

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 354 (First Edition)

SHORT TITLE: Child Lead Poisoning Prevention Program Amendments

SPONSOR(S): Representative Insko

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>
REVENUES					
EXPENDITURES					
DENR					
					See Assumptions and Methodology
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	Department of Environment and Natural Resources (DENR)				
EFFECTIVE DATE:	July 1, 2003				

BILL SUMMARY: The bill amends the law regarding the prevention and control of lead poisoning in children by changing the definition of a "lead poisoning hazard". The legislation also requires all blood lead test results for children under the age of six (and unknown ages) be reported to the Department of Environment and Natural Resources (DENR.) Informed consent would now be required to investigate elevated blood lead levels, with denials, inability to locate, or failure to respond being documented. Confirmed lead poisoning cases continue to require a mandatory investigation. Remediation plans and guidelines are amended based on more recent federally issued guidelines.

ASSUMPTIONS AND METHODOLOGY: The Environmental Protection Agency and Housing and Urban Development reduced two of the three standards for lead in contaminated household dust (i.e., floors and window sills) to be more protective of young children. A third dust hazard level (i.e., windows troughs) was eliminated. The standard for lead in bare soil was also reduced and the concentration defining lead-based paint was unchanged. Clearance levels for dust and soil were similarly reduced except that a reduced clearance standard was also adopted for window troughs. These changes are reflected in amendments proposed to G.S. 130A-131.7(7) and G.S. 130A-131.9C(i).

In general, the proposed changes are more restrictive and would have a slight impact on the regulated community. The primary impact would be to require more thorough cleaning after the completion of repairs and other maintenance activities to remove residual lead-contaminated dust

using a low cost wet mopping and vacuuming protocol. Adoption of the proposed amendments would not alter the action level for when DENR is required to investigate a home environment or to enforce remedial action against a property owner, because those activities are initially triggered by a child's blood lead exposure rather than the presence of an environmental hazard. Hence, adoption of the revised environmental standards would not require additional properties to be addressed, rather they would dictate when a residence or child care facility, already subject to environmental intervention under existing state law, is considered lead safe. **The estimated cost is expected to be minimal.**

The legislation also authorizes DENR to offer a home investigation to the parents of all children with exposure to lead at a lower action level than is currently required by law. Current law requires investigations at persistent levels of ≥ 15 $\mu\text{g}/\text{dL}$ (milligrams of lead per deciliter), and the proposed revisions would reduce the number to ≥ 10 $\mu\text{g}/\text{dL}$ and make investigations voluntary. DENR has already been offering the expanded investigation services since a November 1999 directive issued from the State Health Director. Medicaid agreed to reimburse DENR for this service (\$438 per child), and DENR allocates state appropriated aid-to-county funds (approximately \$280,000 in FY 2002-2003) to local health departments and employs seven regional inspectors to assure comprehensive environmental follow-up for lead-exposed children. In 2002, there were 68 children confirmed blood lead poisoning at ≥ 20 $\mu\text{g}/\text{dL}$; 11 children with persistent elevated blood lead levels at ≥ 15 $\mu\text{g}/\text{dL}$; and 460 children with confirmed elevations in the 10-19 $\mu\text{g}/\text{dL}$ range. The number of children screened continues to increase annually, while the number of children with confirmed elevated blood lead levels continues to decrease annually. **Thus, the estimated cost of expanding home investigation services is expected to be minimal, if not cost-neutral for DENR.**

Confirmed cases of blood lead poisoning (≥ 20 $\mu\text{g}/\text{dL}$) will continue to require mandatory investigations. The investigations for children classified as having persistent elevated blood lead levels are currently mandatory. Under the proposed legislation, informed consent would now be required to investigate elevated blood lead levels (10-19 $\mu\text{g}/\text{dL}$ range). Though no estimate is available as to the number of investigation requests that may be turned down under the proposed legislation, **it can be expected that the investigation caseload in DENR would drop slightly.**

SOURCES OF DATA: Ed Norman, Department of Environmental and Natural Resources

TECHNICAL CONSIDERATIONS: None.

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DATE: March 28, 2003



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