



# Division of Environmental Health

## Healthy Homes Section

### ENVIRONMENTAL INVESTIGATION PROTOCOL FOR CHILDREN WITH ELEVATED BLOOD LEAD LEVELS

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## Section 1: Introduction & Overview

### PURPOSE OF THE ENVIRONMENTAL INVESTIGATION PROTOCOL FOR CHILDREN WITH ELEVATED BLOOD LEAD LEVELS

This *Environmental Investigation Protocol for Children with Elevated Blood Lead Levels* describes the objectives, methods, evaluation, reporting, and public health actions for investigating sources and hazards of lead in a child's environment. This Protocol is based on the best available science and established common practices set forth by the Center for Disease Control and Prevention and the Department of Housing and Urban Development and is intended for use by any entity conducting public health investigations complying with the *Lead Hazard Control* rules (R325.99101 – R325.99409) to determine application of the Michigan Public Health Code Act 368, Part 54 Lead Abatement.

Health departments may order lead hazard removal by citing an existing local ordinance, Michigan's public health code, and/or the Landlord Penalty Law (MCL 333.5475a) using the corrective action options that are listed in the Environmental Investigation report.

### DEFINITIONS

#### Definition of a child elevated blood lead level

In 2012, the Centers for Disease Control and Prevention updated its recommendations on children's blood lead levels to include a reference value of 5 micrograms per deciliter ( $\mu\text{g}/\text{dL}$ ) and higher. Depending upon public health resources, an EI may be performed in response to venous blood lead levels as low as 5  $\mu\text{g}/\text{dL}$ .

#### Definition and Objective of the EBL Environmental Investigation

The EI is defined in the MDHHS Policy (R 325.99102(1)(a)) stating that it is both a study, for case management purposes, of the living environment of one or more children under six years of age with an Elevated Blood Lead (EBL) level performed by an EBL Investigator to identify causative lead exposures, and the provision of a report by the EBL Investigator explaining the results of the study and options for remediation of exposures. If any sampling of paint, soil or dust is performed, an EI of the entire housing unit and common areas, if any, must be conducted.

The objective of an Environmental Investigation (EI) for lead is to identify all lead sources and hazards in the child's environment for the purpose of preventing continued for future potentially harmful exposure. A child's environment includes all places the child lives or visits or spends any amount of time. An EI includes but is not limited to the investigation of the primary household including the associated property and structures as described in the standard lead inspection and risk assessment complying with the *Lead Hazard Control* rules (R325.99101 – R325.99409). Within the household, the EI includes household items (i.e., ceramics, cultural/medicinal remedies, foods, toys, teas, supplements, dishware, utensils, and any other suspect items). The EI includes inquiry about lead sources brought home incidentally or intentionally from the workplace (i.e. occupational take-home lead sources). In addition to the primary household, the investigator needs to consider all other places the child visits, which will be determined by an extensive interview with the primary caretaker. The investigator will determine the need to investigate

a location based on the interview and all other information gathered from the EI to date in the given investigation. For additional locations identified by the investigator, those locations will be pursued based on information from the interview and considering factors like age of the dwelling and time spent by the child at each location. In every aspect of the investigation, the child's behavior patterns must be incorporated in the environmental sampling plans.

## **LAWS, RULES AND GUIDANCE DOCUMENTS**

### **EBL Investigator certification requirements**

All persons performing Environmental Investigations must be certified by the MDHHS, Healthy Homes Section (HHS) in the discipline of EBL Investigator. Prerequisites to becoming a certified EBL Investigator include Michigan-issued Lead Inspector and Risk Assessor certifications.

The EBL Investigator certification requires passing an open book state exam initially and every three years thereafter. Certification requirements, funding availability for training costs, and application forms are available at [Michigan.gov/Lead](http://Michigan.gov/Lead) on the "For Lead Professionals" webpage. Certification program staff can be contacted at 517-335-9390.

### **Work Practice Standards**

According to Michigan law, specific work practice standards must be followed when performing an EI. These work practice standards are documented in the following references: the U.S. Department of Housing and Urban Development publication entitled Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (July 2012); the American Society for Testing and Materials publications entitled Standard Practice for Field Collection of Soil Samples for Lead Determination (Standard Number E1727-05) and Standard Practice for Collection of Settled Dust Samples Using Wipe Sampling Methods for Subsequent Lead Determination (Standard Number E1728-10); the Michigan Department of Health and Human Services (MDHHS) guide entitled Environmental Investigations for Children with Elevated Blood Lead Levels and MDHHS Residential Lead Hazard Control Lead in Water Protocol.

### **Public Health Code**

Lead hazards that have poisoned a child are implicitly considered an imminent danger according to Michigan Compiled Law 333.2251 of the Public Health Code Act 368 of 1978. Imminent danger is defined as an existing condition or practice which could reasonably be expected to cause death, disease, or serious physical harm immediately or before the imminence of the danger can be eliminated through enforcement procedures otherwise provided. Upon this determination, public health departments should inform parents/guardians of lead poisoned children of the imminent danger presented by lead hazards. The department should issue an order that incorporates the investigation findings and requires immediate action necessary to correct or remove the danger. The order may specify action to be taken or prohibit the presence of persons in locations where the danger exists, except persons who correct or remove the imminent danger.

**Freedom of Information Act**

When El information is requested under the Freedom of Information Act (FOIA), Michigan’s Lead Abatement Act covers specific exemptions. The information described in sections (a), (b) and (c) below must be redacted prior to responding to the requestor.

MCL 333.5473(a)(5): The following information required to be submitted to the department by certified individuals and persons under this part and rules promulgated under this part is exempt from disclosure as a public record under the FOIA, 1976 PA 442, MCL 15.231 to 15.246:

- (a) The name, street address, and telephone number of the owner, agent, or tenant of a residential dwelling where lead-based paint investigations have been conducted.
- (b) Information that could be used to identify one or more children with Elevated Blood Lead (EBL) levels that have been reported to the department.
- (c) Information contained in an El report that could be used to identify one or more children with EBL levels.

The above information can be shared between health agencies and the child’s medical home to ensure the best quality of care for the child. However, if a Freedom of Information Act (FOIA) request from a business or person (other than parent or legal guardian) is received, this part of the law applies.

Local health departments should discuss confidentiality issues and the relevance of the Health Insurance Portability and Accountability Act (HIPAA) laws with their legal counsel.

**PROCEDURES**

**Time requirements for initiating El EBL investigations**

The Michigan Department of Health and Human Service (MDHHS) recommends the following timeline for initiation of EIs triggered by knowledge of venous blood lead levels:

<b>Blood Lead Level</b>	<b>Time from Referral to El</b>
15-19 µg/dL – one lead test	Within two weeks
15-19 µg/dL – two lead tests over 3 months apart	Within one week
20-39 µg/dL	Within one week
40-69 µg/dL	Within 48 hours
≥70 µg/dL	Within 24 hours

Refer to the Childhood Lead Poisoning Prevention Program and Healthy Homes Section-Elevated Blood Lead Level Response Guide for flow of EBL response (Appendix A).

### Using an X-Ray Fluorescence (XRF) lead analyzer

An XRF lead paint analyzer is required to compliantly conduct an EI. The MDHHS-Trace Metals Laboratory is no longer accredited to analyze paint chip samples. An XRF analyzer is available to local health departments for short-term loan from the Healthy Homes Section (HHS), as available. Program staff can be contacted at 517-335-9390 prior to scheduling an EI to coordinate transfer of the analyzer.

### Available Environmental Investigation Technical Assistance

The HHS staff is available for technical consultation relating to EIs. Courtesy reviews of EI reports and hands-on consultations for EBL cases are available. Contact the HHS 517-335-9390 to coordinate assistance. EBL Investigators are held to the same compliance standards as Michigan certified Lead Inspectors and Risk Assessors.

Resources are available on the “For Lead Professionals” webpage at [Michigan.gov/Lead](http://Michigan.gov/Lead). This webpage contains protocols, procedures, templates, and references for conducting an EI and writing the report findings. These documents are updated regularly. Periodic announcements are also emailed to state certified EBL Investigators.

## COMMUNICATION NEEDS

### Communicating with environmental and public health nursing

To ensure the best coordination of care for the lead poisoned child, the EBL Investigator and public health nurse assigned to the case should be communicating regularly. The investigator should inform the nurse of any background and child data collected, in addition to the findings of the EI.

### Communicating when a child is hospitalized for lead poisoning (chelation therapy)

Communication with the treating hospital is essential to ensure the child is released to a lead safe environment; most hospital policies will not allow discharge until lead-safe housing is located.

When a child is hospitalized for treatment of lead poisoning:

- The hospital must notify the Childhood Lead Poisoning Prevention Program (CLPPP) and follow the protocol for HHS EBL Response.
- An EI must be initiated within 24 to 48 hours. If lead hazards are found, removal of those hazards must be made by a certified lead abatement firm so the child can return to a lead-safe environment.
- If temporary housing is necessary for hospital release, a Lead Inspection / Risk Assessment (LIRA) must be performed to ensure housing is lead-safe.

## MEDICAID REIMBURSEMENT

If the child is enrolled in Medicaid, certain lead case management services and an environmental investigation may be reimbursable to local health departments. The Michigan Medicaid Provider manual, including bulletins and forms, can be found electronically at [Michigan.gov/MedicaidProviders](http://Michigan.gov/MedicaidProviders). MDHHS/Medicaid Program Provider Support can be reached at 1-800-292-2550.



## Section 2: Preparing for the EBL Environmental Investigation

### OPENING A CASE

The investigator starts the case file by populating the EBL Report Template. This template can be found at [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the “For Professionals” webpage. This template captures basic case data and onsite lead-based paint environmental data.

- Venous blood lead levels should be verified with public health nursing or the MDHHS. Capillary samples do not trigger home visit services for lead. EIs should only be conducted on units where children have venous blood lead levels at or above 5 micrograms per deciliter ( $\mu\text{g}/\text{dL}$ ).
- Dwelling information (age/ownership) should be obtained from the city or county assessor’s office.
- Behavioral data should be obtained from the parents or a close family member.
- It may be useful to identify existing social or cultural issues specific to the household.
- An XRF analyzer is required. Local health departments can contact the HHS, if one is not available in advance of scheduling a home visit to coordinate an XRF analyzer loaner.

### COMMUNICATION AND COORDINATION OF CASE

#### Coordinate open case with public health

Public health nurses are responsible for case management of the child and family. Identify this individual so that any information can be obtained or shared about the case child. The nurse should be informed of any background and child data collected by the investigator. Environmental Investigation and public health nursing services are strongly encouraged to be coordinated although the work can be performed separately.

#### Vacant units

If the family with the lead poisoned child has moved from the subject property before an EI can be done, consult with the local health department’s legal counsel for advisement on how to proceed. Michigan’s Landlord Penalty Law (MCL 333.5475a) is only applicable when the lead poisoned child is living in the unit at the time the environmental samples are taken.

#### Refusal to permit access

If the property owner and tenant refuse to permit access to the property, consult with the local health department’s legal counsel. Some strategies to consider are:

- Contacting a public health nurse or a social worker for assistance.
- Contacting the local health department and communicate that the property is potentially endangering the health of the child. The parents/caretakers are refusing to allow assessment of the risk and may be further endangering the child.
- Contacting the child’s school administration to discuss the issue, and request assistance in mediation with the family to gain access to the home.

- Contacting the local building safety department to determine if assistance can be provided if the rental property owner is refusing access.
- An administrative warrant of inspection under the imminent danger clause of the public health code can be exercised. A district attorney would coordinate the warrant procedures with their respective state attorney.
- Contact MDHHS for additional assistance and appropriate use of Public Health Code.

### Use an EBL activity log / checklist to document case progress

An EBL activity log should be posted in the case file to document actions, conversations, and other information pertinent to the case. In addition, a checklist is available as a resource for a quick look at progress made and the next steps to accomplish. Blank log sheets and the checklist can be found on [Michigan.gov/Lead](http://Michigan.gov/Lead) on the “For Lead Professionals” webpage.

## REQUIRED SITE MATERIALS

### Environmental Investigation Site Forms

The following documents are needed for the EI and should be brought on-site. They are available on [Michigan.gov/Lead](http://Michigan.gov/Lead) on the “For Lead Professionals” webpage. The local health department may require additional forms. Available forms include:

- Lead Inspection / Risk Assessment Report Checklist
- Elevated Blood Lead Environmental Investigation Protocol
- Housing Component Identification
- MDHHS Residential Lead in Water Sampling Protocol, if applicable.

### Sampling Materials

Environmental sampling materials are needed to conduct an EI. At a minimum, a tray of 25 centrifuge tubes, a box of 100 dust wipes, and a box of disposable gloves should be on hand. A digital camera will be needed for photo documentation in the EBL report. Specifically, for the following you should have:

**XRF Paint Analyzer:** User’s manual; and National Institute of Standards and Technology (NIST) standard calibration materials. An XRF analyzer is required to conduct the investigation. Contact the MDHHS-Healthy Homes Section (HHS) at 517-335-9390 in advance of scheduling the home visit to coordinate an XRF analyzer loaner, if one is needed.

**Dust Sampling:** Disposable gloves; dust wipes; 50 ml centrifuge tubes from the MDHHS-Trace Metals Laboratory; tape measure; dust wipe template; and tape.

**Soil Sampling:** 50 ml centrifuge tubes from the MDHHS-Trace Metals Laboratory.

Protocols for taking dust, soil samples and XRF paint testing should be reviewed prior to the site visit. The sampling protocols should also be on site for reference when conducting testing. The Healthy Homes

Section provides full protocols and summarized guides once certification is received, as well as is available online at [Michigan.gov/Lead](https://Michigan.gov/Lead) on the “For Lead Professionals” webpage.

### **Educational Materials**

Educational materials should be provided at the visit. Recommended materials include the following:

- Guide to Safe Cleaning of Lead Paint Chips and Dust
- What Your Child’s Blood Lead Test Means
- Coping with Your Child’s Diagnosis of Lead Poisoning
- Pregnant and Nursing Mothers: What You Need to Know about Lead Poisoning

These documents are available at [Michigan.gov/Lead](https://Michigan.gov/Lead) on the “Learn About Lead” webpage.

## **Section 3: On-Site Activities**

### **DURING THE HOME VISIT**

The investigator should wear official identification. As with any governmental personnel making home visits, if personal safety becomes an issue, the investigator should leave immediately. If child abuse is suspected, the investigator should report the issue to MDHHS Child Protective Services at 855-444-3911.

Items to discuss with the parent/guardian include:

- The purpose of the visit and why the lead exposure to the child may be from the home.
- The need to access all rooms of the home and yard. All pets on the property should be secured.
- Follow-up blood lead testing, as recommended by the child’s doctor or clinic, is important.
- The time frame for their receiving the findings of the investigation.
- The safety measures that will need to be followed during the visit relating to the XRF analyzer (i.e., no occupants behind walls being tested; children must stay behind the XRF rather than in front).
- As a reminder, please be responsive to the client’s questions and concerns.

### **Administer Resident Interview**

The resident interview questions are available at [Michigan.gov/Lead](https://Michigan.gov/Lead) on the “For Lead Professionals” webpage embedded in the EBL investigation report template.

Explain to the parent/guardian that the questions are good predictors of finding the possible sources of lead poisoning. Explain there is concern for the child and eagerness to find and stop the lead exposure. Before starting, explain why the questions are being asked, and talk about the risk factors of lead exposure before asking each set of questions. Consider teachable moments while administering the resident interview (e.g., if you see the child putting a toy from the floor in their mouth, educate about this

action being an exposure pathway). Record observations that differ from self-reported answers. Note that the resident interview questions include prompts for the investigator to test items with the XRF analyzer.

## ENVIRONMENTAL INVESTIGATION OF LEAD SOURCES

An EI incorporates a full LIRA as required by Michigan's Lead Abatement Act. The LIRA requires: 1) determination of lead-based paint hazards by sampling house dust, paint, and soil, and 2) providing recommendations to remediate those hazards. The EI takes the LIRA one step further in evaluating additional lead exposure to household items, such as dishes and toys and hobbies and occupations, such as automotive, gun ranges and glass making.

### Paint

An XRF paint analyzer is required for the lead inspection and testing of personal property components, such as furniture, dishes and toys. An onsite reference guide on XRF testing and a tutorial on paint condition designation (i.e., intact and deteriorated) is located in the LIRA-EBL Report template and available on [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the "For Lead Professionals" webpage. *If using an XRF on loan from MDHHS, data should be erased from the XRF analyzer prior to returning to MDHHS. If assistance is required, contact the Healthy Homes Section (HHS) at 517-335-9390.*

### Dust

Dust sampling is required. Dust is the best indicator of current lead hazards and exposure in a child's environment. A onsite reference guide for dust sampling protocols is available on [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the "For Lead Professionals" webpage.

### Soil

Soil sampling is required. A onsite reference guide and soil sampling and submission protocols are posted and available on [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the "For Lead Professionals" webpage.

Snow cover may not permit sampling of bare soil. Per Michigan law, the investigator must return to the property when conditions permit to obtain the appropriate soil samples.

### Drinking Water

If water is identified as a potential source of lead exposure, sample collection may occur.

If the child has been confirmed to be enrolled in Medicaid at the time of investigation, the Department may pay for sampling, if pre-approved. If the child is not Medicaid enrolled at the time of investigation, sample collection may occur at the expense of the local health department, resident or landlord.

If water sample collection occurs, the Elevated Blood Lead (EBL) Investigator must follow the MDHHS Residential Lead in Water Protocol located on [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the "For Lead Professionals" webpage. Additional information, materials, procedures, and pricing can be obtained from the Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Drinking Water Laboratory at 517-335-8184.

### **Additional sources of lead**

In addition to painted building components, dust and soil, the investigator must survey other potential sources of lead exposure to the child. This is accomplished through the administration of the resident interview and testing suspect personal property. Some potential sources include ceramics, mini blinds, toys, spices and hobby products. The XRF or chemical spot tests (Lead-Check swab) should be used to test these materials, rather than sending samples to the MDHHS-Trace Metals Laboratory for analysis.

## **DESCRIPTION AND DOCUMENTATION OF PROPERTY**

### **Property/Building Description and Condition**

Record observations on-site. Consider windows, doors and other housing components. Identification sheets are in the LIRA-EBL Report template, which is available on [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the “For Lead Professionals” webpage.

### **Site/Floor Plans**

Site and floor plans are required. Draw the site and floor plans while onsite. The site plan contains the residential dwelling, yard and outbuildings. The floor plans detail separate floors and individual rooms within the dwelling. Document floor plans in the LIRA-EBL Report template, which is available on [Michigan.gov/Lead](https://www.michigan.gov/Lead) on the “For Lead Professionals” webpage. Plans can be hand drawn or created with Microsoft Word or a computer-aided design program.

### **Photographs**

Photographs are required. Photos document the conditions at the time of the investigation and are referred to when writing report findings. Photos of hazards posing the greatest risk to the child should be taken. Photos to be included in the report include: each exterior side of the home, representative lead hazards throughout the home, bare soil and play areas, and household items found to contain lead.

## **CONCLUSION OF HOME VISIT**

Before leaving the home on the day of the EI, discuss the initial findings with the parent. Discuss where you suspect the lead hazards are located, which will be verified in the EBL report to follow. A more comprehensive conversation will take place after the report is complete.

### **Provide education and initial recommendations**

Provide initial recommendations for making the home environment lead-safe for the child. Discuss specialized wet cleaning techniques for lead dust removal and dust control. Use of a U.S. Environmental Protection Agency (EPA) certified High Efficiency Particulate Air (HEPA) vacuum should be mentioned.

Discuss exposure prevention based on suspected household items found. Make recommendations that are easily done, inexpensive and effective.

Leave materials that explain cleaning, exposure reduction, and lead poisoning prevention in an appropriate language and comprehension level. Materials are available for download on the “For Lead Professionals” webpage at [Michigan.gov/Lead](https://www.michigan.gov/Lead).

## POST HOME VISIT FOLLOW-UP

The timeline for receiving the EI report and recommendations for lead hazard control should be discussed with the parent/guardian.

Assessing a secondary site should be considered if the primary residence of the subject child does not contain lead hazards or sufficient lead hazards to have poisoned the child. This should be evaluated after all environmental sampling results are known. Secondary sites are typically a relative's home or a childcare setting.

## Section 4: Sample Identification and Submission

The EBL Investigator should submit dust and soil samples collected during the EI to the MDHHS-Trace Metals Laboratory. The local health department will not be charged for the samples submitted to the lab.

Dust wipe and soil sample labeling protocols are posted on the "For Lead Professionals" webpage at [Michigan.gov/Lead](http://Michigan.gov/Lead). A submitter code is required in advance to send samples to the lab. Contact the lab at 517-335-8244 for inquiries.

## Section 5: Reporting Responsibilities

### REQUIRED REPORTING RESPONSIBILITIES

A template for writing the EBL Investigation Report is located on the "For Lead Professionals" webpage at [Michigan.gov/Lead](http://Michigan.gov/Lead).

#### Report to parent/guardian

The EBL Investigator is responsible per Michigan law to prepare an EI report for the parent or guardian of the lead poisoned child. The EI report should be mailed, or hand delivered within 20 business days from the time that the lab result reports are received. A follow-up phone call is advised to answer questions and to reiterate key prevention messages.

#### Report to rental property owner

The EBL Investigator has a legal responsibility to submit an EI report without protected health information to the rental property owner. This report should also be submitted within the same time period stated above and be sent with delivery confirmation to document receipt. If the property owner cannot be verified, contact MDHHS-Healthy Homes Section (HHS) at 517-335-9390 for assistance.

If the tenant family has moved since the home visit, the EBL Investigator remains obligated to mail the report to the property owner.

#### Report to secondary sites

If the EBL Investigator has assessed a secondary site, the parent/guardian should be provided the EI report for that property. The owner of the second property should also receive that same report without

confidential information about the child. The EBL Investigator is not obligated to provide the report to occupants residing at the second property; however, if it is requested, the property owner's version can be provided, or the occupants can initiate a FOIA request to the local health department for a copy of the report.

### **Report to public health nursing**

The investigator should communicate the case findings to a public health nurse at the health department. In the event that a FOIA request is made for a case file, all confidential information about the child must be redacted before it is released per Michigan law (MCL 333.5473(a)(5)).

### **Report to child's healthcare provider**

It is suggested that communication be initiated with the child's primary care doctor by the local health department or MDHHS, to inform that environmental assessment services were provided to the family to identify the potential sources of the poisoning and recommending ways to fix the lead hazards found.

### **Tenant-Based Rental Assistance Programs (Housing Choice Voucher Program) and HUD 24 CFR Part 35 Regulation Compliance**

HUD 24 CFR Part 35 is a Federal law that requires certain actions be taken by the rental property owner and the administering housing agency when a lead poisoned child is identified as living in a participating unit. In order for action, the child's venous blood lead level must be at least 20 µg/dL with a single test or two consecutive tests between 15-19 µg/dL within a 3-month time period. Within 15 days of being notified, the administering agency must conduct a risk assessment of the property and require that the owner use interim controls or abatement to treat the identified lead hazards. An EI report can be used in lieu of a risk assessment. Within 30 days of receiving the EI report, the property owner must complete the lead hazard treatments using a State-certified lead abatement company. If the family moves out before the hazard treatments are made, the property owner is still responsible for treating that unit for lead hazards. The hazard reduction is complete after abatement clearance has been achieved. For inquiries regarding compliance with HUD 24 CFR Part 35 regulations, contact the U.S. Department of Housing and Urban Development's (HUD) Michigan office at 313-226-4343.

The local health department is not under obligation to assure compliance; however, may want to follow-up with the administering housing agency and the property owner to ensure that the property is remediated.

### **Report to Michigan Department of Health and Human Services-Healthy Homes Section (HHS)**

To be compliant with Michigan law, the EBL Investigator must email an activity report to the HHS by the fifteenth of the month following the prior month's lead activities. The electronic form is available on the "For Lead Professionals" webpage at [Michigan.gov/Lead](http://Michigan.gov/Lead).

## **OPTIONAL REPORTING TO OTHER AGENCIES**

### **Housing code enforcement**

This is a resource that can be used if code enforcement is the desired outcome. Each case should be evaluated to determine the potential effectiveness of the outcome. It can be utilized for rental properties.

If code enforcement is initiated, an inspection will be conducted by a building inspector. The property owner will be mandated to fix housing code violations. Repairs are likely to be far more than lead-based paint hazards.

The EBL Investigator can contact code enforcement in a consultation capacity to determine if other enforcement actions are pending against the rental property owner. Either the tenant or the local health department can request an inspection of the property by code enforcement. The local health department should consult their legal counsel.

### **Michigan Occupational Safety and Health Administration (MIOSHA)**

If the EBL Investigator has reasonable evidence that an occupational take-home source of lead may be contributing to a child's exposure, a referral can be made to MIOSHA for potential investigation and enforcement. Reasonable evidence of an occupational take-home source may include detailed information collected during the resident interview and dust wipe testing of clothing or other work-related items that are brought into the child's environment. The EBL Investigator can contact MIOSHA-General Industry Safety and Health Division at 517-322-1831 to discuss the issue with an industrial hygienist or supervisor and make a referral, if necessary.

## **Section 6: Verifying Lead Hazard Remediation and Closing Case**

### **VERIFY IF WORK WAS PERFORMED**

Within 30 days of sending the EI report, contact the family to determine if the recommendations in the report were performed. If lead hazard control activities were conducted, a follow-up visit to the address should be done.

### **CLEARANCE OF PROPERTY**

This activity is intended to determine if attempted lead repairs were done in a lead-safe manner through lead dust wipe testing and laboratory analysis. Verify if lead repairs were made before visiting the home. Lead hazard control clearance procedures outlined in R325.99407 of Michigan's Lead Abatement Act must be followed. The clearance must cover the interior and exterior of the residential unit and the property. First, a visual inspection of the lead hazard repairs outlined in the EI report should be done. If the visual portion of the clearance passes, the investigator should take dust wipe samples. If there is no interior containment present, a whole-house clearance must be conducted. The dust samples should be sent to the MDHHS-Trace Metals Laboratory for analysis.

Lead poisoning prevention messages should be reiterated at this visit. Educational materials can be presented to the household again. The Environmental Investigator should communicate to the parent or legal guardian that follow-up blood lead testing of the child with the physician's office or clinic should be done to determine if the child's blood lead level is decreasing.

A clearance report per R325.99407 should be mailed by certified letter or otherwise provided to the client. If all the lead hazards in the EI report were addressed and cleared, the clearance report should describe the lead-safe condition and clearance of the lead dust testing and visual inspection. If the



investigator finds that the lead hazard control recommendations have not been performed or performed incompletely, the follow-up report should specify the actions that still need to be performed. Re-inspection should be conducted at a future time when the corrective actions are made. A clearance report template can be found at [Michigan.gov/Lead](https://Michigan.gov/Lead) on the “For Lead Professionals” webpage.

### **IF LEAD HAZARD CONTROL WAS NOT PERFORMED**

MCL 333.5475a requires rental property owners to address lead paint hazards identified in the EI report within 90 days of receiving the report. If the hazards are not addressed within this time period, the property owner can be prosecuted under civil or criminal law. If the county prosecutor’s office is interested in pursuing a case and needs guidance or assistance, please contact the HHS 517-335-9390.

### **CLOSE CASE**

The EBL Investigator’s role is accomplished after onsite work, resident interview, environmental testing and reporting are completed and submitted. Local health department policies may require cases to remain open until additional criteria are met.

## **Section 7: Resources**

### **LEAD HAZARD CONTROL RESOURCES – LOCAL AND STATEWIDE**

There are several housing-based programs that can serve as potential resources for the abatement of lead hazards. Some of these programs may be offered as grants, while others may require match dollars from the homeowner or may be structured as low-interest loans. Some programs only provide remodeling or renovation services, which consequently can reduce lead hazards.

These resources should be provided to the client and rental property owner to assist in making the most permanent hazard reduction activities possible.

#### **MDHHS-Lead Safe Home Program**

This program provides lead hazard control services to households throughout Michigan. State and Federal funding and target cities/counties can vary from year to year. Contact the program at 517-335-9390 to learn more about availability. The website is [Michigan.gov/Lead](https://Michigan.gov/Lead).

#### **Michigan State Housing Development Authority (MSHDA)**

The Property Improvement Program offers low-interest loans for lead hazard control work in rental and owner-occupied properties. Credit and debt-to-income ratios are evaluated for this loan. Contact MSHDA at 517-373-6840 for eligibility and terms of the program. The website is [Michigan.gov/MSHDA](https://Michigan.gov/MSHDA).

#### **Community Development Block Grant Programs (CDBGs)**

Local housing rehabilitation agencies often have CDBG funds, other free funding or loan programs to support housing rehabilitation activities in rental or owner-occupied housing. Housing rehabilitation activities can also eliminate lead hazards, depending upon the work (e.g., window replacement and porch rebuilds).

### **MDHHS/Weatherization Assistance Program**

Weatherization Assistance Programs (WAP) will not directly address lead hazards; however, they can indirectly assist in making a home safer regarding lead. WAP requires an audit to be conducted on eligible homes to determine which energy efficiency measures can be added to the home. The most common measures include wall insulation; attic insulation and ventilation; foundation insulation; air leakage reduction; smoke detectors; dryer and dryer venting. To ensure lead-safe work practices, WAP performs technical cleans on older homes and lead dust clearance must be achieved to complete the project. Weatherization workers receive lead-safe work practice training and Lead Renovator Training. The WAP is structured as an income-based program giving preference to households that have occupants that are disabled, elderly, or families with children. The WAPs weatherizes owner-occupied, renter-occupied, and multifamily units. Rental property owners must agree to have their units participate in the program and sign landlord agreements to ensure tenant occupancy after weatherization work has been completed. Any work on rental units requires installing only measures that are necessary for energy efficiency. Visit [Michigan.gov/MDHHS](https://www.michigan.gov/MDHHS) and search for "State Map of Weatherization Operators" for program details. Call Michigan Community Action at 517-321-7500 or visit their website at [www.mcaaa.org](http://www.mcaaa.org) to identify a local program.

### **MDHHS/Emergency Relief Program**

The State Emergency Relief (SER) Program provides immediate help to individuals and families facing conditions of extreme hardship or for emergencies that threaten health and safety. Through a combination of direct financial assistance and contracts with a network of non-profit organizations such as the Salvation Army and local Community Action Organizations, SER helps low-income households meet emergency needs such as heat/utilities, home repairs and relocation assistance. The SER program is primarily designed to maintain low-income households that are normally able to meet their needs but occasionally need help with unexpected emergency situations. The SER program is not an appropriate solution to ongoing or chronic financial difficulties. Applications for eligibility are available online or through the local department of human services.