

HOUSE No. 2010

The Commonwealth of Massachusetts

PRESENTED BY:

Andres X. Vargas and 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:	DATE ADDED:
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>1/18/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/18/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/1/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/31/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>2/1/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/1/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>2/1/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>2/1/2019</i>

HOUSE No. 2010

By Representative Vargas of Haverhill and Senator Cyr, a joint petition (accompanied by bill, House, No. 2010) of Andres X. Vargas, Julian Cyr and others relative to childhood lead poisoning prevention. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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 189A of chapter 111 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after the definition of “Advisory committee” the
3 following definition:-

4 “Blood lead level of concern”, a concentration of lead in whole venous blood in a child
5 under 6 years of age that is less than the concentration of lead in whole venous blood that meets
6 the amount defined as lead poisoning in regulation by the department.

7 SECTION 2. Said section 189A of said chapter 111, as so appearing, is hereby amended
8 by inserting after the definition of “Director” the following definition:-

9 “Lead poisoning”, a medical condition present in a child under 6 years of age in which
10 the child has a concentration of lead in whole venous blood at a concentration level defined by
11 the department through regulation; provided, however, that the concentration of lead in whole
12 venous blood shall not be greater than 5 micrograms per deciliter.

SECTION 3. Section 191 of said chapter 111, as so appearing, is hereby amended by striking out, in line 9, the words “the terms ‘lead poisoning’ and ‘previously reported’” and inserting in place thereof the following words:- the term “previously reported”.

SECTION 4. Said section 191 of said chapter 111, as so appearing, is hereby further amended by adding the following paragraph:-

The department shall perform public health surveillance and outreach to identify children with a blood lead level of concern. A child reported to have a blood lead level of concern shall be offered appropriate case management services in accordance with standards set forth by the American Academy of Pediatrics, or another qualified standard as determined by the department.

SECTION 5. Section 193 of said chapter 111, as so appearing, is amended by striking out, in lines 44 and 45, the words “, as defined by regulation by the director,”.

SECTION 6. Section 197C of said chapter 111, as so appearing, is hereby amended by striking out, in lines 3 to 5, inclusive, the words “in excess of the level considered dangerous to the child’s immediate health as determined by the department” and inserting in place thereof the following words:- that constitutes lead poisoning.

SECTION 7. Said section 197C of said chapter 111, as so appearing, is hereby further amended by striking out, in lines 22 to 24, inclusive, the words “in excess of the level considered dangerous to the child’s immediate health as determined by the department” and inserting in place thereof the following words:- that constitutes lead poisoning.

SECTION 8. Section 199 of said chapter 111, as so appearing, is hereby amended by striking out, in line 5, the words “at which the department defines” and inserting in place thereof the following words:- that constitutes.

SECTION 9. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in line 75, the words “one thousand five hundred dollars” and inserting in place thereof the following figure: - \$3,000.

SECTION 10. Said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 86, the words “five hundred dollars” and inserting in place thereof the following figure: - \$1,000.

SECTION 11. Section 5 of chapter 151B of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 211, the figure “\$10,000” and inserting in place thereof the following dollar figure: - \$20,000

SECTION 12. Said section 5 of said chapter 151B, as so appearing, is hereby further amended by striking out, in line 213, the figure “\$25,000” and inserting in place thereof the following figure: - \$35,000

SECTION 13. Said section 5 of said chapter 151B, as so appearing, is hereby further amended by striking out, in line 217, the figure “\$50,000” and inserting in place thereof the following figure: - \$60,000

SECTION 14. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by striking out, in the second sentence of the first paragraph, after the words “as follows: a” the words “twenty-five” and inserting in place thereof the following figure:- “35”.

SECTION 15. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by striking out, in the second sentence of the first paragraph, after the words “salesmen; a” the words “twenty-five” and inserting in place thereof the following figure:- “35”.

SECTION 16. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by striking out, in the second sentence of the first paragraph, after the words “services; a” the words “twenty-five” and inserting in place thereof the following figure:- “35”.

SECTION 17. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by striking out, in the second sentence of the first paragraph, after the words “lead inspections; a” the words “one hundred” and inserting in place thereof the following figure:- “125”.

SECTION 18. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by striking out, in the second sentence of the first paragraph, after the words “banks; and a” the words “twenty-five” and inserting in place thereof the following figure:- “35”.

SECTION 19. Sections 1 to 13, inclusive, shall take effect on January 1, 2020.

SECTION 20. Sections 14 to 18 to shall take effect on July 1, 2020.