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House Bill 5118 (Substitute H-1 as passed by the House)
Sponsor: Representative Chris Kolb
House Committee: Health Policy
Senate Committee: Families and Human Services

Date Completed: 6-29-04

CONTENT

The bill would amend the Lead Abatement Act (Part 54a of the Public Health Code) to require the Governor, within 30 days of the bill's effective date, to establish a Childhood Lead Poisoning Prevention and Control Commission within the Department of Community Health (DCH), or designate an existing organization or statewide childhood lead poisoning prevention coalition that could fulfill the bill's requirements to serve as the Commission. The proposed section establishing the Commission would be repealed on January 1, 2010.

The Commission would have to study the environmental threats of lead poisoning to children's health; review the State's lead poisoning prevention program; evaluate the effectiveness of the program, including its ability to satisfy Federal law requirements that 100% of all young children enrolled in Medicaid be screened with a blood lead test; and make recommendations for the program's improvement.

Members appointed to the Commission or designated organization would have to include, but would not be limited to, at least one representative of each of the following, or its successor organization:

- The Michigan Association of Osteopathic Family Practitioners.
- The Michigan Nurses Association.
- The Michigan Association of Nurse Practitioners.
- The Michigan Association of Health Plans.
- The Michigan Association of Local Public Health.
- Blue Cross and Blue Shield of Michigan.
- The Michigan Health and Hospital Association.
- The Michigan Head Start Association.
- The Michigan Council for Maternal and Child Health.
- Michigan's Children.
- The Michigan League for Human Services.
- Detroit Public Schools.
- The Michigan State Housing Development Authority.
- The Rental Property Owners Association.
- The Michigan Association of General Contractors.
- The Michigan Association of Realtors.
- The Michigan Environmental Council.
- The Michigan Adult Blood Lead Epidemiology and Surveillance Program.
- The Michigan State University Extension Program.
- The Detroit Lead Partnership.

- The Michigan Lead Safe Partnership.
- The Detroit Mayor's Lead Task Force.
- United Parents Against Lead.
- The DCH.
- The Department of Environmental Quality.
- The Department of Education.
- The Family Independence Agency.
- The DCH Medical Services Administration.
- The Michigan Occupational Safety and Health Administration.
- The DCH Bureau of Laboratories.
- The Michigan State Medical Society.
- The Michigan Academy of Family Practice.
- Saint Mary's Field Neurosciences Institute.
- The American Academy of Pediatrics.
- The Arc Michigan Organization.

Additionally, the Commission would have to include an occupational and environmental medicine specialist; parents or patient advocates of children who have experienced lead poisoning; a local housing authority; a community reinvestment officer; and any other interested organization or association concerned with the prevention, treatment, and control of lead poisoning that the DCH determined necessary.

Commission members would serve without compensation but, subject to appropriations, could receive reimbursement for their actual and necessary expenses while attending meetings or performing other authorized official Commission business. If a vacancy occurred, it would have to be filled in the same manner as the original appointment.

The Commission would have to conduct at least two public hearings to seek input from the general public and from any other groups or individuals that were not represented on the Commission. The first hearing would have to be held within 60 days after the Commission's appointment or designation. The Commission could hold additional public hearings as it determined necessary or appropriate to carry out its duties. The Commission would be subject to the Open Meetings Act and the Freedom of Information Act.

The Commission would have to consider all information received from its public hearings, review information from other sources, and study the experiences of other states. The Commission would have to develop short- and long-range strategic recommendations for childhood lead poisoning prevention and control in Michigan. The recommendations would have to include, at a minimum, strategies to:

- Enhance public and professional awareness of lead poisoning as a child health emergency.
- Significantly increase blood lead testing rates for young children.
- Eliminate or manage the sources of lead poisoning, especially focusing on lead-based paint in aged housing.
- Assure State interagency as well as public and private cooperation and communication regarding resolution of "this complex environmental and public health problem".

The Commission would have to submit a written report of its findings, including the recommendations, to the Governor and Legislature by January 1 of each year, beginning in 2005. The Commission would have to continue to monitor and evaluate the State's lead poisoning prevention program and the implementation progress of its recommendations.

Proposed MCL 333.5474a

Legislative Analyst: Julie Koval

FISCAL IMPACT

This bill would cause the Department to incur costs related to the establishment and subsequent activities of the Childhood Lead Poisoning Prevention and Control Commission. The Department would be responsible for costs through January 1, 2010. Most of the associated costs could be covered by existing staff and resources. In addition, costs could be minimized if the Department chose to designate an existing organization to fulfill the requirements of the bill. The bill provides that members of the Commission would serve without compensation, but could receive reimbursement for their expenses incurred for performing authorized official business of the Commission, subject to annual appropriations by the Legislature.

Fiscal Analyst: Dana Patterson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.