

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:
Andres X. Vargas	3rd Essex	2/5/2021
Julian Cyr	Cape and Islands	2/5/2021
Harriette L. Chandler	First Worcester	2/25/2021

By Representative Vargas of Haverhill and Senator Cyr, a joint petition (accompanied by bill, House, No. 2410) of Andres X. Vargas, Julian Cyr and Harriette L. Chandler relative to childhood lead poisoning prevention. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court (2021-2022)

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 2018
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.

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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.
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41	SECTION 11. Section 5 of chapter 151B of the General Laws, as appearing in the 2018
42	Official Edition, is hereby amended by striking out, in line 214, 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 216, 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 220, 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".

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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, 2022.
SECTION 20. Sections 14 to 18 to shall take effect on July 1, 2022.