

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1221

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Baltimore City -"; in the same line, after "Tests" insert "- Administering and Reporting"; in line 3, after "require" insert "parents or legal guardians of"; strike beginning with "have" in line 3 down through "administered" in line 4 and substitute "report the results of"; in line 4, after "requiring" insert "certain"; in line 5, strike "in Baltimore City"; strike beginning with "the" in line 5 down through "year" in line 6 and substitute "a certain local health department"; in line 8, after "circumstances;" insert "providing for a waiver of certain tests for religious reasons; requiring a medical laboratory to report the results of a certain test for lead poisoning to a certain person under certain circumstances; authorizing the Commissioner of the Baltimore City Health Department to report certain information to a certain registry program; authorizing the Department of the Environment to report the results of a certain test for lead poisoning to a certain immunization registry; authorizing the Secretary of Health and Mental Hygiene to report certain information concerning a certain test for lead poisoning on a certain immunization registry;"; strike beginning with "at" in line 9 down through "City" in line 10 and substitute "and reporting certain results and information concerning tests for lead poisoning"; after line 15, insert:

"BY repealing and reenacting, with amendments,

Article - Environment

Section 6-303 and 6-304

Annotated Code of Maryland

(1996 Replacement Volume and 1999 Supplement)";

in line 16, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and in line 18, strike "19-308.6" and substitute "18-106".

AMENDMENT NO. 2

(Over)

On page 2, in line 1, strike "TEST SCREENINGS" and substitute "TESTS FOR LEAD POISONING"; strike beginning with "1." in line 8 down through "DEPARTMENT" in line 14 and substitute:

"1. BY SEPTEMBER, 2003, IN AREAS DESIGNATED AS AT RISK FOR LEAD POISONING, AS DETERMINED UNDER § 18-106 OF THE HEALTH - GENERAL ARTICLE, WHEN A CHILD ENTERS A PUBLIC PREKINDERGARTEN PROGRAM, KINDERGARTEN PROGRAM, OR FIRST GRADE, REQUIRE THE PARENT OR LEGAL GUARDIAN OF THE CHILD TO PROVIDE EVIDENCE OF THE RESULTS OF THE CHILD'S BLOOD TESTS FOR LEAD POISONING ADMINISTERED IN ACCORDANCE WITH THE GUIDELINES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE SCREENING OF YOUNG CHILDREN FOR LEAD POISONING: GUIDANCE FOR STATE AND LOCAL PUBLIC HEALTH OFFICIALS (NOVEMBER 1997) AND ANY SUBSEQUENT GUIDELINES; AND

2. BY SEPTEMBER 2003, REQUIRE A PROGRAM OR SCHOOL TO REPORT THE INFORMATION RECEIVED UNDER SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH TO THE LOCAL HEALTH DEPARTMENT IN THE JURISDICTION WHERE THE CHILD RESIDES".

On page 2, after line 23, insert:

"Article - Environment

6-303.

(a) (1) [A] NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, A medical laboratory shall report to the Department the results of all blood [lead] tests FOR LEAD POISONING performed on any child 18 years and under.

(2) (1) A MEDICAL LABORATORY SHALL REPORT THE RESULTS OF TESTS UNDER PARAGRAPH (1) OF THIS SUBSECTION CONCERNING A CHILD WHO RESIDES IN BALTIMORE CITY TO THE COMMISSIONER OF THE BALTIMORE CITY HEALTH DEPARTMENT.

(II) THE COMMISSIONER OF THE BALTIMORE CITY HEALTH DEPARTMENT MAY REPORT THE INFORMATION RECEIVED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO THE BALTIMORE IMMUNIZATION REGISTRY PROGRAM.

(B) THE DEPARTMENT MAY REPORT THE RESULTS OF BLOOD TESTS FOR LEAD POISONING TO AN IMMUNIZATION REGISTRY SUBSEQUENTLY DEVELOPED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

[(b)] (C) The Department shall report the results of blood [lead] tests FOR LEAD POISONING indicating an elevated blood lead level, as defined by regulation, to:

- (1) The local health department in the jurisdiction where the child resides; and
- (2) The Department of Health and Mental Hygiene.

[(c)] (D) The Department shall adopt regulations to:

- (1) Govern the reporting requirements of laboratories to the Department under subsection (a) of this section; and
- (2) Provide for the reporting of information by the Department to local health departments and the Department of Health and Mental Hygiene.

6-304.

(a) The Secretary shall assist local governments, if necessary, to provide case management of children with elevated blood lead levels greater than or equal to 15 micrograms per deciliter (ug/dl).

(b) A local health department that receives the results of a blood [lead] test FOR LEAD POISONING indicating that a child under 6 years of age has an elevated blood lead level greater than or equal to 15 ug/dl and less than 20 ug/dl shall notify:

(Over)

(1) The child's parents; and

(2) In the case of a child who lives in a rental dwelling unit, the owner of the rental dwelling unit where the child resides.”;

and strike in their entirety lines 25 through 28, inclusive, and substitute:

“18-106.

(a) The Secretary shall establish and administer a Lead Poisoning Screening Program that will assure the appropriate screening of children in Maryland for lead poisoning.

(b) The Lead Poisoning Screening Program shall:

(1) Encourage continuity of care with the child's continuing care health care provider;

(2) Promote timely, appropriate screening of children at risk of being poisoned by lead;

(3) Utilize all of the payment mechanisms available to cover lead poisoning screening, including:

(i) Third party payments from insurers;

(ii) The Medical Assistance Program;

(iii) Primary care medical assistance programs established under waiver from the federal government;

(iv) Health maintenance organizations;

(v) Federally qualified and Maryland qualified community health centers;

and

(vi) Any other Medicaid reimbursement or waiver to which the State may be entitled under this section;

(4) Target children under 6 years of age;

(5) Provide lead poisoning screening on a sliding fee scale at sites designated by local health departments for children unable to afford lead poisoning screening; and

(6) Employ an initial questionnaire to assess children's exposure to potential lead hazards, except that children residing in AT RISK areas [of highest risk] IDENTIFIED UNDER SUBSECTION (C) OF THIS SECTION shall be screened by a [venous] blood test FOR LEAD POISONING.

(c) The Secretary shall target efforts to promote and to provide BLOOD TESTS FOR lead poisoning [screening to areas of highest] IN AT risk AREAS, as identified by:

(1) Census tract AND ZIP CODE information noting areas with large concentrations of pre-1978 housing; and

(2) Highest rates of lead poisoning as evidenced by information provided to and by the Childhood Lead Registry established and maintained by the Department of the Environment.

(D) THE SECRETARY SHALL REQUIRE PROVIDERS CARING FOR CHILDREN IN AREAS DESIGNATED AS AT RISK FOR LEAD POISONING, AS DETERMINED UNDER SUBSECTION (C) OF THIS SECTION, TO ADMINISTER A BLOOD TEST FOR LEAD POISONING OF CHILDREN:

(1) (I) BY AGE 12 MONTHS; AND

(II) BY AGE 24 MONTHS; OR

(Over)

(2) IN ACCORDANCE WITH THE GUIDELINES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION FOR CHILDREN OVER AGE 24 MONTHS WHO HAVE NOT RECEIVED A BLOOD TEST FOR LEAD POISONING.

(E) THE SECRETARY MAY INCLUDE INFORMATION ON BLOOD TESTING FOR LEAD POISONING COLLECTED UNDER THIS SECTION, § 7-403 OF THE EDUCATION ARTICLE, AND §§ 6-303 AND 6-304 OF THE ENVIRONMENT ARTICLE ON ANY IMMUNIZATION REGISTRY DEVELOPED BY THE DEPARTMENT.

(F) THIS SECTION DOES NOT REQUIRE BLOOD LEAD TESTING OF ANY CHILD WHOSE PARENTS OR GUARDIAN OBJECTS, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY, TO THE TESTING ON THE GROUND THAT IT CONFLICTS WITH THE PARENT'S OR GUARDIAN'S BONA FIDE RELIGIOUS BELIEFS AND PRACTICES."