

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
March 1, 2018

APPROVED Minutes

Members in Attendance

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

Members not in Attendance

Shana G. Boscak, Sen. Nathaniel Oaks, Manjula Paul, John Scott

Guests in Attendance

Shante Branch (MDE), Camille Burke (BCHD), Patrick Connor (Connor), Jack Daniels (DHCD), Dawn Joy (AMA), Wes Stewart (GHHI), M. Taylor-Templeton (GHHI)

Welcome and Introductions

Pat McLaine called the meeting to order at 9:40AM with welcome and introductions.

Approval of Minutes

A motion was made by Cliff Mitchell, seconded by Adam Skolnik to accept the February 2018 minutes as amended. All present Commissioners except one were in favor, one abstention.

Old Business

2018 Calendar – Draft Calendar for 2018 was passed out. Issue of Commission receiving a written report from agencies – Barbara Moore indicated that it was difficult to keep track of what is being said at a meeting if she is calling in. Adam Skolnik noted that if a verbal report or an agency update could be summarized in a written report, it would shorten our meeting. Paula Montgomery indicated she was confused about expectation of Commission for reporting. Cliff Mitchell stated he has no objections to slides; MDH has the technology to produce a webinar for people who are unable to join the meeting in person. Paula Montgomery noted that some dates don't jive with reporting mechanisms; MDE enforcement/compliance reports must be approved. Cliff Mitchell noted that there is a difference between an official agency report and the data. We are happy to share data. The Commission should make it clear what we want – Commission wants both data and reports. Adam Skolnik stated that the Commission has asked for some of the surveillance data before the report is published. The Commission can give excellent feedback to support the Department, for example, the reporting of the sources of lead, using numbers and percentages. Camille Burke stated that she recognizes that Baltimore City is one of the largest jurisdictions in the state but other jurisdictions should feel free to benefit from the expertise in the room. Pet Grant can invite representatives of other local jurisdictions; the

Commission has had regular participation from Baltimore County and Prince Georges County. Cliff Mitchell stated that MDH has a conference room with video conference capacity; if the meeting were held there, the Commission could invite lead case managers to present via video conference. Paula Montgomery said she would look into options available at MDE. Barbara Moore suggested that it would be useful to have quarterly updates from the lead case managers. Agencies with reports on the calendar were asked to confirm information with Pat McLaine.

Christina Peusch asked if the Commission could give an award. The Commission has considered this previously. Christina Peusch will think about possible Lead Commission awards or citations and make a proposal at the April meeting.

New Business

Lead Screening – Cliff Mitchell stated he would focus his presentation on the Medicaid programs. Since CHIP was reauthorized at the federal level, money is in the budget for next year to continue both programs. **Program 1:** About 20% of children with BLLs of 5µg/dL and above live in fifteen Program 1 jurisdictions. Medicaid has identified all children in these counties with BLLs of 5µg/dL and above in the past 2 years (10/15 – 10/17) – about 400. MDH is sending letters to the parents/guardians of these individuals about opportunities available at DHCD with request that interested persons contact MDH or their local health department (LHD). After completing a screening questionnaire to verify that the family is currently enrolled and eligible for Medicaid services, MDH or the LHD sends the family a 2 ½ page application form to sign and return to DHCD. Upon receipt of the application, the family is referred to DHCD; if the form is not returned, MDH or LHD will follow up. DHCD then schedules and conducts an assessment for lead on the home. If lead hazards are present, a treatment plan is developed. **Program 2:** This group includes fifteen LHDs and about 79.4% of the children with BLLs of 5µg/dL and higher. Program 2 focuses on children with BLLs of 5µg/dL and higher and children with asthma who are on controller medications. Medicaid is paying LHDs to do outreach using Community Health Nurses and Community Health Workers. Children are identified and their families are sent letters with the request to contact the LHD if interested. Outreach effort will be organized by the LHD. MDH is reporting process variables (number of letters, uptake, follow-through) and outcome variables (#kids, #houses tested, #houses remediated).

Cliff Mitchell stated that 3 children have been processed so far. Barbara Moore said she had an application completed in clinic and it went very smoothly. Jack Daniels stated that DHCD has made a lot of changes to the program and is expecting that this will work. Cliff Mitchell said the goal was to enroll as many kids as possible to the referral process, including kids identified from October 18, 2017 through February 28, 2018. Barbara Moore asked if kids over the age of six would be eligible; Cliff Mitchell said the program would be available to children under age 18 who meet eligibility and can benefit. Wes Stewart asked about capacity building using the nurse-CHW team, asking how they would document and if there was any way this visit could be used to increase documentation. Cliff Mitchell stated that a home visit inventory was now being developed but it was up to the LHD to fold this into their normal process. Baltimore City EH investigators use tablets and phones but the program form is not yet set up for use on tablets, so

the program will probably start as paper-based. Cliff Mitchell will make his powerpoint presentation available to Pat Grant to distribute to Commissioners

With regards to BLL testing with hand-held instruments (Lead Care II) – Cliff Mitchell will talk with Dr. Keyvan and let Pat McLaine know when he can present updated information. Cliff Mitchell noted that the most common problem is false positives which are all required to have a venous BLL. National findings have identified a problem with false negatives when venous blood was used. Barbara Moore reported that Mount Washington Pediatrics was meeting with Lead Care II to discuss feasibility of running venous blood of children with high BLLs on the hand held instruments and then sending specimen to the lab to see how accurate the results are. Currently, Mount Washington does not have capacity for same day BLL testing and this might be helpful in situations where treatment is needed.

Review of Lead Legislation.

HB304/SB801 – Commission supports with amendments. Hearings scheduled 3/1 and 3/2. Letter sent 3/1, Pat McLaine to testify on 3/2.

HB479/SB1066 – Commission takes no position, Senate hearing 3/8

HB604 – no cross-file – in Judicial 3/7, Environment and Transportation 3/2. Holds paint manufacturers liable based on market share. Wes Stewart indicated that GHHI is supporting the bill. Bill tries to address owner concern by focusing on manufacturing. Issue of resources is key, also in wake of the decision in California. Many barriers to recovery. Bill focuses on Baltimore City, area with biggest problem and is a practical attempt to pass a bill. Adam Skolnik stated that the bill represents a novel approach, with rental housing excluded, and attempt to pass legislation. Wes Stewart noted that lead based paint is very unique; typically nuisances or hazards don't cause harm 100 years later. Mary Beth Haller stated that Baltimore City supports the bill. Anna Davis stated that since the language was cleaned up from last year and with the issue of resources being so important, she leans towards supporting the bill. A motion was made by Susan Kleinhammer seconded by Anna Davis that the Lead Commission support HB604. Six commissioners voted yes, and three commissioners abstained. The motion passed. Pat McLaine and Anna Davis will be in Annapolis tomorrow for bill hearings and will bring a letter of support tomorrow.

SB444 – Commission supports – has passed the Senate, no hearing set for House. Pat McLaine will contact Shirley Nathan-Pulliam re date for house hearing.

SB 469 – Commission supports. No cross-file; has not moved out of committee

SB 524 – Commission supports. Will be heard at Environment and Transportation Committee in House on 3/2. Property owners are opposed. Problems with MDE's database – it is not searchable and users are unable to tell if a property is lead-free. Wes Stewart stated the court wants guidance on how to proceed if there's a dispute or contradiction on completed form. Adam Skolnik indicated the issue is also "shall" vs "may". Anna Davis noted the bill helps to protect

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tenants who can't speak for themselves. Adam Skolnik stated the issue is lead free, non-affected properties. Patrick Connor noted that should be looking for Maryland Inspection Certificate – 3rd party property management agencies may not be accredited and may not have trained workers. Paula Montgomery noted that the part of the law that requires discovery focuses on registration and risk reduction.

Pat McLaine reported that she spoke with Manjula Paul and the Office of Childcare (OCC) has no legislation associated with lead pending. Paula Montgomery noted that MDE is working with OCC to make regulatory changes.

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, April 5, 2018 at MDE in the AERIS Conference Room – Front Lobby, 9:30 – 11:30 AM.

Agency Updates

Maryland Department of Environment – Paula Montgomery reported that the water testing regulations were posted in the Maryland Register with a 30 day public comment period that will be over soon. Paula Montgomery will send the link out to the Commissioners and will take a closer look at the regulations. Paula Montgomery is doing training for the new health care workers hired for the Part II programs. Two trainings have been completed, two more are scheduled. MDE generated a letter in early February to all Housing Authorities in Maryland regarding a case where a child was relocated to housing authority property and the property was out of compliance. The letter informs Housing Authorities of the law, meeting inspection requirements for HUD and the Maryland law requirement for dust testing. Baltimore County, Baltimore City and Annapolis have many pre-50 Housing Authority properties and have gotten on board.

Maryland Department of Health – Nothing more to report

Maryland Department of Housing and Community Development – Nothing to report

Baltimore City Health Department - Camille Burke reported that BCHD is supporting HB304 and will testify on behalf of Baltimore City. Myra Knowlton has retired; yesterday was her last day.

Baltimore City Housing and Community Development - Not present at meeting

Office of Child Care – Not present at meeting

Maryland Insurance Administration – Nothing to report

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Public Comment

GHFI reported that HUD's lead grant budget was proposed at \$160 million, up from \$140 million.

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 11:22 AM.