

SB247: Preventing Childhood Lead Poisoning from Paint and Water What does it do?

It changes the Blood Lead Level (BLL) result that requires parental and property owner notification from 5 mcg/dL to 3 mcg/dL

- If a child gets a BLL test result in this range parents and property owners are sent information about lead hazard remediation
 - This applies whether parents are tenants and must work with property owners or if they are homeowners in need of resources
- Information includes resources on how to identify/eliminate lead hazards, including the Renovation, Repair, and Painting (RRP) Program, and advises parents against performing any renovations on their own

It makes New Hampshire a universal testing state as of April 9, 2018 – all providers shall conduct blood lead level tests for all 1 and 2 year olds

- **Parents** retain the right to decline testing but must be informed about the requirement and sign the opt-out form from DHHS

After July 1, 2024, it requires new certifications of lead safety for any newly-created rental units or licensed child care facilities within buildings built before 1978

It gradually reduces the BLL result requiring property investigation and case management by DHHS from 10 mcg/dL to 7.5 mcg/dL (effective July 1, 2019) to 5 mcg/dL (effective July 1, 2021)

- This result must be reported on 2 separate test OR on 1 venous test with a letter of declaration of elevated BLL signed by the physician
 - With a signed declaration, a second test is not required

It provides loan guarantees to landlords and homeowners to help with the overall cost of lead hazard remediation

- Limited to \$10,000 per unit or a total of \$200,000 per building, and \$100,000 per individual project
- Total state promises may not exceed \$6,000,000
- Projects completed with these loans must be done within 2 years or borrowers will be penalized
- **Landlords** may qualify for loans up to 60% the cost of abatement or 30% the cost of interim controls
 - Priority given to units occupied by at least one child with an EBLL (over 5)
- **Child care owners** may qualify for loans up to 60% the cost of abatement or 30% the cost of interim controls
 - Priority given to buildings that:
 - Have been verified by a licensed lead inspector to have a lead safety risk
 - Are under mitigation orders

- **Homeowners** may qualify for loans up to 80% of lead abatement or 50% of interim controls, provided that a child or pregnant woman lives in the home
 - Priority to homes that:
 - Were built before 1978
 - Are occupied by a child with an EBLL (over 5)
 - Are occupied by a family below 200% FPL
- Loans may not cover the cost of periodic inspections and maintenance activities related to interim control measures

It limits the number of additional units DHHS may inspect in a property where a child with an EBLL resides

- DHHS may only inspect additional units that are occupied by a child or pregnant woman

It adds failure to comply with lead laws as grounds for suspending, revoking, or denying a child day care license

It requires insurance providers to cover the cost of blood lead testing

Starting July 1, 2019 it requires all public and private schools and licensed child care facilities to test their drinking water every 5 years for lead

- If lead levels exceed EPA standards, parents must be informed, safe drinking water must be provided, and a remediation plan must be implemented within 30 days
- If 3 consecutive tests (5 years apart) are safe in accordance with EPA standards, not further testing is required
- If EPA standards change, facilities must compare their latest test to the new standard

It requires testing of water in the dwelling of any child with an EBLL

- If the lead level exceeds EPA standards, the landlord must install a filtering device and inform current and/or prospective tenants

QUICK FACTS: What you need to know if you are a

Provider

- You must perform a blood lead level (BLL) test for all 1 and 2 year olds, and you may test those younger than 1 and older than 2 if needed
- Parents can refuse this test if and only if they are informed of the mandate and sign the official opt out form
- If a child has an elevated BLL result (EBLL) you must order a second venous test to confirm OR sign a declaration of EBLL so the child may enter case management
- All insurance companies are required to cover the costs of these tests

Property Owner

- If a child dwelling in your property receives a BLL result of 3 or above, you will be notified and informed of resources to identify and eliminate lead hazards
- If a child dwelling in your property receives a BLL result of 7.5 or above (after July 1, 2019) or 5 or above (after July 24, 2019), DHHS will inspect the unit where the child resides and all other units housing children under 7 or pregnant women only.
 - Your water will also be tested for lead, and if levels exceed EPA standards you must install a filtering device on the faucet and inform current/future tenants
- State guaranteed loans are available to help cover the cost of remediation or interim controls
- After July 1, 2024, any newly established rental units in a property built prior to 1978 must be certified lead safe

Parent

- Your child must be tested for lead at ages 1 and 2
 - You have the right to opt out but you must be fully informed of the mandate and sign an official opt out form provided by your child's physician
- If your child receives a test result over 3 mcg/dL, you will receive educational materials and resources for identifying/eliminating lead hazards
- If your child receives a BLL result of 7.5 or above (after July 1, 2019) or 5 or above (after July 24, 2019), DHHS will inspect your home to identify lead hazards, and your child will enter lead case management including a home visit by a public health nurse
- If you own your home and your child receives an EBLL test result, state guaranteed loans are available to help cover the cost of remediation or interim control

Child Care Facility/School Official

- After July 1, 2024, any newly established child care facilities in a property built prior to 1978 must be certified lead safe
- If lead hazards are identified in your building, state guaranteed loans are available to cover the cost of abatement or interim controls
- Failure to comply to lead laws is now grounds for suspending, revoking, or denying your child care license
- The drinking water in your facility must be tested for lead every 5 years