

SUBSTITUTE FOR
SENATE BILL NO. 753

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 5474a; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5474a. (1) Within 30 days after the effective date of
2 this section, the governor shall establish a childhood lead
3 poisoning prevention and control commission within the department
4 of community health. The childhood lead poisoning prevention and
5 control commission established under this subsection shall
6 consist of the following 9 voting members appointed by the
7 governor with the advice and consent of the senate:

8 (a) One member representing the department of community
9 health. The member appointed under this subdivision shall serve
10 as chairperson.

1 (b) One member representing the family independence agency.

2 (c) One member representing the department of environmental
3 quality.

4 (d) One member representing the Michigan state housing
5 development authority.

6 (e) One member representing "Get the Lead Out!". The member
7 appointed under this subdivision shall be from a county with a
8 population of more than 500,000 but not more than 700,000.

9 (f) One member representing a local health department located
10 in a county with a population of more than 170,000 but not more
11 than 200,000.

12 (g) One member representing certified lead-abatement
13 contractors.

14 (h) Two members representing the general public. One of the
15 members appointed under this subdivision shall be from a city
16 with a population of 750,000 or more and be a parent of a child
17 who has experienced lead poisoning or a child advocate who has
18 experience with lead poisoning in children. The second member
19 appointed under this subdivision shall represent property owners
20 and developers in this state.

21 (2) Members of the commission shall serve without
22 compensation but, subject to appropriations, may receive
23 reimbursement for their actual and necessary expenses while
24 attending meetings or performing other authorized official
25 business of the commission. If a vacancy occurs on the
26 commission, that vacancy shall be filled in the same manner as
27 the original appointment.

1 (3) The commission shall study the environmental threats of
2 lead poisoning to children's health, review this state's lead
3 poisoning prevention program, evaluate the effectiveness of that
4 program including, but not limited to, the ability of the program
5 to satisfy federal law requirements that 100% of all young
6 children enrolled in medicaid shall be screened with a blood lead
7 test, and make recommendations for improvements to that program.

8 (4) The childhood lead poisoning prevention and control
9 commission may establish an advisory committee for the purpose of
10 advising the commission on any matters pertaining to lead
11 poisoning prevention and control. Membership on the advisory
12 committee shall consist of, but is not limited to, at least 1
13 representative of each of the following:

14 (a) The Michigan association of osteopathic family
15 practitioners or its successor organization.

16 (b) The Michigan nurses association or its successor
17 organization.

18 (c) The Michigan association of nurse practitioners or its
19 successor organization.

20 (d) The Michigan association of health plans or its successor
21 organization.

22 (e) The Michigan association of local public health or its
23 successor organization.

24 (f) Blue cross blue shield of Michigan or its successor
25 organization.

26 (g) The Michigan health and hospital association or its
27 successor organization.

1 (h) The rental property owners association or its successor
2 organization.

3 (i) The Michigan association of general contractors or its
4 successor organization.

5 (j) The Michigan association of realtors or its successor
6 organization.

7 (k) The Michigan adult blood lead epidemiology and
8 surveillance program or its successor organization.

9 (l) The Michigan lead safe partnership or its successor
10 organization.

11 (m) The Detroit mayor's lead task force or its successor
12 organization.

13 (n) United parents against lead or its successor
14 organization. The representative appointed under this
15 subdivision shall be a parent or patient advocate of a child who
16 has experienced lead poisoning.

17 (o) The department of education or its successor
18 organization.

19 (p) The Michigan department of community health medical
20 services administration or its successor organization.

21 (q) The Michigan occupational safety and health
22 administration or its successor organization.

23 (r) The Michigan department of community health bureau of
24 laboratories or its successor organization.

25 (s) An occupational and environmental medicine specialist.

26 (t) A local housing authority. The representative appointed
27 under this subdivision shall be from a county with a population

1 of more than 170,000 but not more than 200,000.

2 (u) A community reinvestment officer.

3 (v) A Michigan child advocacy organization.

4 (w) The Michigan state medical society or its successor
5 organization. The representative appointed under this
6 subdivision shall be a physician.

7 (x) A Michigan university currently researching lead
8 poisoning and prevention in children.

9 (5) The childhood lead poisoning prevention and control
10 commission shall conduct at least 2 public hearings to seek input
11 from the general public. The first public hearing shall be held
12 within 60 days after the commission has been appointed or
13 designated by the governor. The commission shall consider all
14 information received from its public hearings, review information
15 from other sources, and study the experiences of other states.
16 The commission shall develop short- and long-range strategic
17 recommendations for childhood lead poisoning prevention and
18 control in this state. The recommendations shall include, but
19 are not limited to, strategies to:

20 (a) Enhance public and professional awareness of lead
21 poisoning as a child health emergency.

22 (b) Significantly increase blood lead testing rates for young
23 children.

24 (c) Eliminate or manage the sources of lead poisoning,
25 primarily focusing on lead based paint in aged housing.

26 (d) Assure state interagency as well as public and private
27 cooperation and communication regarding resolution of this

1 complex environmental and public health problem.

2 (6) The childhood lead poisoning prevention and control
3 commission shall submit a written report of its findings and the
4 recommendations under subsection (5) to the governor and the
5 legislature by March 31, 2004. A representative of the
6 department of community health shall provide testimony
7 summarizing the findings and recommendations of the commission to
8 the standing committees of the senate and house of
9 representatives with jurisdiction over issues pertaining to
10 public health and children.

11 (7) The commission shall conduct its business at a public
12 meeting held in compliance with the open meetings act, 1976
13 PA 267, MCL 15.261 to 15.275. The commission shall give public
14 notice of the time, date, and place of the meeting in the manner
15 required by the open meetings act, 1976 PA 267, MCL 15.261 to
16 15.275.

17 (8) A writing prepared, owned, used, in the possession of, or
18 retained by the childhood lead poisoning prevention and control
19 commission in the performance of an official commission function
20 is subject to the freedom of information act, 1976 PA 442,
21 MCL 15.231 to 15.246.

22 (9) As used in this section, "commission" means the
23 commission created and appointed by the governor under subsection
24 (1).

25 (10) This section is repealed 18 months after the effective
26 date of this section.