

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
May 2, 2019

APPROVED Minutes

Members in Attendance

Mary Beth Haller, Susan Kleinhammer, John Martonick, Patricia McLaine, Paula Montgomery, Barbara Moore (via phone), Leonidas Newton (via phone), Manjula Paul

Members not in Attendance

Shana Boscak, Benita Cooper, Anna Davis, Cliff Mitchell, Adam Skolnik, Christina Peusch

Guests in Attendance

Shante Branch (MDE), Erin Bradley (AOBA), Camille Burke (BCHD), Chris Corzine (OAG), Tim Crusse (BC DHCD) Geraldine Day (BCHD) Andrew Gaudreau (OAG), Ludeen Green (GHHI), Aaron Greenfield (MMHA), Rachel Hess Mutinda (MDH), Greg Sileo (BCHD), Cynthia Weisz (OAG), Ron Wineholt (AOBA)

Welcome and Introductions

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

Approval of Minutes

A motion was made by Paula Montgomery, seconded by John Martonick to accept the April 2019 minutes. All present Commissioners were in favor and the minutes were approved.

Old Business

Strategic Planning

Paula Montgomery noted the interest in tying lead prevention into codes. The Maryland Code Administration is now under the Department of Labor Licensing. Paula Montgomery stated she has been looking at the regulations for Title 5, Subtitle 16 and Title 9 under Labor Licensing and Regulation, Subtitle 12. She said she will be asking the Assistant Attorney General at MDE to see what would make issuing a license for home improvement contingent on following all applicable laws (including lead). The International Building Code has no requirement to employ lead-safe work practices. MDE has previously reached out to MHIC and DOLLAR and Maryland Department of Planning. One idea would be for the Commission or the Secretary to send a letter requesting that each of these agencies would work with us on improving requirements for lead safety.

With regards to long term goals, the Lead Commission will address lead poisoning in other jurisdictions in June with a report from jurisdictions funded by MDH for Case Management.

The Baltimore City Lead Discovery Project has its first cohort. The project will look at kid's exposure to lead early on and follow them through school, looking at 4-5 outcomes and involvement with social services agencies.

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Commissioners explored some of the best practices including primary prevention initiatives and county rental registration practices that vary across the state. This has been eye-opening, according to Paula Montgomery, because counties are so receptive to enforcing the law that MDE is not seeing evidence of continuing lead poisoning in some of these areas.

We need to look at housing code administration and get to code officials, especially in Baltimore City. The Multi-Family dwelling license registration system in Baltimore does look for a lead free certificate first.

Not all jurisdictions have inspections. Some of the smaller jurisdictions are very involved with inspection. Paula Montgomery stated that she would make a presentation to the Commission about what Maryland jurisdictions are doing.

Review of Legislation Passed in 2019 – On behalf of Adam Skolnik, Aaron Greenfield reviewed the final list of lead bills for the 2019 Session:

- SB481/HB1253 – did not pass – Would have altered the definition of “elevated level of lead” to mean lead concentration in drinking water exceeding 5 parts per billion for certain provisions of the law relating to testing for the presence of lead in certain drinking water outlets in certain school buildings; requiring a grant program established by MDE in consultation with MSDE to assist local school systems with certain costs of remedial measures.
- SB 488/HB 1191 – did not pass – action against manufacturer of a toxic substances for damages allegedly caused by the presence of paint or surface coatings containing the toxic substance in a residential building located in Baltimore City.
- SB 831 – did not pass – would alter requirements for repossession of real property for failure of tenant to pay rent too require a landlord of lead-affected property provide information and documentation to the court and tenant at trial.
- HB 1068 (similar to SB831) – did not pass
- HB 496 – did not pass. Would have required MDE in consultation with MSDE, DGS and MOSH to adopt regulations and require periodic inspections of occupied public and nonpublic school facilities for the presence of environmental hazards.
- HB533 – did not pass – would have prohibited a school-approved sport, club or course from using lead ammunition in training, practice or athletic competition.
- HB 1233 - **passed** – Commissioners asked about the funding level for this bill. The fiscal note was reduced (from more than \$1 million) because of availability of Medicaid

dollars. Paula noted that the first year will use about \$700K to hire staff and promulgate regulations. MDE is responsible for developing policy about best practices and how to

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- implement the law. Paula Montgomery indicated that MDE is getting new databases this year. MDE was accepting bids at the end of March to do the project and will fund costs for the new data bases. MDE had budgeted funds for this in the 2018 budget to ensure the databases could talk to each other.

New Business

Baltimore City HUD Grant Report – Tim Crusse provided an update. The HUD grant is finished. Baltimore City completed 241 units, 74 with Healthy Homes work. The new \$4.1 million HUD grant to address lead in 250 units and healthy homes in 100+ units should be up and operating by mid-June. Tim Crusse indicated that 230 of the 241 units completed under the previous grant were owner-occupied, usually grandparents caring for a grandchild. It will be interesting to see if the numbers of owner occupied cases change in the next Annual Report. Healthy homes funding allows the program to address needs of seniors.

US Preventive Services Task Force (USPSTF) Recommendations for Lead Testing – statement newly issued and published in the Journal of the American Medical Association (JAMA), April 16, 2019 found that current evidence was insufficient to assess balance of benefits and harms of screening for elevated blood lead levels in asymptomatic children and asymptomatic pregnant persons. An editorial authored by faculty from University of Maryland Baltimore (Adam Spanier, Pat McLaine and Royn Gilden) noted that 49% of pediatric topics addressed by the USPSTF also did not have sufficient evidence to support a given service. The editorial supported CDC recommendations that blood lead screening continues to be needed for individuals for whom primary prevention was unsuccessful and practice should follow the recommendations of local and state public health departments. Gaps in knowledge about screening and intervention are reasons to direct more resources to lead screening. Finally, the editorial recommended a policy shift to primary prevention along with rapid investigations by local and state public health agencies to identify and eliminate lead exposure and to ensure that children with high lead levels enjoy the best possible outcomes.

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, June 6, 2019 at MDE in the AERIS Conference Room – Front Lobby, 9:30 – 11:30 AM.

Agency Updates

Maryland Department of Environment – nothing more to report

Maryland Department of Health – nothing to report

Maryland Department of Housing and Community Development – no one present

Baltimore City Health Department – Camille Burke reported that the City is working on a toolkit for practitioners to identify practices whose testing rates are high and low. This will help identify best practices, how to interpret testing results and barriers to testing. They will use Lead Commission Minutes

materials from BCHD and MDH. BCHD will circulate the toolkit for feedback and then roll out, providing technical assistance. The City also is implementing a campaign around testing. Barbara Moore stated she had received an email from John Rogers (American Academy of Pediatrics) indicating that he was also working on updating a toolkit for lead screening. Camille Burke stated BCHD will reach out to collaborate. With regards to identified barriers, one of the biggest is the inconvenience of getting a blood draw, even if the lab is in the same building as the pediatric practice. BCHD is encouraging practitioners to draw blood in the office when children are there for well-child check-ups. Regarding Point of Care Testing, if blood is drawn for other tests, it would be an additional stick for the child to be tested at the visit.

Baltimore City Housing and Community Development – Tim Crusse indicated that with 250 new houses, the City Housing will need more than 300 referrals. There are 80 properties presently in the pipeline, so any referrals will help. Barbara Moore asked how much time it takes between receiving the referral and completion of the work. Tim Crusse said it depends on whether needed information is provided. They hope to complete within 5-6 months. Every property gets a 30 day environmental review prior to start-up. The 5-6 months includes final inspection. Many things can put the brakes on an application.

Office of Childcare – Manjula Paul stated their regulations are out for public comment and are now being revised. Paula Montgomery requested a link to the current version of lead regulations for the Office of Child Care. Regarding use of dates (1950 vs 1978), MDE regulations still say 1950. Paula Montgomery stated that MDE has a workgroup looking at this. Once MDE adopts changes, it will be easier for OCC to proceed.

Maryland Insurance Administration – no one present

Public Comment

Barbara Moore stated that Mount Washington received notice that United Health Care Commercial will not pay for labs done on site at the provider's office. Barbara Moore has asked about reimbursement for point of care testing. Rachael Hess Mutinda said that she and Cliff Mitchell would follow up an email report sent from Barbara Conrad.

Ludeen Green (GHHI) indicated that GHHI will provide a presentation to the Commission on their gap analysis at the June meeting. This will include what has been done, what is included and how the gap analysis is implemented.

Ludeen Green also indicated that a free Asthma Summit sponsored by the Greater Baltimore Asthma Alliance and the Green and Healthy Homes Initiative and focused on maximizing asthma outcomes will be held on May 30th at the University of Maryland School of Nursing. Interested parties should register now because they are close to the maximum.

Ludeen Green also reported that she attended the bill signing for HB 1233. Maryland is now in alignment with CDC recommendations and with the national trend to focus on lower levels. Notification of parents will begin October 2019

Adjournment

A motion was made by Susan Kleinhammer to adjourn the meeting, seconded by Leonidas Newton. The motion was approved unanimously and the meeting was adjourned at 10:48 AM.