

SENATE No. 1184

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act modernizing childhood lead poisoning prevention.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/31/2017</i>
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/31/2017</i>

SENATE No. 1184

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act modernizing childhood lead poisoning prevention.

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 1994, is hereby amended by
48 striking out, in the second sentence of the first paragraph, after the words “as follows: a” the
49 words “twenty-five” and inserting in place thereof the following figure:- “35”.

50 SECTION 14. Section 22 of chapter 482 of the Acts of 1994, is hereby amended by
51 striking out, in the second sentence of the first paragraph, after the words “salesmen; a” the
52 words “twenty-five” and inserting in place thereof the following figure:- “35”.

53 SECTION 15. Section 22 of chapter 482 of the Acts of 1994, is hereby amended by
54 striking out, in the second sentence of the first paragraph, after the words “services; a” the words
55 “twenty-five” and inserting in place thereof the following figure:- “35”.

56 SECTION 16. Section 22 of chapter 482 of the Acts of 1994, is hereby amended by
57 striking out, in the second sentence of the first paragraph, after the words “lead inspections; a”
58 the words “one hundred” and inserting in place thereof the following figure:- “125”.

59 SECTION 17. Section 22 of chapter 482 of the Acts of 1994, is hereby amended by
60 striking out, in the second sentence of the first paragraph, after the words “banks; and a” the
61 words “twenty-five” and inserting in place thereof the following figure:- “35”.

62 SECTION 18. Sections 1 to 12, inclusive, shall take effect on January 1, 2018.

63 SECTION 19. Sections 13 to 17 to shall take effect on July 1, 2018.