

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND NINETEEN

S.P. 336 - L.D. 1116

**An Act To Strengthen the Lead Poisoning Control Act**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** immediately amending the Lead Poisoning Control Act is required to ensure the safety of children; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §1314-A,** as enacted by PL 1991, c. 810, §1, is amended to read:

**§1314-A. Goal**

The goal of the State in the area of lead poisoning is to eradicate childhood lead poisoning by the year ~~2010~~ 2030 through the elimination of potential sources of environmental lead. By January 1, ~~1997~~ 2025, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over ~~human resource~~ health and human services matters regarding progress made toward this goal. The report must include any recommendations the department may have to revise the goal, along with any necessary legislation.

**Sec. 2. 22 MRSA §1317-D, sub-§4,** as enacted by PL 2001, c. 683, §3 and affected by §10, is amended to read:

**4. Testing of children not covered by MaineCare program.** The program must require the testing of blood lead levels of all children not covered by the MaineCare program at one year of age and 2 years of age ~~unless, in the professional judgment of the provider of primary health care, in conjunction with the use of the lead poisoning risk~~

~~assessment tool, the child's level of risk does not warrant a blood lead level test. The drawing of blood for the testing may be done in the health care provider's office or may be referred to another laboratory.~~

**Sec. 3. 22 MRSA §1322-F, sub-§4**, as amended by PL 2007, c. 628, Pt. A, §6, is further amended to read:

**4. Contingent repeal.** This section is repealed when the Commissioner of Health and Human Services certifies that a period of 24 months has elapsed since the Department of Health and Human Services identified a child with an elevated blood lead level through screening by health care providers under section 1317-C. The Commissioner of Health and Human Services shall provide notice to the Secretary of the Senate, the Clerk of the House of Representatives and the Office of the Revisor of Statutes when this condition has been met. For purposes of this subsection, "elevated blood lead level" means a confirmed level of blood lead ~~of 10 that is equal to or exceeds 5~~ micrograms per deciliter ~~or a level of blood lead defined by the federal Department of Health and Human Services, Centers for Disease Control and Prevention, whichever is lower.~~

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.