

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

Google Hangouts Meet
March 5, 2020

APPROVED Minutes

Members in Attendance

Benita Cooper, Anna Davis, Susan DiGaetano-Kleinhammer, Patricia McLaine, Cliff Mitchell, Paula Montgomery, Barbara Moore, Leonida Newton, Manjula Paul, Christina Peusch

Members not in Attendance

Shana Greenstein (Boscak), Mary Haller, Adam Skolnik

Guests in Attendance

Chevelle Bash (GHHI), Camille Burke (BCHD), Chris Corzine (OAG), Jack Daniels (DHCD), Sheneka Fraasier-Kyer (DHCD), Ludeen Green (GHHI), Elizabeth Heitz (MDH), Lisa Horne (MDH), Dawn Joy (AMA), Kaley Laleker (MDE), Bill Peach (HABC), Teresa Pfaff (BCHD), Wendy Phillips (MDE), Michael Spangler (Connor), Patrick Wallis (HUD)

Welcome and Introductions

Pat McLaine called the meeting to order at 9:35AM with welcome and introductions.

Minutes

Amendments to the minutes were suggested. As a quorum was not yet present, voting on the minutes was deferred.

Old Business

MDE Proposed Regulation – Kaley Laleker indicated that MDE is finalizing a package to publish towards the end of April and is still expecting to meet the July 1, 2020 deadline.

Lead Legislation – Anna Davis provided an update on legislation.

- SB 18 – MDE Lead Commission bill – passed the senate 1/21, referred to House EMT
- SB 713 – Opportunity Zone Enhancement – passed Senate 2/20; hearing House Ways and Means on 3/19
- HB 457/SB 371 – Commission submitted testimony to House for February 19 hearing; SB 371 received unfavorable report on March 3.
- HB 1475/SB 992 – alternative water legislation – also lowers lead level to 5 ppb and requires testing every 3 years.
- HB 491 – Failure to pay rent – hearing held 2/18

- HB 563 – tax credit – hearing held 2/12 in Ways and Means, no vote yet
- HB 879 – market share liability – reassigned to EMT, hearing on 3/10

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Email received from Delegate Mosby's office asking the Commission to weigh in on HB 879 and HB 1542. Camille Burke indicated she has reviewed the bill. There is some redundancy with existing requirements but Baltimore City has not made a decision about support. Ludeen Green noted the purpose of the bill was explained to improve data sharing and improve testing rates. Kaley Laleker stated that MDE took no position on the bill and noted that the bill would create a fund at MDH with the same name as the fund at MDE. The Commission will not support either bill.

HB 921 – dentist saliva lead poisoning screening test. Camille Burke stated that this bill requests dentists to test and integrate results to the Lead Registry. Cliff Mitchell stated that the test was available commercially from California but no national body has validated or made recommendations on the test. Several international studies look at a salivary test but it is not clear the methods and materials are comparable. One convenience sample in the US reported no children with positive blood lead test whose did not have positive result in saliva. Testing has not been CLIA-certified; there is no reference and no standard. Barbara Moore noted that kids don't go to the dentist until they are 3 and 4, missing the most important age for testing from a prevention perspective. Beside the test not being accurate, dentists don't know how to follow up.

Motion was made by Anna Davis seconded by Barbara Moore to submit testimony to oppose HB921. Five votes in favor, 4 abstentions, 0 opposed; the motion passes. Anna Davis and Pat McLaine will prepare a letter, Cliff Mitchell and Barbara Moore will review for facts.

Motion was made by Anna Davis, seconded by Sue Kleinhammer to submit testimony in support of HB 1475/SB 992. Six votes in favor, 3 abstain, 0 opposed. The motion passes. Pat McLaine and Anna Davis will prepare new letter.

Insurance Issue – Benita Cooper looked at the lead paint exclusion endorsement. This is a standard exclusion. However, insurance company will pay for the proper protocol if triggered by the cause of loss. Susan Kleinhammer noted that a contractor can't repair older properties without dealing with lead. The intent is not to do abatement but to repair safely. Benita Cooper asked the contractor to contact her; Susan Kleinhammer will make the referral.

Approval of Minutes

A motion was made by Cliff Mitchell, seconded by Barbara Moore to accept the February minutes as amended. All present Commissioners were in favor.

New Business

Pat McLaine read letter received from John Martonik resigning his commission with the Lead Poisoning Prevention Commission. A Governor's citation thanking him for his service has been sent.

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Update on MDH Lead Screening – Cliff Mitchell indicated he has been focused on Corona Virus work. Liz Heitz is working on data from 2018 and 2019. MDH will begin Continuing Medical Education (CME) on lead testing state-wide using a contractor to increase lead testing rates in areas where rates have not yet increased. CME will be in-person and at least 5 CME events across the state are planned. CME will focus on providers using hospital grand round or medical society events. MDH will target southern Maryland, the Eastern Shore, Western Maryland and Baltimore City. Strong testing rates have been observed in Allegany, Howard and Montgomery Counties. Manjula Paul asked if MDH was planning to conduct a survey of challenges or barriers to testing. Cliff Mitchell stated that medical providers will be focusing on corona virus and it will not be possible to do such a survey unless it is part of a pre-/post-test evaluation tool. Cliff Mitchell said he will check to see if the CME offering includes nurse practitioners.

MDH's Institutional Review Board has approved a formal evaluation to include trend analysis comparing screening during 2010-2012 and 2016-2018 periods. Cliff Mitchell said he has met with Medicaid Administration; 40% of Maryland children are enrolled in Medicaid. He has requested information on the differences in testing rates for Medicaid vs non-Medicaid children: have testing rates gone up in either group? Cliff Mitchell indicated that data on race was very limited but MDH will look at demographic information that would identify risk factors for not being tested.

Cliff Mitchell reminded the Commission that for corona virus, a face mask was appropriate only if you are sick and people need to focus on washing their hands.

MDE Compliance and Enforcement Report – written report was distributed. The number of accreditations issued includes all lead paint services – trainers, contractors and inspectors. Paula Montgomery noted that the Annual Report provides support that very few non-compliant properties are poisoning kids. Many current cases are in rental properties owned by smaller property owners or investment properties.

DHCD – 2nd Quarter Update – written report was distributed. Jack Daniels indicated that applications for the Healthy Homes for Healthy Kids (HH4K) program would run into the next fiscal year. Jack Daniels noted that relocation costs were included in this program and were a significant portion of the costs. Relocation costs are allowed for the state's other lead programs but costs are typically lower. Average per unit cost for 3 state programs is:

State lead	20 units - \$21,576
Baltimore City lead	2 units - \$18,922
Healthy Homes for Healthy Kids	10 units - \$117,999

Future Meeting Dates

The next Lead Commission Meeting is scheduled for Thursday, April 2, 2020, at MDE in the AERIS Conference Room – Front Lobby, 9:30 – 11:30 AM.

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Agency updates

Maryland Department of Environment – Paula Montgomery reported that John Krupinsky's position (Administrative Nurse) was posted and the posting has ended. MDE will determine if there are enough candidates or if they need to reopen the posting. The new CDC announcement for the lead surveillance grant is out; MDE plans to submit.

Maryland Department of Health – Cliff Mitchell said MDH is continuing to work with Medicaid and DHCD on the Healthy Homes for Healthy kids program. As long as state appropriate matching funds are available, this program will continue. Providers and programs should refer Medicaid-eligible kids who are in leaded properties to the program.

Maryland Department of Housing and Community Development – Jack Daniels indicated that Program 1 is getting out of pilot mode and DHCD is doing everything they can to be more impactful.

Baltimore City Health Department – Camille Burke noted that the Health Department is working to ensure that 93 community health workers (CHWs) are certified by MDH. BCHD has developed a collaborative for all CHWs to share information across the Health Department.

Baltimore City Housing and Community Development – Sheneka Fraiser-Kyer indicated the HUD grant was still in start-up mode. Unit production for the new grant will begin next week. The agency is completing environmental review for the other grant.

Office of Child Care – nothing to report

Maryland Insurance Administration – nothing to report

Public Comment

Ludeen Green introduced Chavelle Bash, new Outreach and Education Manager for GHHI. She has 18 years of experience and is also a certified CHW.

Adjournment

A motion was made by Anna Davis to adjourn the meeting, seconded by Susan Kleinhammer. The motion was approved unanimously and the meeting was adjourned at 11:14 AM.