

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
June 7, 2018

APPROVED Minutes

Members in Attendance

Anna L. Davis, Benita Cooper, Mary Beth Haller, Susan Kleinhammer, Patricia McLaine, Cliff Mitchell, Paula Montgomery, Barbara Moore (via phone), Leonidas Newton (via phone)
Manjula Paul

Members not in Attendance

Shana G. Boscak, John Martonick, Christina Peusch, John Scott, Adam Skolnik

Guests in Attendance

Camille Burke (BCHD), Patrick Connor (Connor), Dan Foster, Ludeen Green (GHHI), Lisa Horne (MDH), Dawn Joy (AMA), Mark Petrillo (NJ), Bill Peach (HABC), Greg Sileo (BCHD)

Welcome and Introductions

Pat McLaine called the meeting to order at 9:35 AM with welcome and introductions.

New Business

Update on MDH Lead Screening – This item was moved to the beginning of the meeting at the request of Cliff Mitchell. Cliff Mitchell reported that there has been an uptick in rates for counties but data from the Childhood Lead Registry is not yet available. The testing increase has not been seen in all counties. MDH is doing a series of webinars for health care providers; the first one was yesterday (June 6th). MDH will also be meeting with Medicaid Managed Care Directors to help the Department to determine how best to reach out to health care providers to talk about testing, especially in areas with low screening rates, including Prince Georges and Southern Maryland counties. More activity will start in July. Screening data for 2017 has not yet been run. Cliff Mitchell indicated he was not sure if he could break out the data on 1 and 2 year olds earlier; the schedule for releasing a report is unclear. He requested contact information for health care organizations, providers, parent groups who might be interested.

As part of MDH outreach and assistance to providers, as of May 2018, new BLL tests are being reported into ImmuNet. Cliff Mitchell hopes to be able to put historic data into ImmuNet. This is a passive system – it does not inform practitioners that screening is needed. Cliff Mitchell stated that this was a soft roll-out. MDH will mention this to school health nurses in August.

Approval of Minutes

A motion was made by Cliff Mitchell, seconded by Anna Davis to accept the May 2018 minutes as amended. All present Commissioners were in favor and the minutes were approved.

Old Business

Committee Report – Paula Montgomery reported that she, Adam Skolnik and Anna Davis were tasked at the last meeting with coming up with a policy on recording Lead Commission meetings. They based their recommendation on the Opinion of Jeanny Pope, Assistant Attorney General (MDE) that the Committee has authority to establish policy based on the Open Meetings Act and the Open Meetings Compliance Board. The recommended policy, distributed at the meeting, was adopted from the Charles County Open Meeting Act Procedures and adapted to the Lead Commission. Minor edits were suggested. Ludeen Green from Green and Healthy Housing Initiative asked what the intent was for this request; Paula Montgomery indicated the intent was transparency. Susan Kleinhammer made a motion to accept the policy as revised as a Commission rule. The motion was seconded by Mary Beth Haller, all Commissioners were in favor and the motion passed. The new policy is attached to these minutes.

New Business

Article on e-Cigarettes – Anna Davis reported that a recent study of Maryland consumers found concentrations of metals in e-cigarette vapor, coming off the coils, aerosol and well (Metal Concentrations in e-Cigarette Liquid and Aerosol Samples: The Contribution of Metallic Coils, P. Olmedo, W. Goessler, S. Tanda, M. Grau-Perez, S. Jarmul, A. Aherrera, R. Chen, M. Hilpert, J.E. Cohen, A. Navas-Acien, A. Rule, Environmental Health Perspectives, February 2018. <https://doi.org/10.1289/EHP2175>). Lead is in high concentration, so this is another potential source of lead. Youth are particularly attracted to e-cigarettes. Jewel is a particular brand. The device is very insidious and looks like an ordinary flash drive. Kids can be vaping in school undetected. One can't tell the difference between Juell and a flash drive. Nicotine comes in very attractive flavors to kids and are sold in packages that look like candy box with flavors like Skittles, Reeses peanut butter cups. They are a real problem in schools. Although the manufacturer says this is not for children, e-cigarettes appear to be a gateway to getting kids hooked on nicotine. The FDA is looking into this now and has requested formal comments. No action is expected until August 2022. Greg Sileo is responsible for tobacco in Baltimore City and can bring a report on this. Barbara Moore asked to add this to the Commission's list for legislation next year. Paula Montgomery asked if there was any association with higher BLLs. Anna replied that this is one of the first studies to look at metal concentrations in e-cigarette liquid and aerosol. Barbara Moore stated it is unlikely that younger children, who are tested, would have access. Older children, who are potentially using, are not tested, so the impact on young people may not be seen. Anna Davis will send the article to Pet Grant to distribute to the Commission.

Article on Lead and Fertility - Pat McLaine briefly reviewed research findings published in May 2018 that found that national reductions in airborne lead between 1978 and 1988 in the US increased fertility rates but that higher levels of lead in topsoil decreased fertility rates in the 2000s. The article concludes that in areas with high lead levels in soil, lead may continue to impact fertility in the US and in other countries. This is a population measure of health. (Toxic Truth: Lead and Fertility, K. Clay, M. Portnykh, E. Severnini, National Bureau of Economic Research Working Paper 24607, Issued May 2018. DOI: 10.3386/w24607)

July Meeting – the next meeting is scheduled for July 5. A number of Commissioners will not be able to make the meeting due to prior plans for the 4th of July holiday. A motion was made by Paula Montgomery to cancel the July 5, 2018 Commission meeting and meet next on August 2, 2018. The motion was seconded by Barbara Moore. All commissioners were in favor of cancelling the July 5 meeting – motion passed.

Guest from New Jersey – Camille Burke introduced Mark Petrillo, REHS, Lead Inspector/Risk Assessor, Somerset County Health Department who is visiting and shadowing with the Lead Program at the Baltimore City Health Department this week. He indicated that he was working on lead program in the 1980s and was surprised to find that work is still on-going. He has been a health inspector for 30 years and hopes to be able to make a difference in New Jersey. New Jersey has home rule with more than 200 jurisdictions. His county only oversees 7 of 21 jurisdictions. NJ lowered the BLL for case management action to 5µg/dL. In larger jurisdictions, e.g. Newark, there has been an increase in cases. Mark Petrillo asked to visit Baltimore to see how work is done here. He indicated that stricter requirements are needed for landlords in NJ. Certified contractors charge much more money. They have identified problems with older bathtubs; removing and replacing a tub requires hiring a lead contractor, with a minimum of \$10,000 cost.

The Quarterly Report from Baltimore City HUD Grant Program was not available.

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, August 2nd, at MDE in the AERIS Conference Room – Front Lobby, 9:30 – 11:30 AM.

Agency updates

Maryland Department of Environment – Paula Montgomery reported that MDE went to the Maryland Association of Home Remodelers Expo and made a presentation on Maryland lead laws to agencies that receive HUD funding for rental properties (Housing Authorities, Project-based recipients). The presentation was very well received and Paula Montgomery has received numerous phone calls for follow-up. There is still a misconception that if the property meets the standard requirements of HUD housing that the project does not need to meet Maryland requirement. Housing Authorities outside Baltimore City have many properties built 1950-1978, particularly the Housing Choice Voucher Program. MDE has reached out to HUD regarding 24CFR Part 35 that requires Federally-assisted properties to meet all local and state requirements. Many HUD properties have not been tested to Maryland standards. Because HUD does not require their properties to have dust sampling at tenant turnover, properties in Maryland that follow the HQS standards and are not dust sampled are not in compliance with Maryland law. MDE has informed HUD counsel and will be following up. Paula Montgomery indicated she would be happy to share MDE's letter to HUD at a later meeting. She indicated that Baltimore City is a leader in having properties in compliance with the lead standard. She

indicated that MDE has been working with HUD for many years on this issue and is a little concerned about the absence of dust testing continuing.

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Maryland Department of Health – nothing to report

Maryland Department of Housing and Community Development – not present

Baltimore City Health Department – Camille Burke reported that blood lead testing efforts continue. BCHD has a great partnership with Esperanza Center and is doing in-house testing of children one day per month. The Center targets the Hispanic community and BCHD provides education to the whole family using Spanish-speaking staff.

A number of individuals with Section 8 Vouchers did not renew their voucher and had to pick up and leave. Also some homes are in foreclosure. Section 8 gave families extension to renew.

Greg Sileo said the City is working hard to engage MCOs and FQHCs. The Chief Medical Officer is assisting. Amerigroup has been very helpful and has prepared lists of kids who have not been tested. They will also be able to identify providers with high and low rates of testing. BCHD is planning a campaign to outreach to families who have not been tested and to outreach to PCPs who are and are not doing a good job of screening. They will put together a toolkit for care providers. Point of care testing should also help.

Baltimore City Housing and Community Development – Bill Peach stated that the Housing Authority of Baltimore City was providing MDE's notice of Tenant Rights and the EPA pamphlet to tenants. Paula Montgomery stated she would send the most recent Notice of Tenant Rights to Mr. Peach and indicated that notification can be done electronically. Ludeen Green noted that EPA has updated their brochure on lead in water.

Bill Peach also indicated that the HOA is amending leases for tenants in Baltimore City.

Office of Child Care – nothing to report

Maryland Insurance Administration – nothing to report

Public Comment – Ludeen Green stated that GHHI looks at other states that have chosen to address lead exposure in kids sooner (at 5µg/dL) rather than later (at 10µg/dL) and New Jersey is one of those forward-thinking states. June is Healthy Homes Month. GHHI plans to offer a series of podcasts to reach out to providers, tenants and other groups. Some may be focused on contractors. Ludeen Green indicated that GHHI has nothing to discuss legislatively at this time.

Adjournment

A motion was made by Anna Davis to adjourn the meeting, seconded by Susan Kleinhammer. The motion was approved unanimously and the meeting was adjourned at 10:53 AM.

RULES OF PRACTICE AND PROCEDURES OF THE LEAD POISONING PREVENTION COMMISSION:

Recording of Meetings

Any member of the public, including representatives of the media, may record discussions of the Commission at an open session by means of a tape recorder or any recording device, provided that the device does not create a disturbance to the members of the Commission or to other persons at the open session.

- i. The individual recording shall inform the Commission Chairperson prior to recording.
- ii. Recording equipment may not be placed or operated in any manner that blocks the view of people who are attending the open session.
- iii. The Chairperson may designate a location for all recording to be performed, as long as the location is reasonable for recording to occur.
- iv. The Chairperson may restrict the movement of a person who is using a recording device, camera broadcasting or television equipment if such restriction is necessary to maintain orderly conduct of the meeting.

Adopted June 7, 2018