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**CHILDHOOD LEAD POISONING
PREVENTION AND CONTROL COMMISSION**

Commission Meeting
November 10, 2008
1:00 – 4:00 p.m.

Capitol View Building
201 Townsend, Room B
Lansing, MI

Meeting Minutes

Commissioners Present

Alethia Carr (Chair)
Randy Ray Barst
Carole Ann Beaman
Kanta Bhambani
Rosalynn Bliss
Daniel Brant
Brindley Byrd
Joan Dyer
Michael Fehler
Mary Marrow
William Parker
Irvin Poke
Philip Schrantz
Laurel Sproul

Commissioners Absent

Kim Kovalchick
Clay Powell

Staff

Jane Nickert – MDCH, CLPPP
Wesley Priem – MDCH, HHS
Jessica Austin – Michigan Public Health Institute (MPHI)
Cynthia Cameron – MPHI
Julia Heany – MPHI
Maria Ostrander – MPHI

Public

Paul Haan – Healthy Homes Coalition of West Michigan
Nancy Peeler – MDCH
Carin Speidel – MDCH

I. CALL TO ORDER & ANNOUNCEMENTS

Chairperson Carr called the meeting to order at 1:05 p.m.

Chairperson Carr announced that Michigan Public Health Institute (MPHI) will assume staffing duties for the Commission.

Chairperson Carr requested comment on the previous meeting's minutes. No comments were offered or amendments were made.

Jane Nickert presented lead poisoning/testing data for the last quarter (April through June). In comparison with 2007 data, the number of children with extremely high venous blood levels of lead (>40 µg/dL) and those requiring chelation is somewhat alarming. The majority of affected children reside in the Detroit area, but testing has increased in rural counties, so more children are being identified from these areas. When the third quarter analysis is complete, Ms. Nickert will send updated information to the Commission.

DRAFT

Wesley Priem reported that MDCH received a HUD Healthy Homes Demonstration Grant, a 3-year, \$875,000 award. The award will be used to work with asthma coalition partners to reduce hazards in the home (e.g., by providing carbon monoxide detectors and fire extinguishers).

II. WORKGROUP REPORTS

Testing High Risk Children for Lead Poisoning – Laurel Sproul

Commissioner Sproul reported that the workgroup is working with the medical community and providers to foster accountability. The workgroup is in the process of developing a letter that would be sent to stakeholders involved with testing that would provide information on testing procedures and resources. Ms. Nickert indicated that the workgroup has also been discussing third-party insurance reimbursement for lead services. The group plans to have the letter complete by January.

Loans and Credits for Lead Hazard Abatement – Carin Speidel

Ms. Speidel reported that the workgroup has reviewed existing lead hazard control programs and practices and posted a list to the MDCH website. The group is focusing on trying to link rental property owners with funds for lead abatement. Additionally, the group is exploring the idea of developing a training or mentoring program for rental property owners that would provide education on the hazards of lead and funds available for testing and abatement. Other group priorities are to continue pursuing House Bill 5564, which provides a tax credit to homeowners for interim controls or lead abatement; promote MSHDA property improvement loans; educate homeowners on state and federal loan programs; request a checkbox for lead abatement funding on Michigan tax forms; and pursue further enforcement of the Landlord Penalty Law.

Commissioner Parker reported that Michigan received \$262 million from the HUD Neighborhood Stabilization Program. Use of the money requires compliance with lead abatement consistent with CFR Title 24, Part 5 (General HUD Program Requirements). More details can be found at www.hud.gov/nsp.

New Revenue – Rosalynn Bliss

Commissioner Bliss reported that the workgroup is currently exploring opportunities created by HUD's Neighborhood Stabilization Program, as well as other ideas such as a paint tax, countywide millages, or fixed fees on property taxes. The group has also discussed the impact of the current economy on trying to advocate ideas at the legislative level. Paul Haan reported that the group is also exploring what the Commission is able to do to leverage local governments.

Legal Protections and Liabilities – Philip Schrantz

Commissioner Schrantz reported that the group has been identifying sources of legal liability, the largest concern being civil tort liabilities brought by a third party on behalf of an injured individual. The group discussed an amendment to the current statute of liability, but there are concerns about ensuring equal protection on a Constitutional basis. The group is exploring existing analogues to this model, such as the State Clean Up Law and the Baseline Environmental Assessment program. The group will engage in further discussions regarding extending liability protections to property owners that engage in lead testing and abatement.

DRAFT

III. ADDITIONAL UPDATES SINCE JULY COMMISSION MEETING

Since the last meeting, Chairperson Carr confirmed that childcare centers located in a pre-1978 structure licensed after December 7, 2006 must have a lead hazard risk assessment. This rule applies to only newly licensed centers not previously licensed centers. Commissioner Barst recommended that a letter to address this issue be sent to James Gale at the Office of Children and Adult Licensing. Commissioner Parker offered that MSHDA PIP loans are available to childcare facilities for lead assessment and testing and have a repayment period of up to 20 years. MSHDA would be willing to help promote these loans.

Chairperson Carr reported that Commissioner Marrow will present to the Michigan Association for Local Public Health regarding the work done in Wayne County to enforce actions against landlords with lead contaminated homes.

IV. INTERNAL DEPARTMENTAL SURVEY UPDATE

Public Education

Discussion centered around the need to collaborate across departments on education, public awareness, and training for contractors.

Commissioners indicated that efforts should promote the use of licensed building contractors who are knowledgeable about lead abatement and focus on changing citizens' mindset from low price point to legitimacy and safety. Citizen efforts to remodel (DIY) are also creating hazards due to the long period of time that home remodeling may take. Additional education and training on lead safe practices seems to be needed for licensed contractors.

Property Maintenance Codes

Property maintenance codes are local policies that may provide an opportunity to build in requirements for testing and abatement. For example, these codes could require all registered rental properties to obtain a certificate of compliance and address any lead hazards. The Commission discussed looking into the possibility of recommending state level requirements for these codes and involving local public health agencies in advocating for these polices at the local level. The Commission discussed the need to shift to inspecting rental properties before children are poisoned.

Cost-Benefit Data on Prevention

Data generated at Wayne State University have shown that tremendous savings can be generated through home testing and remediation. The Commission thought that it could be beneficial to present these data to officials across the state, showing how much money can be saved if testing is done at the outset. The Commission plans to look into sharing these findings with key decision makers. Cities of Promise and the Early Childhood Investment Corporation (ECIC) were identified as possible avenues for dissemination.

Other Recommendations

- Identify opportunities for collaboration between DLEG and MDCH on code compliance.
- Promote the educational brochure "Renovate Right" in DHS's technical assistance associated with the new rules for childcare licensing.

DRAFT

- Investigate the opportunity to enroll more children with elevated lead blood levels into Early On.
- Require those providing interim control training to be certified.
- Identify a legislative champion for lead abatement and education.
- Identify: 1) What State departments can do individually; 2) What State departments can do together or with other partners; 3) What requires policy change; and 4) What requires community action.
- Recommend changes to the Landlord Penalty Law.
- Require lead-safe certification for childcare facilities through the Office of Children and Adult Licensing.
- Explore opportunities to conduct risk assessment for housing paid for using Section 8 vouchers.
- Identify ways to move out of silos to collaborate effectively across and within agencies.
- Utilize Children's Special Healthcare Services and Community Mental Health as resources to disseminate message.
- Train home visitors (Michigan Interagency Coordinating Council) to educate about lead poisoning and testing recommendations.

V. ACTION ITEMS AND NEXT STEPS

Ms. Nickert will send out the updated survey table and data on third quarter testing results (when available) to all Commissioners.

Ms. Nickert will contact Marjorie Thompson to find out if her cost/benefits report has been published.

MDCH will send a letter to James Gale at the Office of Children and Adult Licensing regarding requiring existing childcare centers to test for lead.

VI. PUBLIC COMMENT

Mr. Haan (Healthy Homes Coalition of West Michigan) reported that his organization supports efforts to get third party payers to reimburse costs and allow capillary screening. Mr. Haan commented that the scope of the housing problem (number of housing units and estimated cost to remediate/manage) needs to be identified in order to drive solutions. He suggested that the Commission engage in a tactical conversation about how to get legislature to act on the Commission's recommendations. Additionally, Mr. Haan suggested that the Commission bring in stakeholders not in attendance, such as HUD and ad hoc experts on issues such as local code enforcement.

VII. MEETING SUMMARY AND ADJOURNMENT

The four workgroups will meet again before the next Commission meeting. Updated survey data will be distributed to all Commissioners. Chairperson Carr adjourned the meeting at 3:59 p.m.

Minutes prepared by:

Jessica Austin
Michigan Public Health Institute
November 13, 2008