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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 514 Session of  
2023

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INTRODUCED BY BAKER, HAYWOOD, J. WARD, HUGHES, DILLON, KANE,  
ROBINSON, FLYNN, COMITTA, SANTARSIERO, TARTAGLIONE,  
CAPPELLETTI AND STEFANO, MARCH 15, 2023

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REFERRED TO HEALTH AND HUMAN SERVICES, MARCH 15, 2023

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AN ACT

1 Amending the act of November 3, 2022 (P.L.2135, No.150),  
2 entitled "An act providing for blood lead assessment and  
3 testing of certain children and pregnant women by health care  
4 providers; imposing duties on the Department of Health; and  
5 requiring certain health insurance policies to cover blood  
6 lead tests," further providing for legislative purpose and  
7 for lead poisoning prevention, assessment and testing.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 3(3) of the act of November 3, 2022  
11 (P.L.2135, No.150), known as the Childhood Blood Lead Test Act,  
12 is amended to read:

13 Section 3. Legislative purpose.

14 The purposes of this act are:

15 \* \* \*

16 (3) To [encourage] require the testing of all children  
17 in this Commonwealth by two years of age so that prompt  
18 diagnosis and treatment, as well as the prevention of harm,  
19 are possible.

20 Section 2. Section 5 heading and (a) of the act are amended

1 and the section is amended by adding subsections to read:

2 Section 5. Lead poisoning prevention, assessment and testing  
3 requirements.

4 [(a) Lead testing for children.--

5 (1) The following apply:

6 (i) A health care provider shall consider possible  
7 lead exposure in an individual patient by evaluating risk  
8 factors for lead exposure and perform blood lead testing  
9 in accordance with recommendations from the Centers for  
10 Disease Control and Prevention and the American Academy  
11 of Pediatrics by 24 months of age.

12 (ii) If a patient has never been tested in  
13 accordance with recommendations from the Centers for  
14 Disease Control and Prevention and the American Academy  
15 of Pediatrics by 24 months of age, a health care provider  
16 shall consider possible lead exposure and perform blood  
17 lead testing in an individual patient between 24 months  
18 and 72 months of age.

19 (iii) A health care provider shall make reasonable  
20 efforts to ensure that a patient's parent or legal  
21 guardian understands the risks and benefits of blood lead  
22 testing prior to obtaining consent.

23 (2) If a patient's parent or legal guardian consents to  
24 blood lead testing for the patient under paragraph (1) and  
25 the results of a capillary blood lead test indicate an  
26 elevated blood lead level, the health care provider shall  
27 perform a confirmatory blood lead test by venipuncture within  
28 12 weeks of the first blood lead test after obtaining the  
29 consent of the patient's parent or legal guardian.]

30 (a.1) Lead testing requirements for children.--

1           (1) A health care provider shall make reasonable efforts  
2 to ensure that a patient under the health care provider's  
3 care receives at least one blood lead test by 24 months of  
4 age or the age of 24 through 72 months if the patient has  
5 never been tested in accordance with recommendations from the  
6 Centers for Disease Control and Prevention and the American  
7 Academy of Pediatrics.

8           (2) If the results of a capillary blood lead test  
9 indicate an elevated blood lead level, the health care  
10 provider shall perform a confirmatory blood lead test by  
11 venipuncture within 12 weeks of the first blood lead test.

12       \* \* \*

13       (d) Nonapplicability.--The requirements under this section  
14 shall not apply if a child's parent or legal guardian or a  
15 patient under prenatal care objects in writing to the blood lead  
16 test on religious grounds or on the basis of a strong moral or  
17 ethical conviction similar to a religious belief.

18       Section 3. This act shall take effect in 60 days.