

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 24967

By: Hamilton (Jeff)

AS INTRODUCED

An Act relating to public health and safety; creating the Comprehensive Childhood Lead Poisoning Prevention Program; providing for administration; providing for promulgation of rules; specifying content; creating the Childhood Lead Poisoning Prevention Advisory Council; authorizing appointment of Advisory Council; providing for appointment, membership, terms and duties; providing for powers and duties of the State Department of Health; requiring cooperation; providing for certain contracts; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-115.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established the Comprehensive Childhood Lead Poisoning Prevention Program to be administered by the Oklahoma State Department of Health.

B. The Oklahoma State Board of Health shall promulgate rules for:

1. Lead toxicity screening of all children ages six (6) to seventy-two (72) months;

2. The performance of verbal risk assessments on children six (6) to seventy-two (72) months;

3. The performance of blood lead tests when screening Medicaid-eligible children for lead poisoning;

4. Setting standards for any developmental assessments;

5. Identifying as statewide screening requirements the minimum laboratory tests or analysis to be performed by medical providers for particular age or population groups;

6. The determination of risk for each child tested;

7. Detailing the diagnosis, treatment and follow-up services needed pursuant to the provisions of this act; and

8. Providing for health education and counseling to parents and children.

C. To assist the Oklahoma State Board of Health in establishing criteria, standards and rules necessary to effectuate the provisions of this section, there is hereby created the Childhood Lead Poisoning Prevention Advisory Council. The Council shall consist of nine (9) members appointed as follows:

1. Five members shall be appointed by the Commissioner of Health who shall have education and experience in any of the following areas: medicine, nursing, mental health, child developmental psychology and public health;

2. Two persons shall be appointed by the Executive Director of the Department of Environmental Quality who shall have education and experience in any of the following areas: laboratory chemistry, toxic or hazardous materials, or environmental health;

3. One person shall be an employee of the Department of Human Services designated by the Director; and

4. One person shall be an employee of the Commission on Children and Youth designated by the Director.

The term of office for the members shall be three (3) years. The members shall serve at the pleasure of the appointing authority.

The Council shall recommend to the Board rules for the Comprehensive Childhood Lead Poisoning Prevention Program. Members of the Council shall serve without compensation but may be reimbursed for expenses incurred in the performance of their duties as provided by the State Travel Reimbursement Act. The Council is authorized to utilize the conference rooms of the Oklahoma State Department of Health and obtain administrative assistance from the Department.

D. The Oklahoma State Department of Health pursuant to rules promulgated by the Board shall provide for health educational services to both parents, custodians or guardians of a child and to children. Such educational services shall assist such persons in understanding what to expect in terms of childhood development and to provide information about benefits of healthy lifestyles and practices as well as accident and disease prevention related to lead poisoning.

E. The Department shall also provide for vision and hearing screening and dental screening services.

F. The Oklahoma State Department of Health with the assistance and cooperation of the Department of Human Services shall make application for reimbursement of any expenses covered by the federal Medicaid program. The Oklahoma State Department of Health and the Department of Environmental Quality shall provide for joint environmental lead inspections, as necessary, to enable the Oklahoma State Department of Health to adequately provide follow-up services for at-high-risk children identified with lead poisoning.

G. The Oklahoma State Department of Health may contract with the Department of Environmental Quality to provide adequate blood lead testing services.

SECTION 2. This act shall become effective September 1, 1994.

44-2-7933

KSM