

Legislative Analysis



MI CHILDHOOD LEAD POISONING PREVENTION & CONTROL COMMISSION: EXTEND SUNSET

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House Bill 4936 (Substitute H-3)
Sponsor: Rep. Andy Coulouris
Committee: Health Policy

First Analysis (6-26-07)

BRIEF SUMMARY: The bill would extend the sunset date for the Michigan Childhood Lead Poisoning Prevention and Control Commission from July 1, 2007 to July 1, 2010; specify that Commissioners would serve three year terms; and increase the Commission's membership by seven members.

FISCAL IMPACT: The increase of voting members and extension of the sunset for the Childhood Lead Poisoning Prevention and Control Commission will sustain and may slightly increase costs for this function in the Department of Community Health budget.

THE APPARENT PROBLEM:

The Michigan Childhood Lead Poisoning Prevention and Control Commission was created by Public Act 431 of 2004 with a mission to prevent and control childhood lead poisoning through public awareness, testing and treatment of lead poisoned children, and prevention and remediation of lead hazards, in addition to maximizing public and private resources to that end. No later than March of each year, the Commission must provide an annual report and recommendations to the governor and Legislature.

Though some gains have been made over the past few years, such as increased screening of children with a high risk of exposure to lead, Michigan still ranks as the sixth worst state in regard to the percentage of young children with lead poisoning. This is very serious, as high blood levels of lead in children can have life-long effects such as anemia, hearing loss, hyperactivity, aggressive behavior, liver and kidney damage, developmental delays, learning disabilities, brain damage, and even coma and death.

Since its inception, the Commission has, according to testimony offered before the House Committee on Health Policy, "provided a very effective means of assessing the performance of government and private sector lead poisoning efforts, and of identifying remaining gaps and problems within and across many agencies. . ." A long-term strategy to eliminate lead poisoning in Michigan is expected by the end of June, 2007.

However, the Commission's underlying statutory provision will sunset, or expire, on July 1, 2007. Some feel that to eliminate the Commission at this time will cut short the momentum realized over the past few years to eliminate lead exposure, thus placing the state's children at risk of lead poisoning. It has been suggested that the sunset date be extended to allow the Commission more time to meet its goals.

THE CONTENT OF THE BILL:

The Michigan Childhood Lead Poisoning Prevention and Control Commission will sunset on July 1, 2007. In the Commission's Annual Report to the Legislature issued in March of 2007, the commissioners reported on the action taken over the past year and also included a new list of recommendations packaged into six objectives. Objective V recommends that the Commission sunset be extended, that board membership be increased, and that the term of office for a commissioner be set at three years with the option for a second term.

House Bill 4936 would amend the Public Health Code (MCL 333.5474a and 333.5474c) incorporate the recommendations of Objective V of the Annual Report to the Legislature, dated March 2007, issued by the Michigan Childhood Lead Poisoning Prevention and Control Commission. The bill would remove the Commission's July 1, 2007 sunset date and extend it to July 1, 2010.

Secondly, beginning 30 days after the bill's effective date, the number of board members would be increased by 7 to a total of 16. The new members would represent the Michigan Municipal League, Michigan Department of Labor and Economic Growth, Michigan Chapter of the American Academy of Pediatrics, Prosecuting Attorneys Coordinating Council, Michigan Department of Education, Michigan Association of Home Builders Remodeling Council, and Michigan Early Childhood Investment Corporation. The new members would have to be appointed by the governor within 30 days of the bill's effective date.

In addition, except for an appointment to fill a vacancy, the term of office for commissioners would be identified as three years with the appointment expiring on December 31 of the year in which the term is to expire. Members would be eligible for reappointment to the commission. A member currently serving on the commission would continue to serve the balance of the term for which he or she had been appointed. The bill would also make several changes of an editorial nature, including deleting some obsolete provisions.

BACKGROUND INFORMATION:

The annual report issued in March of 2007 by the Michigan Childhood Lead Poisoning Prevention and Control Commission is available on the Department of Community Health's website at:
http://www.michigan.gov/documents/mdch/2007_Annual_Report_195048_7.pdf.

ARGUMENTS:

For:

Lead poisoning continues to be a significant health threat to children around the state, especially those living near industrialized areas or in older homes that still contain lead paint and fixtures containing lead. Children exposed to lead suffer physical and neurological damage that can last a lifetime. But the effects go beyond the individual child and impact the community, also. According to the Michigan Childhood Lead Poisoning Prevention and Control Commission, a single case of childhood lead poisoning can cost at least \$45,000 in medical, special education, and other needed services, many of which are provided with public monies. Yet, with appropriate and effective policy

measures in place, lead poisoning can be prevented. The Commission has already made an impact in the two years since it was formed, and can do much more in coming years if allowed to continue. The bill would enable the Commission to continue for another three years, at which time the issue of dissolving the Commission can be revisited. In addition, the bill would expand the membership of the Commission to include representatives of seven entities uniquely suited to helping the Commission achieve its goal of eliminating lead poisoning in the state.

POSITIONS:

The Department of Community Health supports the bill. (6-21-07)

The Childhood Lead Poisoning Prevention and Control Commission supports the bill. (6-21-07)

Ascension Health-Michigan indicated support for the bill. (6-21-07)

Michigan Health & Hospital Association indicated support for the bill. (6-21-07)

Michigan Environmental Council indicated support for the bill. (6-21-07)

Michigan Primary Care Association indicated support for the bill. (6-21-07)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.