

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
September 2, 2016

APPROVED Minutes

Members in Attendance

Nancy Egan (via phone), Mary Beth Haller, Susan Kleinhammer, Edward Landon, Patricia McLaine, Cliff Mitchell, Paula Montgomery, Barbara Moore (via phone), Leonidas Newton, Del. Nathaniel Oaks, Adam Skolnik

Members not in Attendance

Melvin Jenkins, Christina Peusch, John Scott

Guests in Attendance

Jack Daniel (DHCD), Michelle Fransen (Cogency), Len Frenkel (WPM), Syeetah Hampton-EI (GHHI), Robin Jacobs (OAG), Dawn Joy (AMA), Myra Knowlton (BCHD), Christine Schifkovitz, (CONNOR), Greg Sileo (BCHD), Ron Wineholt (AOBA)

Welcome and Introductions

Pat McLaine called the meeting to order at 9:38 AM with welcome and introductions.

Approval of Minutes

The minutes of August 4, 2016 were reviewed. Ed Landon made a motion to accept the minutes as written and the motion was seconded by Nathaniel Oaks. All present Commission members were in favor.

Old Business

Demolition Activities in Baltimore – Ed Landon noted that the Commission should receive an update on Project Core activities, being developed by the Maryland Stadium Authority and Baltimore City. Syeetah Hampton-EI indicated there had been a meeting last week to update Delegate Rosenberg on plans. Outreach plans and standards for demolition have been developed. No date has been set for beginning activities, but they are expected to start soon. Michael Braverman is coordinating this for Baltimore City. Ed Landon briefly reviewed protocols that had been discussed at the meeting last week. Ed Landon will reach out to Zoe ??? about attending an upcoming Commission meeting, perhaps in November.

Insurance Companies Offering Policies for Qualified Offers – Nancy Egan reported that she had surveyed a number of insurance companies and found that quite a few were still offering policies for qualified offers. Maryland Insurance Agency thinks that insurance companies can offer coverage but they are not immune from being sued later by the child. MIA has requested that the Commission send letter requesting clarification from Brian Frosh's office.

Office of Childcare Annual Report – Christina Peusch will lead a discussion of issues related to the report in October.

Maryland Insurance Agency – Nancy Egan noted that there had been an article in the paper regarding a carrier who was denying coverage for CF3 insurance. A complaint was filed with MIA and MIA is now in the middle of the investigation.

Letter from Commission to AG Brian Frosh – the draft letter from the Commission was distributed and read. Paula Montgomery wants MDE's counsel to review the letter and verify it is accurate. Ed Landon noted that the subject was current and a legislative hearing is scheduled for September 13. Nancy Egan stated that if MIA needs to amend the insurance Article, they need to propose amendments. The motion was made by Nancy Egan to send the letter subject to the OK by MDE's AG and seconded by Paula Montgomery. All Present Commissioners were in favor and the motion passed. Paula Montgomery will have the draft letter reviewed by MDE's AG and communicate the reply to the Commission.

New Business

Update on DHMH Lead Screening – Cliff Mitchell stated that the new regulations went into effect on March 28, 2016 require statewide testing of all Maryland children born after 1/1/2015 at age 12 and 24 months. If the child was born before 1/1/15, providers would follow prior screening guidance. Cliff Mitchell thanked Commissioners for their help in developing the new Clinical Guidance, particularly Barbara Moore. The packet of clinical guidance for health care providers was mailed to 8400 providers and distributed today to Commissioners. Cliff Mitchell said that the list of "at-risk" zip codes on the back of DHMH Form 4620 was missing one zip code in Howard and 2 zip codes in Kent.

Cliff Mitchell indicated that DHMH has gotten some phone calls about the topic including positive feedback from the provider community. Distributions of material are planned for MDE, GHHI and local health departments. DHMH also plans to provide Medicaid Managed Care Providers with copies. Nancy Egan will provide a list of private providers to make sure they have all been identified. Outreach – two videos are being created: (1) for providers talking about point of care testing, incorporating blood lead testing into your practice, and identifying communities at risk; (2) for parents. Cliff Mitchell reports that Feedback for the effort has been positive. At this time, Point of Care testing is up to 70 providers (it had been 30), which is putting additional burden on MDE and the surveillance system. With regards to reporting and how to improve reporting, Paula Montgomery noted that she is going to CDC's CLPPP meeting in November and will check with CDC staff about how the HELPS system might be able to incorporate reports from point of care testing. She will report back information to the Commission. Barb Moore stated that Mount Washington staff all received packets. In addition, staff received many calls from community pediatricians regarding BLLs 5-9 and 50-44µg/dL. Pediatricians don't want to go 4 weeks between visits and felt that 4 weeks was too long. Providers have been asking for retesting at 2 weeks for children with BLLs 25-44µg/dL and 4 weeks for children with BLL 10-24µg/dL. Barbara Moore told them to use judgement. Cliff Mitchell indicated that he wanted to keep the guidance simple and consistent with CDC. He

indicated that DHMH can consider changing future guidance if necessary. Cliff Mitchell asked Commissioners to please send DHMH an email about any questions or concerns that aren't covered; they can be added to FAQs or to one of the videos.

Cliff Mitchell noted that he, Paula Montgomery and John Krupinsky will also meet with local health department case managers to talk about case management and management of children with BLLs in the 5-9µt/dL range. DHMH is hiring a health educator to do outreach to callers directly. This person will screen initial calls.

Ron Wiineholt asked if DHMH has a feel yet for the magnitude of increased testing, since it has been 5 months since the regulations went into effect. Cliff Mitchell stated he did not expect a big change in the first six months but that he expected we would start to see an increase in older children in 2017 (next year). Pat McLaine requested that MDE provide information on the number of tests reported during the first 6 months of 2016 compared to 2015, if data is available. Paula Montgomery will check on this for next month's meeting.

Cliff Mitchell stated that he expects to see increases in testing in counties like Montgomery and Howard. Cliff Mitchell said he is also working closely with Medicaid to ensure that we are on the same page, with information on results, coverage and information to be sent to CEOs. DHMH will also work with the Registry and Medicaid to look at performance of MCOs on testing.

A question was raised about testing of pregnant women – clinical guidance is available for this, but the CLR data is for children, not adults. Cliff Mitchell stated he has made presentations to OBs about this topic.

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, October 6, 2016 at MDE in the AERIS Conference Room, 9:30am – 11:30am.

Agency updates

Maryland Department of Environment - Paula Montgomery reported that ARC Environmental was awarded the contract to complete inspections on the remaining owner-occupied properties built 1950-1978 that are part of the on-going investigation of fraudulent lead-free certificates. Forty three (43) additional inspections have been completed. MDE is compiling information but the failure rate appears to be about 35%. Legal efforts continue within and outside of MDE, specific to American Homeowners. There will be civil action. MDE is concerned about the remaining 4,000 inspectors. MDE has only 2 inspectors to provide oversight for 40,000 certificates and is getting 2 new contractual inspectors to do this work.

Maryland Department of Health and Mental Hygiene – Cliff Mitchell stated that he had just sent notices to local health departments about lead in spices. DHMH has been tracking this for several years, especially turmeric and curry powders. There is no standard for lead in spices;

New York just took action. DHH has been pulling spices off the floor in retail establishments using the list of products from the FDA and NY. Oriental Packing Company out of Miami Florida is one of the larger manufacturers/distributors. Paula will send out additional information to the Commissioners. Paula Montgomery said she is very pleased about universal testing and about the identification of non-housing related sources of lead. DHMH conducted outreach to school health community last month; three Commissioners (Pat McLaine, Barbara Moore, and Cliff Mitchell) participated in a session on lead for about 30 school nurses and school educators attending the 16th Annual School Health Interdisciplinary Program. The presentation covered lead exposure, lead testing and ensuring success for lead-exposed children in school.

Maryland Department of Housing and Community Development – Ed Landon indicated there was nothing new to report.

Baltimore City Health Department – Camille Burke is still working closely with childcare specialists to hone and reinforce inspection process and to be more proactive on the front end. BCHD plans to move out later to talk with providers. BCHD is still trying to maintain good communication with Baltimore DHCD.

Baltimore City Housing and Community Development – no representative present

Office of Child Care – no representative present

Maryland Insurance Administration – Nancy Egan stated that MIA would keep the Commission informed about the outcome of current investigation.

Public Comment

Cliff Mitchell noted that HUD has issued a proposed rule to lower BLLs for programs from 10µg/dL to 5µg/dL. The opportunity for input is 60 days. Pet Grant will send out proposed rule to Commissioners.

Syettah Hampton-El stated that a legislative meeting would be held on September 13, 2016, a study for 1331 and 810, two lead bills brought up last year. This is a subcommittee meeting so there will be additional opportunity to answer Committee questions. Delegate Holmes, Environment and Transportation Committee, will chair.

Adjournment

A motion was made by Ed Landon to adjourn the meeting, seconded by Barbara Moore. The motion was approved unanimously and the meeting was adjourned at 11:30 AM.