

# **HOUSE . . . . . No. 4276**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, May 23, 2016.

The committee on Health Care Financing to whom was referred the Bill relative to lead abatement (House, No. 2049), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4276).

For the committee,

JEFFREY SÁNCHEZ.

**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to lead abatement.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 6 of chapter 62 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by striking out, in line 75, the words “one thousand five  
3 hundred dollars” and inserting in place thereof the following figure: - \$3,000.

4           SECTION 2. Said section 6 of said chapter 62, as so appearing, is hereby amended by  
5 striking out, in line 86, the words “five hundred dollars” and inserting in place thereof the  
6 following figure: - \$1,000.

7           SECTION 3. Section 189A of chapter 111 of the General Laws, as appearing in the 2014  
8 Official Edition, is hereby amended by inserting after the definition of the term “Advisory  
9 committee” the following definition:-

10           “Blood lead level of concern”, a concentration of lead in whole venous blood, at a  
11 minimum, of between 5 and 10 micrograms per deciliter in a child under six years of age.

12           SECTION 4. Section 189A of chapter 111 of the General Laws, as so appearing, is  
13 hereby amended by inserting after the definition of the term “Director” the following definition:-

14           “Lead poisoning”, a medical condition present in a child under six years of age in which  
15 the child has a concentration of lead in whole venous blood of 10 micrograms per deciliter or  
16 greater. Said concentration level may be lowered by the department through regulation.

17           SECTION 5. Section 191 of chapter 111 of the General Laws, as so appearing, is hereby  
18 amended by striking out, in line 9, the words “the terms ‘lead poisoning’ and ‘previously  
19 reported’ ” and inserting in place thereof the following words: -the term “previously reported”.

20           The department shall perform public health surveillance and outreach to identify children  
21 with a blood lead level of concern. Any child reported to have a blood lead level of concern  
22 shall be provided appropriate clinical case management services in accordance with standards set  
23 forth by the American Academy of Pediatrics, or other qualified clinical standard as determined  
24 by the department.

25           SECTION 6. Section 193 of chapter 111, as so appearing, is amended by striking out, in  
26 lines 44 and 45, the words “as defined by regulation by the director”.

27           SECTION 7. Section 197C of chapter 111 of the General Laws, as so appearing, is  
28 hereby amended by striking out, in lines 3, 4 and 5, the words “in excess of the level considered  
29 dangerous to the child’s immediate health as determined by the department” and inserting in  
30 place thereof the following words:- commensurate with lead poisoning.

31           SECTION 8. Section 197C of chapter 111 of the General Laws, as so appearing, is  
32 hereby amended further by striking out, in lines 22, 23 and 24, the words “in excess of the level  
33 considered dangerous to the child’s immediate health as determined by the department” and  
34 inserting in place thereof the following words:- commensurate with lead poisoning.

35 SECTION 9. Section 199 of chapter 111 of the General Laws, as so appearing, is hereby  
36 amended by striking out, in line 5, the words “at which the department defines lead poisoning”  
37 and inserting in place thereof the following words:- for lead poisoning.

38 SECTION 10. Section 5 of chapter 151B of the General Laws, as appearing in the 2014  
39 Official Edition, is hereby amended by striking out, in line 211, the figure “\$10,000” and  
40 inserting in place thereof the following dollar figure: - \$20,000

41 SECTION 11. Said section 5 of said chapter 151B, as so appearing, is hereby further  
42 amended by striking out, in line 213, the figure “\$25,000” and inserting in place thereof the  
43 following figure: - \$35,000

44 SECTION 12. Said section 5 of said chapter 151B, as so appearing, is hereby further  
45 amended by striking out, in line 217, the figure “\$50,000” and inserting in place thereof the  
46 following figure: - \$60,000

47 SECTION 13: Section 22 of chapter 482 of the acts of 1993 is hereby amended by  
48 striking out the first paragraph and inserting in place thereof the following paragraph:-

49 Notwithstanding the provisions of any general or special law, or rule or regulation to the  
50 contrary, there shall be a surcharge on fees assessed by certain boards of registration, or state  
51 agencies for the licensure or certification of certain professionals, and on fees assessed for the  
52 renewal of such licensure or certification, in accordance with the provisions of this section. The  
53 amount of the surcharge shall be as follows: a \$50 surcharge to those persons licensed by the  
54 board of registration of real estate brokers and salesmen; a \$50 surcharge to those persons  
55 licensed by the department of labor and industries to perform deleading services; a \$50 surcharge  
56 to those persons licensed by the department of public health to perform lead inspections; a \$125

57 surcharge on the annual licensing fee paid by mortgage brokers, mortgage lenders, and small  
58 loan agencies registered with the division of banks; a surcharge equal to \$50 per year on the  
59 license, payable at the time of the licensing fee paid by insurance producers licensed in property  
60 or casualty lines of insurance by the division of insurance.

61 SECTION 14. Sections 1 to 12, inclusive, shall take effect on January 1, 2017.

62 SECTION 15. Section 13 shall take effect on July 1, 2017.