

March 31, 2025

Re: Oppose SF 1690

Dear Chair Klein and Members of the Committee:

On behalf of AdvaMed, the MedTech Association, we are writing in respectful opposition to SF 1690, *Stewardship program establishment for circuit boards, batteries, and electrical products*. We appreciate the intent to exclude medical devices as other states with battery stewardship programs have done, but SF 1690 does not capture medical devices as well as it potentially could.

AdvaMed is the largest association representing medical technology innovators and manufacturers. Our members are the device, diagnostics, medical imaging, and digital technology manufacturers transforming health care through earlier disease detection, less invasive procedures, and more effective treatments. They range from the smallest startups to multinational corporations.

The current exemption language for *115A.1331 Stewardship Program for Circuit Boards, Batteries, and Electrical Products; Definitions* includes some medical devices but there may be gaps in the types of devices that are covered under this exemption language. The language in the current bill is:

(4) a product that has a covered circuit board, a covered battery, or a cathode-ray tube contained within it or otherwise attached or connected to it, except;

(i) a medical device meeting the definition of a device under United States Code, title 21, section 321, unless it is marketed for use in a household, as defined in section 115A.96;

and

(ii) a motor vehicle, as defined in section 168.002.

We believe that the Washington bill is a good basis, and it includes the following language with what would apply to medical devices bolded:

"Covered battery" does not include:

(i) A battery contained within a medical device, as specified in Title 21 U.S.C. Sec. 321(h) as it existed as of July 23, 2023, that is not designed and marketed for sale or resale principally to consumers for personal use;

(ii) A battery that contains an electrolyte as a free liquid;

(iii) A lead acid battery weighing greater than 11 pounds;

(iv) A battery subject to the provisions of RCW 70A.205.505 through 70A.205.530; and

(v) A battery in a battery-containing product that is not intended or designed to be easily removable from the battery containing product.

Similar language also exists in laws in Vermont and Illinois and in bills this session in Oregon and Nebraska. Therefore, we respectfully request an update to the exemption language in SF 1690 to better capture medical devices, be more prescriptive, and provide consistency for companies across the states.

Sincerely,



Adrienne Frederick
Director, State Government & Regional Affairs
AdvaMed

