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THE STATE SENATE
Wednesday, February 10, 2010

Senate Bill No. 1855

SENATE BILL NO. 1855 - By: Crain of the Senate and Cox of the House.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-114.1, which relates to the Childhood Lead Poisoning Prevention Advisory Council; directing the State Board of Health to promulgate certain rules; modifying membership of certain advisory council; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-114.1, is amended to read as follows:

Section 1-114.1 A. There is hereby established the Comprehensive Childhood Lead Poisoning Prevention Program to be administered by the State Department of Health.

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

- 1. Lead toxicity screening of children ages six (6) months to seventy-two (72) months;
- 2. The performance of verbal risk assessments on children ages six (6) months to seventy-two (72) months;
- 3. The performance of blood lead tests when screening eligible children for lead poisoning, provided that screening and testing for Medicaid-eligible children shall be conducted in accordance with existing federal law;

- 1 4. Setting standards for any developmental assessments for a
2 child identified as being lead poisoned;
- 3 5. Identifying as statewide screening requirements the minimum
4 laboratory tests or analysis for childhood lead poisoning to be
5 performed by medical providers for particular age or population
6 groups;
- 7 6. The determination of risk for each child tested;
- 8 7. Detailing the diagnosis, treatment and follow-up services
9 needed pursuant to the provisions of this act;
- 10 8. Providing for health education and counseling related to
11 childhood lead poisoning to parents and children; ~~and~~
- 12 9. Assessments and lead hazard control as part of the treatment
13 and follow-up for a child identified as being lead poisoned;
- 14 10. Establish procedures for notification to current and future
15 tenants of lead hazards in dwelling units where a child with an
16 elevated blood lead level has been identified;
- 17 11. Establish lead safe standards in dwelling units; and
- 18 12. Establish a regulatory structure and enforcement process
19 that assures electronic reporting of all blood lead levels.
- 20 C. To assist the State Board of Health in establishing
21 criteria, standards and rules necessary to effectuate the provisions
22 of this section, there is hereby created the Childhood Lead

1 Poisoning Prevention Advisory Council. The Council shall consist of
2 ~~fifteen (15)~~ seven (7) members to be appointed as follows:

3 ~~1. Eleven members shall be appointed by the State Commissioner~~
4 ~~of Health as follows: a representative of a local housing~~
5 ~~authority, a representative of a housing industry organization, a~~
6 ~~local housing code official, a representative of a local housing~~
7 ~~project, an environmental professional, a public health nurse, a~~
8 ~~representative of the Oklahoma Chapter of the American Academy of~~
9 ~~Pediatrics, a representative of the State Medicaid Program, a~~
10 ~~clinical laboratory director, and two parents; and~~

11 ~~2. The following four ex officio members or their designees:~~
12 ~~the State Commissioner of Health, the Executive Director of the~~
13 ~~Department of Environmental Quality, the Director of the Oklahoma~~
14 ~~Commission on Children and Youth, and the Director of the Oklahoma~~
15 ~~Housing Finance Authority.~~

16 ~~The terms of office of the appointed members shall be three (3)~~
17 ~~years~~ by the State Commissioner of Health.

18 D. Members shall serve at the pleasure of the appointing
19 authority. The Council shall recommend to the Board rules for the
20 Comprehensive Childhood Lead Poisoning Prevention Program. The
21 Council is authorized to utilize the conference rooms of the State
22 Department of Health and to obtain administrative assistance from
23 the Department.

1 SECTION 2. This act shall become effective November 1, 2010.
2 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN SERVICES, dated
3 2-4-10 - DO PASS, As Coauthored.