

SENATE No. 1234

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>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/23/2019</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	<i>2/1/2019</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>2/4/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/28/2019</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>1/30/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/1/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>6/6/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/8/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/1/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/30/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>2/1/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/24/2019</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/29/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/29/2019</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>1/30/2019</i>

<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/30/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/30/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/31/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2019</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/1/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>2/5/2019</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>12/19/2019</i>

SENATE No. 1234

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 1234) of Julian Cyr, Jason M. Lewis, Sonia Chang-Diaz, Nick Collins and other members of the General Court for legislation modernizing childhood lead poisoning prevention. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2642 OF 2017-2018.]

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.

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

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

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

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

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

28 SECTION 7. Said section 197C of said chapter 111, as so appearing, is hereby further
29 amended by striking out, in lines 22 to 24, inclusive, the words “in excess of the level considered

30 dangerous to the child’s immediate health as determined by the department” and inserting in
31 place thereof the following words:- that constitutes lead poisoning.

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

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

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

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

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

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

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

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

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

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

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

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