

HOUSE RESEARCH

Bill Summary

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Overview

This bill adds filter paper tests to the methods for testing blood lead levels and lowers the threshold for reporting and risk assessment requirements. It adds lead risk assessments to medical assistance coverage for children with elevated blood lead levels. The bill prohibits sale of children's items that contain lead and requires certain disclosures to paint customers. It requires certain landlords to have their properties tested for lead and to disclose the results.

Section

- 1 Filter paper test.** Amends § 144.9501 by adding subd. 11a. States that a "filter paper test" tests blood for lead by preserving patient blood drops on filter paper.
- 2 Reports of blood lead analysis required.** Amends § 144.9502, subd. 3. Adds filter paper test to the types of tests for which the results must be reported to the commissioner of health. Requires reporting within two working days for blood lead levels greater than or equal to 5 micrograms and within one month for a blood lead level less than 5 micrograms. (This changes the requirement from 15 micrograms to 5 micrograms to lower the threshold.)
- 3 Blood lead analysis and epidemiologic information.** Amends § 144.9502, subd. 4. Adds filter paper test to ways in which to collect a blood specimen for the purposes of this provision.
- 4 Laboratory standards.** Amends § 144.9502, subd. 8. Requires the commissioner to set minimum standards for the use of filter paper tests in blood lead analysis and requires a laboratory performing blood lead analysis to use methods that meet or exceed those standards.
- 5 Priorities for primary prevention.** Amends § 144.9503, subd. 2. Changes one of the

criterion by which the commissioner may determine certain areas are high risk for toxic lead exposure. Lowers the standard for blood lead levels from greater than ten micrograms, to greater than five micrograms, per deciliter of whole blood in children under six years of age.

6 Lead risk assessment. Amends § 144.9504, subd. 2. Provides for a lead risk assessment agency to determine blood lead levels by either a venous blood draw or a second filter paper test. (Currently a venous blood draw is required.) Lowers the blood lead levels that trigger certain assessments and timeframes in the following ways:

- Within 48 hours for children and pregnant women with 45 (currently 60) micrograms of lead per deciliter of whole blood
- Within five working days for children and pregnant women with 15 (currently 45) micrograms of lead per deciliter of whole blood
- Within ten working days for children with five (currently 15) micrograms of lead per deciliter of whole blood
- Within ten working days for pregnant women with five (currently 10) micrograms of lead per deciliter of whole blood
- Requires the assessing agency to identify known addresses for children or pregnant women with five (currently 15) micrograms of lead per deciliter of whole blood and notify the property owners and others.

7 Medical assistance. Amends § 144.9507 by adding subd. 6. Prohibits medical assistance reimbursement for lead risk assessment from replacing or decreasing existing state and local funding for lead-related activities.

8 Diagnostic, screening and preventive services. Amends § 256B.0625, subd. 14. Adds environmental investigations to determine the source of lead exposure to the types of services covered by medical assistance. Limits reimbursement to a health professional's time and activity during the on-site investigation.

9 Lead risk assessments. Amends § 256B.0625 by adding subd. 49. (a) States that medical assistance will cover certain lead risk assessments as of October 1, 2007, or six months after federal approval, whichever is later. Provides for medical assistance coverage for a one-time on-site investigation of a recipient's home for recipients under 21 years and with certain blood lead levels.

(b) States the activities for which the lead risk assessor's time is covered by medical assistance, including the following:

- Gathering samples and data, including meter readings;
- Interviewing family members
- Providing a report with the results

States certain lead risk assessment activities that are not covered by medical assistance.

(c) Specifies the methodology of medical assistance coverage for lead risk assessment.

10 Sale of children's items containing lead prohibited. Adds § 325E.385.

Subd. 1. Short title. Gives this section the title "Jarnell Brown Act."

Subd. 2. Definition. States that a "lead bearing substance" is any item with a lead content of more than 600 parts per million and, for candies, 0.0 parts per million.

Subd. 3. Sale prohibited. Prohibits the sale of items used by or intended to be chewable by children that contain a lead bearing substance.

11 Requirements for paint retailers. Adds § 325E.386. Requires anyone that sells paint to the public to provide customers with copies of the Environmental Protection Agency's pamphlet on lead and have lead dust test kits available for sale.

12 Lead testing and disclosure required. Adds § 504B.196. Requires landlords of buildings built before to 1978 to have their buildings tested for the presence of lead prior to renting the property and to disclose the results. States that this section is effective on January 1, 2008.