

HOUSE BILL No. 2248

By Committee on Health and Human Services

2-7

10 AN ACT concerning lead poisoning; **[relating to notification and re-**
11 **porting; amending K.S.A. 65-1,202 and repealing the existing**
12 **section; also]** repealing the sunset provision of K.S.A. 65-1,214.

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 **[Section 1. K.S.A. 65-1,202 is hereby amended to read as fol-**
16 **lows: 65-1,202. The secretary shall administer the provisions of the**
17 **residential childhood lead poisoning prevention act. In adminis-**
18 **tering the provisions of the residential childhood lead poisoning**
19 **prevention act, the secretary shall be authorized to:**

20 **[(a) Develop and implement a childhood lead poisoning pre-**
21 **vention program as necessary to protect the health of the children**
22 **of Kansas, which may include provisions to:**

23 **[(1) Investigate the extent of childhood lead poisoning in**
24 **Kansas;**

25 **[(2) develop a data management system designed to collect and**
26 **analyze information on childhood lead poisoning;**

27 **[(3) develop and conduct programs to educate health care pro-**
28 **viders regarding the magnitude and severity of and the necessary**
29 **responses to lead poisoning in Kansas;**

30 **[(4) issue recommendations for the methods and intervals for**
31 **blood lead screening and testing of children, taking into account**
32 **recommendations by the United States centers for disease control**
33 **and prevention, except that no child shall be screened or tested if**
34 **the child's parent or guardian objects in writing on the ground that**
35 **such screening or testing is contrary to the parent's or guardian's**
36 **religious beliefs and practices;**

37 **[(5) develop and issue health advisories urging health care pro-**
38 **viders to conduct blood lead screening of children;**

39 **[(6) encourage health care providers to ensure that parents**
40 **and guardians of children are advised of the availability and ad-**
41 **visability of screening and testing for lead poisoning;**

42 **[(7) develop a program to assist local health departments in**
43 **identification and follow-up of cases of elevated blood lead levels**

- 1 **in children and other high-risk individuals; and**
2 **[(8) in consultation with appropriate federal, state and local**
3 **agencies, develop a comprehensive public education program re-**
4 **garding environmental lead exposures and lead poisoning by:**
5 **[(A) Identifying appropriate target groups that are in a position**
6 **to prevent lead poisoning or reduce the number of children who**
7 **are exposed to lead;**
8 **[(B) assessing the information needed for each of the target**
9 **groups and determine the best means of educating the members**
10 **of each target groups; and**
11 **[(C) disseminating the information to the target groups in an**
12 **effective manner.**
13 **[(b) adopt rules and regulations necessary for the administra-**
14 **tion of the residential childhood lead poisoning prevention act in-**
15 **cluding, but not limited to, licensure of business entities and public**
16 **agencies, certification of individuals, accreditation of training pro-**
17 **grams, on-site inspections and requirements, notification and rec-**
18 **ord keeping, procedures and work practice standards relating to**
19 **lead-based paint activities as are necessary to protect the public**
20 **health and safety. The secretary shall not require notification to the**
21 **department of health and environment of blood lead level test results less**
22 **than 10 micrograms per deciliter for persons less than 18 years of age,**
23 **and less than 25 micrograms per deciliter for persons 18 years of age or**
24 **older or of any blood lead level test results which are less than level that**
25 **the department determines is suggestive of blood lead levels that are sig-**
26 **nificant from a public health standpoint;**
27 **[(c) adopt by rules and regulations a reasonable schedule of**
28 **fees for the issuance and renewal of certificates and licenses, train-**
29 **ing program accreditations and on-site inspections. The fees shall**
30 **be periodically increased or decreased consistent with the need to**
31 **cover the direct and indirect costs to administer the program. At**
32 **no time shall such fees exceed those charged by the United States**
33 **environmental protection agency for the same or similar regula-**
34 **tory programs. The fees shall be based upon the amount of reve-**
35 **nuce determined by the secretary to be required for proper admin-**
36 **istration of the provisions of the residential childhood lead**
37 **poisoning prevention act. State and local health department per-**
38 **sonnel certifying for the purpose of environmental investigation**
39 **of lead poisoned children shall be exempted from licensure fees;**
40 **[(d) conduct on-site inspections of procedures being utilized by**
41 **a licensee during an actual abatement project and conduct inspec-**
42 **tion of the records pertaining to the residential childhood lead**
43 **poisoning prevention act;**

1 **[(e) adopt rules and regulations regarding the distribution of**
2 **lead hazard information to owners and occupants of housing prior**
3 **to conducting renovation activities in housing;**

4 **[(f) develop rules and regulations to control and disposition**
5 **and reuse of architectural debris that contains lead-based paint.]**

6 ~~Section 1.~~ **[Sec. 2]** K.S.A. ~~[65-1,202 and]~~ 65-1,214 is ~~[are]~~ hereby
7 repealed.

8 Sec. ~~2.~~ **[3.]** This act shall take effect and be in force from and after
9 its publication in the statute book.