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HB1110 – Environment - Lead Poisoning Prevention – Elevated Blood Lead Level

**Hearing before the House Environment and Transportation Committee,
March 2, 2022**

Position: SUPPORT (FAV)

Public Justice Center (PJC) is a nonprofit public interest law firm that serves over 600 renters each year. We stand with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing. We support HB1110.

HB1110 would update Maryland's Reduction of Lead Risk in Housing Law to meet current public health standards on lead poisoning [set by the Centers for Disease Control in October 2021](#). Maryland changed its "action" level on elevated blood lead levels (EBL) from 10 micrograms/deciliter ($\mu\text{g}/\text{dl}$) to 5 $\mu\text{g}/\text{dl}$ in 2018, to reflect CDC guidance. HB1110 would bring Maryland in step with the latest reference value of 3.5 $\mu\text{g}/\text{dl}$.

This means that children with a 3.5 $\mu\text{g}/\text{dl}$ EBL will not have to wait until their EBL nearly doubles to benefit from state-mandated environmental investigation and corrective actions.

HB1110 will protect Maryland's renting families.

Many renters live in fear that their choice of rental housing, often made under difficult financial constraints, might expose their children to lead paint. When their doctors report an EBL, renters expect public agencies to intervene. They are shocked to find that public safety measures may not trigger until their children's poisoning reaches higher $\mu\text{g}/\text{dl}$ values. There is no safe level of lead exposure.

The CDC sets a blood lead reference value (BLRV) that is "intended to identify children with higher levels of lead in their blood compared with levels in most children. The value is based on the 97.5th percentile of the blood lead distribution in U.S. children ages 1–5 years. By updating the BLRV to 3.5 $\mu\text{g}/\text{dL}$, children with blood lead levels within the range of 3.5–5 $\mu\text{g}/\text{dL}$ can now

also receive prompt actions to mitigate health effects and remove or control exposure sources.”¹ Maryland should adopt the new 3.5 µg/dL reference value so that families benefit from state action sooner. Detection without action is self-defeating and, worse, leaves many in our communities wondering whether the state cares about lead-poisoned children.

Earlier state action reduces property owners’ potential liability.

Earlier intervention actions at the 3.5 µg/dl level would hasten notice to property owners of possible lead exposure in the rental unit. Notice occurring before a child’s exposure rises to 5 µg/dl or higher does not *increase* owner’s liability. It *decreases* that liability because owners would know to act sooner. Interventions would occur when the EBL is more treatable.

Public Justice Center is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on HB1110**. If you have any questions, please contact Zafar Shah, shahz@publicjustice.org, (410) 625-9409 Ext. 237.

¹ Centers for Disease Control, “CDC updates blood lead reference value to 3.5 µg/dL,” <https://www.cdc.gov/nceh/lead/news/cdc-updates-blood-lead-reference-value.html> (“The BLRV is a population-based measurement that now indicates that 2.5% of U.S. children aged 1–5 years have BLLs at or above 3.5 µg/dL. It is not a health-based standard or a toxicity threshold. The BLRV should be used as a guide to 1) help determine whether medical or environmental follow-up are recommended and 2) prioritize communities with the most need for primary prevention of exposure.”).