

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
August 6, 2015

APPROVED Minutes

Members in Attendance

Nancy Egan, Edward Landon, Patricia McLaine, Cliff Mitchell, Christina Peusch, Ken Strong, Tameka Witherspoon

Members not in Attendance

Melbourne Jenkins, Susan Kleinhammer, Paula Montgomery, Barbara Moore, Del. Nathaniel Oaks, Linda Lee Roberts, John Scott

Guests in Attendance

Monica Grinnage (Baltimore County), Syeeta Hampton-EI (GHHI), Duane Johnson (MDE), Liz Kelley (MSDE), Mark Kravatz (GHHI), John Krupinsky (MDE), Hilary Miller (MDE), Ryan Monroe (DHMH), Mangula Paul (MSDE), Deborah Royster (MSDE), Marcus Richardson (Baltimore County), Christine Schiffkovitz (CONNOR), David Skinner (GHHI), Tommy Tompsett (MMHA), Marcia Willis (DHMH), Ron Wineholt (AOBA)

Welcome and introductions

Pat McLaine called the meeting to order at 9:35 AM with welcome and introductions. Minutes of July 2, 2015 were reviewed and no changes were recommended. Approval of the minutes was deferred to September because a quorum was not present.

Old Business

Dundalk 4th of July Parade – Tameka Witherspoon reported that there had been a great turn-out for the parade with balloons and flyers, with good response from the Dundalk community. The Dallas and Friends Lead Free Zone entry received a 3rd place ribbon.

Educational Outreach to the Faith-Based Community – Baltimore City has slowed this effort down, pending news about the HUD grant. The initiative was discussed in a meeting of One Baltimore. HUD is willing to be part of the speaker's bureau. The event at Mondawmin Mall was a huge success: more than 125 non-profit and government tables were available with information, 13,922 contacts were made with citizens in one day.

MHIC Letter – Paula Montgomery is still working on the letter so further discussion was deferred until the September meeting. Pat McLaine distributed an article from *Professional Remodeler*, June 2015, focusing on compliance with RRP, citing Freddie Gray's lead poisoning. Professional Remodeler has agreed to allow us to use the article in outreach. Victor Powell from HUD met with Baltimore City and GHHI, talking about RRP and the need for more training. Ken Strong said he was willing to commit up to \$25,000 to increase training in Baltimore. Pat McLaine suggested that it might be possible to get public-private partnership support to increase

training. HUD is willing to write a letter of support to MHIC. Paula Montgomery is working with the AG's office to coordinate work with HUD, and to focus on the counties with the largest buildings built 1950-1977 to ensure staff have been properly trained and licensed. Hilary Miller reported that the Federal Government wants Maryland to take on the RRP. EPA is looking to reallocate how they distribute money and is interested in allocating more money to lead based paint issues. MDE does not receive any money now from EPA.

DHMH Lead Targeting Roll-out – proposed draft language was circulated to the Commission. DHMH requests public comment and commissioners are encouraged to circulate widely; this will be posted on the DHMH website. Comments are due August 19 at 5 PM. Cliff Mitchell asked for input on three issues: education, requirement to apply to pre-school but not kindergarten/first grade and whether there should be a backstop if children are not screened. Pat McLaine indicated that additional language needed to be added regarding requirements for testing childcare/preschool children, with is already required. Liz Kelly agreed, indicating that she was not concerned about a burden on schools: if lead screening is important, it is important. Mangula Paul stated that it would be a lost purpose if we do not require documentation at school. Cliff Mitchell stated that school nurses can't share information with local health departments, per FERPA. However, CDC released new guidelines for lead exposed children in schools this spring, clearly indicating that these children have rights to streamlined developmental assessment and appropriate educational intervention consistent with the Individuals with Disabilities Education Act (IDEA) and Americans with Disabilities Act (ADA), including an individualized education plan (IEP). Pat McLaine stated that she had reviewed MDE annual reports and estimated that more than 12,000 Baltimore children under the age of 18, many who would still be in the Baltimore City Schools, have been exposed at blood lead levels of 10µg/dL or higher. John Krupinsky indicated that health department nurses were following up with children who had not been tested and the number of such children was very large. Pat McLaine noted that the issue of sharing data could be looked at in another way: in Rhode Island, the health department indicated that they were willing to share health information about individual children (elevated blood lead level history) with the Providence Public schools if the schools were willing to provide educational treatment for the children; the issue then was, what treatment would be provided. Cliff Mitchell said that it may be possible to share lead testing data with CRISP or ImmuNet. What other ways could be used to facilitate such transfer of information? What could be the mechanism to do this? John Krupinsky indicated that many children with elevated blood lead levels had been referred to Early Intervention, but if their early milestones are OK, they will not get services. Pat McLaine suggested that we think about how we might approach this to ensure that children with EBLs have access to early education, since the return on investment is high – about \$7-8 for every \$1 invested.

Cliff Mitchell indicated that children entering schools for the next 3 years would not be affected by these new rules. Ken Strong asked about the issue of BLLs rising: how can we identify these children? It is not clear what the Lead Registry could do about children with BLLs of 5+ to ensure additional testing and to identify children with rising BLLs. Cliff Mitchell indicated that he is working with GHHI to outreach to providers.

Proposed changes were reviewed. Pat McLaine encouraged members to provide comments to DHMH.

Maryland Insurance Agency – Nancy Egan raised the issue about MIA participation in the Lead Commission last month. She distributed a copy of the final report from the November 2012 workgroup. The function of the Insurance Commissioner and designee outlined in the law is the insurance of properties. The Qualified Offer was struck down in 2011. Coverage has been expanded to pre-78 properties. Insurers are able to exclude coverage for lead liability, so many insurers excluded this. MIA looked at this issue and looked at setting up a state fund. Some coverage is available but it is expensive and may be based on certified lead free. Pollution exposure coverage is available for larger landlords. The marketplace is essentially the same as in 2012. Does MIA need to be on the Commission? They are not clearly part of the solution to decrease BLLs in children. Tommy Thompson noted that the Commission has never been in full compliance with the statute: there has never been a senator on the Commission. The Commission would need to agree and this would need legislative change. Ron Wineholt indicated that Nancy Egan's input would be missed. Cliff Mitchell asked when this would take place – 2016 or 2017. Would there be insurance implications for children with BLLs 5-9µg/dL if we expand testing? The change in insurance concerns to health care insurers may also increase liability because more kids are being identified. Ed Landon suggested that maybe we should look at this. The Commission will discuss this matter with Horatio Tablada.

Invitation to Baltimore City Health Commissioner Wen - Pat McLaine indicated that Dr. Wen will attend the September 3, 2015 meeting.

New Business

Nutrition – Ken Strong raised an issue about nutrition for families who are being relocated while their home is being abated. Baltimore City Housing will provide vouchers to families if they self-relocate with family or friends. Ken Strong asked if nutrition education classes might be helpful or food vouchers or other incentives to provide healthy foods. Syeeta Hampton-El indicated that the problem is for HUD and enforcement cases. Philadelphia has been offering vouchers that can cover food. Families who relocate to hotels have had the most problems, for many reasons including transportation, food, childcare, and school. Perhaps a grant application to A.E Casey would be warranted. Manjula Paul said the issues were similar for families of individuals with active tuberculosis – where health departments need to support families staying home until TB cultures were negative. John Krupinsky indicated there were limited resources for families during relocation, which may last 2 weeks; this may be a good place to have a voucher. Perhaps HUD or CDC has examples of how this has been handled innovatively for lead hazard control work or case follow-up, respectively.

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, September 3, 2015 at MDE, 9:30am – 11:30am.

Agency Updates

Maryland Department of the Environment – John Krupinsky noted that it is great to hear about outreach to the faith-based community. MDE continues to provide funding for outreach to decrease lead risks in housing.

Maryland Department of Health and Mental Hygiene – Cliff Mitchell and John Krupinsky are planning meetings in the fall with local health departments to talk about proposed changes in the regulations. The meetings will include private providers. DHMH will also meet with childcare and school personnel.

Maryland Department of Housing and Community Development – Ed Landon indicated he had nothing to add. Faith-based community was a great partner in this effort. Churches may be able to partner in efforts to safely relocate families and ties with the Red Cross may also be helpful.

Baltimore City Health Department – not present

Baltimore City Department of Housing and Community Development – Ken Strong reported that HUD came to Baltimore City and is doing a video on lead hazard reduction using Baltimore footage.

Office of Child Care – Liz Kelley reported that Manjula Paul is the new nurse consultant. OCC just emailed regulations on healthy eating to child care facilities across the state, including emphasis on milk with meals and no sugar added.

Maryland Insurance Administration – nothing more to report

Public Comment – no public comment

Adjournment

A motion was made by Ed Landon to adjourn the meeting, seconded by Ken Strong. The motion was approved unanimously and the meeting was adjourned at 11:25 AM.