

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
September 6 2018

APPROVED Minutes

Members in Attendance

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

Members not in Attendance

Shana G. Boscak, Benita Cooper, John P. Martonick, John Scott, Adam Skolnik

Guests in Attendance

Camille Burke (BCHD), Patrick Connor (CONNOR), Jack Daniels (DHCD), Rachel Hess-Mutinda (MDH), Ludeen McCartney-Green (GHHI), Lisa Horne (MDH), Dawn Joy (AMA), Erin Paul (Arc), Bill Peach (HABC), Lan Van De He (MDE), Ron Wineholt (AOBA)

Welcome and Introductions

Pat McLaine called the meeting to order at 9:36 AM with welcome and introductions.

Approval of Minutes

A motion was made by Leon Newton, seconded by Anna Davis to accept the minutes as amended. Mary Beth Haller abstained, all other present Commissioners were in favor, and the minutes were approved.

Old Business

Strategic Planning – Paula Montgomery indicated that MDE has responsibility to pay for this because the Commission is housed by MDE. Staff from Horacio Tablada's office has suggested that the Commission consider doing a retreat as the Environmental Justice Commission did recently. Cliff Mitchell stated that the original reason for suggesting this was that the Commission now has a new set of resources, the number of children with higher levels of lead exposure is flattening out, and we have been doing more testing. What are the state's goals with regards to lead prevention? What is the big picture for lead poisoning prevention for the State of Maryland? Cliff Mitchell said he thinks the idea of a retreat is a great idea and believes facilitation would be good. He thought it would be helpful to have someone not on the Commission to help facilitate. MDH may also be able to identify some resources to help to pay for this. Paula Montgomery said she agrees that the idea of a retreat with a facilitator is a good one. Camille Burke noted that she chairs the Environmental Justice Commission and reported that the Commission went to Prince Georges County and spent time there with legislators. This

gave the Commission the time to plan out the year ahead and refocus on what they were doing. It was also a chance to get to know the members of the Commission. Delegate Lam gave a presentation about how long it takes for a bill to become a law. Barb Moore noted that a lot

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has changed and having a day to regroup and refocus would help us to refocus our work. Talking about goals would be a great way to refocus efforts. Manjula Paul suggested that the Commission look at goals and objectives when the Commission was initially established to gauge how far we have come. Also to note how the agencies are working to decrease burden, to determine what more could be done, to determine how we might tap into additional resources. The new law with water testing is a big achievement. Universal testing is a great achievement. There are other things we might want to discuss that affect populations such as the spice awareness campaign,

Sue Kleinhammer asked if we thought legislation was important, would having the meeting in January be too late? Mary Beth Haller stated that she wasn't sure what difference it would make. We could have the meeting scheduled for December 6; we could do it January 10. Pet will poll the Commissioners regarding the proposed date (January 10). Paula Montgomery will check on options for the location. Meeting time will tentatively be 9-4:30. A planning committee was established composed of Susan Kleinhammer, Christina Peusch, Barbara Moore, Adam Skolnik, Cliff Mitchell, Anna Davis and Pat McLaine. The planning committee will attempt to meet by phone before the next Lead Commission meeting. Paula Montgomery will check procurement about how to do this and set up a budget. The Commission will not hold the January 2019 meeting on January 3, 2019. The focus of the retreat will be on projecting over-all goals for the State of Maryland for the next 5-10 years.

Legislation – Patrick Connor noted that at the April 5, 2018 meeting, the Commission approved Susan Kleinhammer's motion to begin planning legislation in August and asked if this has been done. The Commission will be starting discussion of legislation today. Patrick Connor asked if the Commission envisions changing their authority from EA6-8-10. After 24 years, should we explore the need for additional authority? Paula Montgomery stated that the authority for the Commission is pretty broad: evaluating existing law, preventing lead poisoning. The focus will be broad, long-term: where we need to focus to decrease incidence. Funding would be a part of it, especially if lower level for action drops to 5µg/dL. Maryland determined that it was illegal to offer liability insurance and so that protection was struck from the law. Anna Davis stated she thought it would be helpful to review where we are, look at continuing and reframing our goals.

Awards – Christina Peusch stated that she needs input from the group about awards to be given, possibly to childcare providers or to advocates. Mary Beth Haller will work with Christina to develop categories and criteria for an award. This will be discussed at the October meeting. Mary Beth Haller asked if the Commissioners could identify three categories of interest. Christina Peusch will give Pet Grant something to send out to members as soon as possible.

New Business

Fiscal Year Report for Baltimore City - Camille Burke presented Baltimore City's Childhood Lead Poisoning Prevention Fiscal Year Report. Copies were not available; Camille Burke will send the PowerPoints for the presentation to Pet Grant for distribution. Baltimore identified 297 children with a BLL in the 5-9µg/dL range and only 87 children with a blood lead of 10 and

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higher µg/dL. Camille Burke stated that paint sources were associated with 76% of cases; the previous year had been 96%. Commissioners asked if the numbers were the same for owner-occupied and rental properties. Paula Montgomery stated that 60% of cases living in owner-occupied properties are associated with paint, with pre-1950 housing being very common. Make-up accounts for a couple of percent and association with spices is growing. A recommendation was made to label the percentage of different sources on the source table. Camille indicated lead violations are being added to the housing system. CDC is now funding new outreach and Baltimore City has a new partnership with Moveable Feast focused on nutrition. Baltimore City is part of the Baltimore Education Research Consortium, focusing on early education data. National Childhood Lead Poisoning Prevention Week is October 21-27. Pat McLaine noted that the data shows a decrease in time to handle cases. Pet will send out the PowerPoint presentation to the Commissioners.

Office of Childcare Annual Report – Manjula Paul provided a Licensing Inspection Report for Lead Safety Violations, July 2017 to June 2018 from the Office of Childcare. The Office does not have a breakout for family child care homes that are rental or owner occupied and does not maintain information on age of construction in its database. Although the Commission has previously asked the Office of Childcare to provide this information, Manjula Paul stated the Office of Childcare is working on this but the information is not yet available. Paula Montgomery noted that all child care centers, commercial or residential, must follow lead regulations if they were constructed before 1978. The report notes a total of 39 citations associated with chipping and peeling paint or no lead certificate, with 10 facilities being closed (5 child care centers, 5 family/child care homes). Manjula Paul will find out and report back to the Commission on the ownership status and age of the 39 facilities with violations and the 10 facilities that were closed during the last fiscal year. Anna Davis asked who would get the citation – the OCC license holder only? If a rental, would the property owner also get a citation if the property was built before 1978 and there was no lead certificate? Can the owner be held responsible? Paula Montgomery indicated yes, adding that it is very rare for MDE to go into licensed child care that is rental and find the owner non-compliant. The Office of Childcare comes to MDE if there is a problem and MDE does follow up with the owner. With regards to what happens if the building was constructed pre-1978 and there is defective paint, an accredited individual does the repairs and a re-inspection is done by an accredited risk assessor. Paula Montgomery indicated that all rental residences built before 1978 with child care facilities must have a certificate. In a home, the area used for child care is approved – not the entire property. Office of Childcare issues an inspection report identifying where the defective paint is located. Susan Kleinhammer indicated there may be some confusion by the private sector inspector doing a re-inspection about what areas to re-inspect. Manjula Paul indicated that the floor plan for the licensed child care area is posted in the house. Many other areas are assessed by licensed

inspectors. Out of almost 6,000 licensed family child centers, two centers did not have the required lead certificate and one was closed. Out of 20 child care centers with peeling and chipping paint, 4 were closed. Manjula Paul noted that no children were identified with elevated lead levels as a result of their exposure in child care setting. It was suggested that “lead free” might be an option used to differentiate such older centers. Christina Peusch indicated that the

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Office of Child Care Advisory group will also review the request for information on the age of housing.

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, October 4, 2018, at MDE in the AERIS Conference Room – Front Lobby, 9:30 – 11:30 AM.

Agency updates

Maryland Department of Environment – nothing else to report

Maryland Department of Health – nothing else to report

Maryland Department of Housing and Community Development – nothing else to report

Baltimore City Health Department – nothing else to report

Baltimore City Housing and Community Development – nothing else to report

Office of Child Care – nothing else to report

Maryland Insurance Administration – no representative present

Public Comment

Ludeen McCartney-Green (GHHI) noted that the Baltimore Sun had published comments by Governor Hogan that he was on board with lowering the BLL from 10 to 5µg/dL and with universal screening. Anna Davis noted that the Commission’s position on legislation was to lower the BLL to the reference level. The Commission’s legislative subcommittee (Anna Davis, Adam Skolnik, Susan Kleinhammer, and Pat McLaine) will present draft language for a new bill at the Commission’s October meeting. Ludeen McCartney-Green also noted that National Lead Poisoning Prevention Week is October 24th; GHHI will be meeting with advocates. Paula Montgomery said that her office will compile events for lead week and send out a calendar.

Adjournment

A motion was made by Anna Davis to adjourn the meeting, seconded by Leonidas Newton. The motion was approved unanimously and the meeting was adjourned at 11:38 AM.

