

**CHILDHOOD LEAD POISONING
PREVENTION AND CONTROL COMMISSION MEETING**

**July 20, 2009
1:00 - 4:00 P.M.**

**Michigan Department of Community Health
Capitol View Bldg
201 Townsend
Room A
Lansing, MI**

Meeting Minutes

COMMISSIONERS PRESENT

Alethia Carr
Randy Barst
Kanta Bhambhani
Joan Dyer
Michael Fehler
Mary Morrow
Philip Schrantz
Rosalynn Bliss
Brindley Byrd
Irvin Poke
Clay Powell
William Parker
Michael Fehler
Laurel Sproul (via telephone)

STAFF

Jane Nickert - MDCH, CLPPP
Nancy Peeler, MDCH
Wesley Priem - MDCH, HHS
Cynthia Cameron, Ph.D. - MPH
Maria Ostrander – MPH
Orlene Christie, MDCH

PUBLIC

Debby Behringer, MDCH, CLPPP
Mary Sue Schottenfels, CLEAR Corps,
Detroit
Paul Haan, Healthy Homes Coalition of West
Michigan.

COMMISSIONERS ABSENT

Carole Anne Beaman, Ph.D., LLP
Daniel Brant
Kim Kovalchick

I. CALL TO ORDER & ANNOUNCEMENTS

Meeting commenced at 1:12 PM.

Chairperson Carr asked members to review minutes from the last meeting and make recommendations as needed. Commissioner Bhambhani motioned to approve the minutes as written. Commissioner Schrantz seconded the motion. The minutes were unanimously approved.

II. BUDGET UPDATE

Chairperson Carr provided the group with a budget update. The Public Health Administration budget is reportedly down \$14 million from last year. Approximately \$1 million has been cut from the Lead Prevention Program. These reductions in funding have required MDCH to look more closely at how programs/projects are administered. Although they still have the charge of supporting the Commission, activities will be reviewed and adjusted accordingly. The department continues to search for alternative funding sources.

The overall infrastructure of local health departments has been weakened as a result of budget reductions. The legislature continues to hold committee meetings to determine what the final state budget for FY2010 will look like, but forecasts continue to be grim. As of last week, the projections for FY2011 do not appear to be any better.

Nancy Peeler added that the funding projections for the Childhood Lead Poisoning Prevention Program (CLPPP) do not take into consideration funding shortages anticipated in Wes' program. CLPPP expects to see a difference of over \$574,000 dollars. As a result, MDCH needs to step back and look at the entire department's budget to reassess priorities.

Wes Priem added that half of the Healthy Michigan Program's funding has been cut. The HUD grant they submitted last week likely will be cut because of lack of state funding to meet the match requirement. As a result, approximately 70 – 90 fewer homes will be abated over the next three years.

In response to the decline in program funding, two staff persons have been pulled off lead hazard remediation/abatement projects and moved to more critical projects within the program. Wes Priem indicated that his program has not been forced to initiate any staffing cuts to date.

Clay Powell asked Chairperson Carr if the Lead Commission would lose MPHI staff support. Alethia Carr indicated that they have started looking at state staff to fill any holes left by budgetary cuts to programs. Volunteer assistance from commissioners would be greatly appreciated and welcomed.

Clay Powell asked if the Commission would continue to meet. Chairperson Carr added that there have been no discussions on the topic to date.

Alethia Carr asked representatives from other departments to share with the group how budget cuts may affect them. William Parker, representing the Michigan State Housing Development Authority (MSHDA), was unaware of any pending cuts, which was largely attributed to the fact that MSHDA is funded by the selling of bonds. However, the program's ability to sell bonds has diminished considerably as a result of Michigan's economy.

Philip Schrantz, with the Department of Environmental Quality (DEQ), indicated that the bond funds that support the department's remediation efforts have been exhausted. As a result, some environmental cleanup projects are being shut down. DEQ only has sufficient funds for another year of site cleanup projects, but these too, will be exhausted by FY2011. Unless additional funding is identified, the department's ability to act will be cut by one third.

Irvine Poke, with the Department of Energy, Labor and Economic Growth (DELEG) indicated that the Bureau of Construction Codes is self-funded through construction fees, and that revenues are down considerably since 2007. If things don't improve soon, they may have to undergo a second round of lay-offs.

Commissioner Brindley Byrd asked the group if any connection has been made between energy updates to existing buildings and lead remediation activities for additional funding. Irvine Poke indicated that he had not heard anything about connecting lead to energy training programs, but that he has been involved with various code groups on training code officials on energy efficiency and construction. Further investigation would be needed to determine if any connection had been made between the energy efficiency and lead work tracks. Brindley Byrd and Clay Powell talked about the possibility of bringing the two sectors in line. William Parker talked about bringing MSHDA and other agencies together in their work on lead and other issues.

Alethia Carr indicated that there might also be opportunities to talk with other directors about tying infant mortality issues to lead safety issues.

Brindley Byrd stressed the need for people to make this connection between lead training and remediation practices, adding that energy efficiency efforts would also bring jobs to the state.

III. WORKGROUP REPORTS

The New and Sustainable Funding Subcommittee and Lead Hazard Remediation Subcommittee both met separately on July 20, 2009. Clay Powell proposed to the Commission that the two subcommittees be unified since their charges overlap. Clay Powell and William Parker would co-chair.

A motion was made by Alethia Carr, seconded, and carried, merging the two subcommittees into one unified group moving forward.

Lead Hazard Remediation Subcommittee

A program is being developed to educate landlords about the need for lead hazard remediation. The program would provide direct training as a pilot project to 75 landlords, and is looking to incorporate a piece to train the trainers so that the program could be implemented state-wide. The subcommittee is currently searching out funding

for the curriculum, with Wes Priem's office submitting a request for funding of this proposal.

Phil Schrantz asked if the group had given any thought to the degree to which the training will demonstrate impact of the program. Clay Powell indicated that incorporating measurable outcomes would be considered as they develop the curriculum.

Phil Schrantz felt it was important to incorporate hard data into the program curriculum to clearly demonstrate the benefit associated with these efforts.

Brindley Byrd agreed that the ability to "tag-and-track" the effectiveness of the training program is essential to determining its efficacy. He also asked how the program would create more jobs, indicating that public sentiment was interested in the growth of the economy/creation of legitimate, sustainable employment.

Wes Priem added that landlords would be more receptive to a program where landlords are training landlords, and therefore more willing to participate. Clay Powell indicated that this program would be tied into the RRP rules to ensure participation.

William Parker reported that the MSHDA property improvement program has experienced some restrictions in selling bonds because of the market. They are taking this issue to the board in August to renew the program and promote it more effectively. The program offers a 4% rate for lead abatement activities. Other programs offer between 4 -8 %. They also work specifically with lead on other programs. Bill Parker mentioned that the Neighborhood Stabilization Program currently has \$98 million budgeted within the program to purchase foreclosed homes, fix them up and resell them. There is some demolition, but mostly renovation. They have awarded approximately \$30 million to grantees for lead abatement. This falls under the HUD rules for abatement. MSHDA has applied for an NSP2 grant, which would provide \$260 million, in conjunction with 12 other communities (most of which have a high lead prevalence in their areas) to address this. They expect to know in September if they have received the award.

Alethia Carr asked if the workgroup needed any formal sanction of the commission to move the training module forward. Clay thought it would be beneficial to have this completed and incorporated into the 2009 Annual Report.

New and Sustainable Funding Subcommittee

Clay Powell indicated that the group had made the pursuit of a fee on paint its priority. The group reviewed a first draft of the position paper, anticipated opposition arguments and counter points. They continue to wordsmith the document, seek additional resources, and obtain data from Maine, the only state that has instituted a paint fee. A second draft is planned for review in late August.

Discussion at the 7/20/09 meeting focused on the need to find an advocacy group that could identify legislators to sponsor the bill and lobby for its passage on behalf of the Commission.

If the paint fee is not supported by the legislature, an alternative plan to raise funds must be developed. Discussions have focused on the possibility of seeking a license plate for lead programs and a state income tax return check-off box. However, the group is hesitant to ask for anything from the legislature outside of support of the paint fee at this time so as to ensure that its ability to effectively lobby the issue is not diluted.

Phil Schrantz indicated that several programs operate based on the generation of fees, and that several of these fees were not renewed as a result of the most recent round of program/budget cuts. He urged the group to consider an alternative term for use besides the word "fee." In addition, Phil felt that the broader the base is, the better the chance of getting something passed. Bill Parker also discussed partnering with representatives of the Affordable Housing Legislation to accommodate a set-aside for lead as another possibility and potential source of funding.

Roslyn Bliss asked if the group had identified a sponsoring legislator. Clay Powell indicated that contact with legislative offices had not yet taken place.

Lead Testing Subcommittee

The group has not formally met since the last meeting. However, they continue work on the third version of their letter to providers. The goal of the group is to ensure that the message and information remains in the hands of doctors and office managers, and exact changes in practice. Jane Nickert has a meeting on Wednesday 7/22/09 to make the final changes to letter. The letter will then be prepared for distribution.

Landlord Liability Subcommittee

The group has not formally met since the last meeting. The subcommittee had previously considered whether or not they could offer some protections to landlords who voluntarily made improvements; however, there were no legislative examples to draw from. In programs administered by the state and Wayne County, there are grant monies set aside to remediate properties that have lead poisoned children. The committee determined there were no real viable methods for offering protections to landlords.

Mary Morrow highlighted the distribution of the "Jimmie's Getting Better" and "Sesame Street" videos to the public.

Clay Powell stressed the need to encourage remediation not just from a liability standpoint, but also from an RRP rule compliance point-of-view. Mary Morrow thought that adding an educational/legal component to the curriculum that highlights people's responsibilities would be helpful.

Chairperson Carr asked if there were any additional comments or questions before moving on to the next agenda item.

IV. COMMISSION PRIORITIES

Chairperson Carr introduced Cindy Cameron, with MPHI, who facilitated the planning portion of the April 20th meeting.

Cindy Cameron provided a framework for the day's discussion and reviewed the work done at the previous meeting where Commissioners identified their priorities and goals for developing a comprehensive plan to address lead. She also reviewed with members the enabling legislation that outlines the charge of the Commission.

A grid was presented that demonstrated existing programs, activities and resources that are currently working to address lead poisoning issues across the state.

Each item on the list was discussed, with attention being placed on existing available resources and programs, alternative sources of funding, identifying priorities and next steps for developing strategies for successful implementation.

Alethia Carr informed Commissioner Sproul (participating via teleconference) that a copy of the document would be forwarded to her after the meeting.

V. ACTION ITEMS & NEXT STEPS

The following list of items requiring action was identified by the Commission:

- Nancy Peeler and Cindy Cameron will work with Dan Brant on indentifying strategies to work with early childhood systems
- Cindy Cameron will work with Phil Schrantz on how to coordinate efforts across departments that address lead
- Jane Nickert will continue work on Testing Workgroup provider letter
- Nancy Peeler will provide background on licensing requirements
- Bill Parker and Brindley Byrd will work together to research the possibility of an interagency agreement that addresses lead issues.
- Alethia Carr will look into available Department of Labor (DOL) grants

VI. PUBLIC COMMENT

Mary Sue Schottenfels recently attended a conference in MN, where the state penalizes providers who do not screen for lead poisoning. This practice has worked well to get

screening levels up. She urged commission to promote similar policy in Michigan and to lobby for the funding of lead programs out of the general fund. She stressed that money invested in lead prevention efforts is money saved on services down the road.

VII. SUMMARY & ADJOURNMENT

Chairperson Carr indicated to the group that a meeting notice would be sent out once a time and date had been determined. Because the fiscal year ends in September, the Commission is not scheduled to meet between now and the end of the year. However, Chairperson Carr indicated she would like the group to be able to meet one more time this calendar year.

Chairperson Carr asked if there were any closing comments. With none offered, the meeting was adjourned at 3:40 PM.