

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 712

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Baltimore City - Physical Examinations - "; in the same line, after "Tests" insert "- Administering and Reporting"; strike beginning with "a" in line 3 down through "include" in line 4 and substitute "parents or legal guardians of certain children to report the results of"; in line 4, after "poisoning" insert "at a certain time"; strike in their entirety lines 5 and 6; in line 7, after "requiring" insert "certain"; in the same line, strike "in Baltimore City"; strike beginning with "the" in line 7 down through "schools" in line 11 and substitute "a certain local health department; requiring certain persons to administer a certain test for lead poisoning under certain circumstances; 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; and generally relating to requiring certain children to have been administered a certain test for lead poisoning and reporting certain results and information concerning tests for lead poisoning under certain circumstances"; in line 14, strike "7-402" and substitute "7-403"; and after line 16, 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)

BY repealing and reenacting, with amendments,

Article - Health - General

Section 18-106

(Over)

Annotated Code of Maryland  
(1994 Replacement Volume and 1999 Supplement)".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 27 on page 2, inclusive, and substitute:

"7-403.

(a) (1) In cooperation with the State Board and the Medical and Chirurgical Faculty of Maryland, the Department of Health and Mental Hygiene shall adopt rules and regulations regarding the immunizations AND BLOOD TESTS FOR LEAD POISONING required of children entering schools.

(2) These rules and regulations shall:

(i) Be adopted in compliance with the Administrative Procedure Act;

[and]

(ii) Provide that any child may have the immunization administered by his personal physician; AND

(III) 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 ITEM 1 OF THIS ITEM TO THE LOCAL HEALTH DEPARTMENT IN THE JURISDICTION WHERE THE CHILD RESIDES.

(3) Any requirement for the administration of pertussis vaccine shall be consistent with § 18-332(b) of the Health - General Article.

(b) (1) Unless the Secretary of Health and Mental Hygiene declares an emergency or an epidemic of disease, a child whose parent or guardian objects to immunization on the ground that it conflicts with the parent's or guardian's bona fide religious beliefs and practices may not be required to present a physician's certification of immunization in order to be admitted to school.

(2) The Secretary of Health and Mental Hygiene shall adopt rules and regulations for religious exemptions under this subsection.

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) (I) 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

(Over)

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:

- (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.

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;

(Over)

(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; AND

(3) 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.

(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 BY:

(1) AGE 12 MONTHS;

(2) AGAIN BY AGE 24 MONTHS; OR

(3) 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.”.