Awareness of the critical design elements
- Expense of replacement covers and additional entrapment prevention equipment
- Integration of federal law and state rules where state rules are more restrictive, more protective

DOH Response Plan

- Communicate with facilities owners, operators, designers, builders, and LHJs about the federal law
- Work with CPSC, other states' program managers, and industry leaders to solidify interpretation and implementation of the federal law
- Develop additional technical guidance for integrating the federal law and state rules
- Provide training to LHJs and the regulated community

Communication Plan

- Web pages for owners, operators, designers, builders, and LHJs
- Develop guidance for implementing the federal law, targeted “Things to know” and “What to do”
- Direct distribution of information to all owners and operators, and to designers, builders, and LHJs
- Keep the Board of Health informed

Questions?

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