

# Public Health Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-5272

**Title:** AN ACT CONCERNING MENSTRUAL PRODUCTS.

**Vote Date:** 3/25/2022

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/9/2022

**File No.:**

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

## **SPONSORS OF BILL:**

The Public Health Committee

## **REASONS FOR BILL:**

To reduce the social stigma and shame attached to menstruation and move towards health equity, this bill requires school boards to provide free menstrual products in restrooms accessible to students in each school under their jurisdiction. This bill also requires that these products be provided in each restroom in domestic violence emergency shelters, state-funded homeless shelters, and in a central location on each public higher education campus. These products must be provided under Department of Public Health (DPH) established guidelines, and in a way that does not stigmatize anyone who seeks them. Additionally, the bill updates terminology in existing statutes, from "feminine hygiene products" to "menstrual products," and it allows entities who provide these products to accept donations and grants.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

### **Manisha Juthani, Commissioner, Department of Public Health:**

DPH supports this bill and recognizes the importance of providing adequate resources including basic supplies, particularly for students, those experiencing homelessness, and incarcerated individuals. The Department understands the potential health impacts as well as the stigmatization that result from menstrual inequity, particularly for those already living in vulnerable circumstances. DPH would like to specifically highlight the relationship between lack of access to menstrual products and school absenteeism for our most vulnerable students. Such experiences may result in a lifelong impact to a students' success and well-being.

**Representative Christine Conley:**

Rep. Conley is in support of this bill. Currently, students in middle and high schools may be able to purchase menstrual products in their school's restrooms or request them from the nurse, but both the cost and the potential embarrassment can be barriers to access. By making menstrual products available in middle and high schools free of charge, students will no longer be prevented from attending school due to a lack of affordable hygiene products. Under existing statute, the York Correctional Institute must provide menstrual products to inmates upon request, but this bill would expand that requirement to ensure that inmates are not stigmatized for seeking out these products and would also provide avenues through which York may collect these products.

**Representative Lucy Dathan:**

Rep. Dathan also supports the bill. Menstruation takes place approximately 2535 days in a lifetime. It creates a barrier to school, work, social and public activities and is a public health issue. The use of unhygienic alternatives such as toilet paper or other paper product substitutes could potentially result in physical and mental health conditions such as Toxic Shock Syndrome and depression. It also creates the possibility of reproduction issues.

**Representative Kate Farrar:**

Over half of Connecticut residents are, or have been menstruators. Unfortunately, for far too long, menstruators have had to choose between food, a roof over their head, their education, and access to menstrual products. Periods do not stop during pandemics and neither have the barriers to accessing menstrual products for many individuals in our state. This bill will address period poverty and advance menstrual equity for all.

**NATURE AND SOURCES OF SUPPORT:**

**State of Connecticut Commission on Human Rights and Opportunities (CHRO):**

CHRO supports this bill. The cost of one month of supplies still runs between \$6 and \$10 per person in our state. The burden of this cost falls primarily on low-income people, homeless individuals, and those who can least afford to miss time from work or school. Due to systemic inequities, individuals of color and members of other marginalized communities are often low-income or otherwise unable to afford to meet these needs. Making these products available to those who need them, without stigma, in prisons, schools, and shelters is an important facilitator of equity.

**Rosemary Lopez, Women's Policy Analyst, CWCSEO:**

Studies have shown that 1 in 4 women and girls reports struggling to afford menstrual products. These individuals are more likely to experience depression because they do not have access to menstrual products. Some individuals substitute with other products such as paper towels, wash cloth or toilet paper, which could increase the risk of infections.

**Connecticut Hospital Association (CHA):**

CHA recognizes recent research demonstrating that an insufficient supply of menstrual products is not only a health-related issue, but also an economic issue. A 2021 study demonstrated that 38% of low-income menstruators reported missing work, school, or similar activities due to lack of access to menstrual supplies. Increasing access to menstrual supplies could make it easier for a person to go to work or school and thus could aid in advancing economic mobility, a key driver of population and community health.

**Connecticut Association of Boards of Education (CABE):**

CABE supports this bill if funding is provided to address the mandate. to provide menstrual products to middle and high schools. To implement this mandate, districts will need dispensers and products for restrooms. The timing of the guidance from the Commissioner of Public Health and the implementation at the district level are on the same date. Therefore, CABE would request time to review the guidance before implementation. In addition, if districts utilize donations, additional time to implement may be needed.

**Glenn Lungarini, Executive Director, Connecticut Association of Schools:**

The availability of free menstrual products as described in this bill will provide students with necessary supplies in a manner that reduces stigmatization and respects an individual's privacy. Based on the funding described in this bill, there will not be a fiscal impact to school districts.

**Fran Rabinowitz, Executive Director, CT Association of Public-School Superintendents (CAPSS):**

This bill allows boards of education to use donations, grants, or partnerships with community organizations to facilitate the placement of free menstrual products in school bathrooms. Without alternative funding or ways for districts to obtain menstrual products free of charge, it would be difficult for several of our school districts to furnish all their female restrooms with free menstrual products. CAPSS supports this bill if funding is provided to institute it.

**Kathleen Flaherty, Executive Director, CT Legal Rights Project, Inc.:**

This bill will help end period poverty by making menstrual products more available at many vital public institutions. It is far past time that we recognize that menstrual products are a basic need for people who menstruate – something half the population does each month for about forty years.

**Liz Gustafson, State Director, Pro-Choice Connecticut:**

Students who are low-income, people who are incarcerated, and individuals experiencing homelessness face considerable barriers and are denied equitable access to menstrual hygiene products. Although Connecticut has eliminated the "tampon tax", menstrual products remain as an additional cost to residents who experience poverty, as SNAP and Medicaid benefits do not cover menstrual products.

**Jess Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut:**

This bill does vital work to ensure equal social and economic opportunities for people who menstruate. It requires the provision of menstrual products in prisons, public middle and high schools, public higher education institutions, and homeless shelters. In addition, this bill recognizes that people who menstruate are not limited to cisgender women and includes men and non-binary people, and accordingly ensures access to menstrual products regardless of gender.

**Maggie Goodwin, National Organization for Women CT:**

Please rectify this injustice and public health oversight for women and pass this legislation so that the next generations of women do not have to be embarrassed, inconvenienced and even traumatized by not having menstrual supplies readily available in public spaces for free. This problem was brought to our attention by groups of young high school women. We ought to have demanded provision of free menstrual products sooner.

**Janet Stolfi Alfano, Executive Director, The Diaper Bank of Connecticut:**

Women of color are significantly affected by period poverty. Additionally, trans people are more likely than cisgender people to face economic challenges that can compound period poverty and menstrual stigma. The cost of period products makes them inaccessible for many individuals who are low-income, forcing them to resort to using unsafe and unhygienic alternatives like rags, toilet paper or even adult incontinence products.

**Additional Testimony in Support**

- Gretchen Raffa, Vice President PPAO, Planned Parenthood of Southern New England
- Black and Brown United in Action
- Michael Bloom, Executive Director, Jewish Federation Association of Connecticut
- Gary Starr, Chair, Jewish Federation Of Greater Hartford
- Antonia Edwards, SoliDarity
- Nicole Elsinger, SGA President, Central Connecticut State University
- Daniel Fitzmaurice, Executive Director, Arts Council of Greater New Haven
- Sarah Fox, CT Coalition to End Homelessness
- Jennifer Gaines, Program Director, Alliance for Period Supplies
- Melinda Johnson, Director, Community Engagement & Advocacy, YWCA Hartford
- Susan Lloyd Yolen, Board Member, PoliticaCT
- Donna Kosiorowski, Interim President, Association of School Nurses of Connecticut
- Asija Qyteza, Menstrual Equity Advocate, LiveGirl
- Sabrina Uva, SGA President, University of Connecticut-Stamford
- Mary Valdovinos, Operations Manager, Women Against Mass Incarceration
- 48 others testified in support

**NATURE AND SOURCES OF OPPOSITION:**

**Connecticut Association of School Business Officials:**

Although they appreciate the intent of this bill, the requirement to provide free menstrual products in middle and high school restrooms accessible to students would represent an additional financial burden to many of our schools. The additional upfront costs for installing the dispensers are estimated to be over \$300 per applicable restroom and the ongoing product cost is estimated at \$100 per female student per year. This could go even higher due to potential issues with overuse and vandalism.

**Reported by: Dallas Emerle**

**Date: 4/6/2022**