

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 54

Session of  
1987

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INTRODUCED BY PETRARCA, GEIST, ITKIN, J. L. WRIGHT, PISTELLA,  
BORTNER, RYBAK, STABACK, FOX, TIGUE, BALDWIN, VEON,  
CAPPABIANCA, KOSINSKI, KUKOVICH, DISTLER, FEE, VAN HORNE,  
JOHNSON, STEVENS, TRELLO, J. TAYLOR, CARN, PRESTON, LaGROTTA,  
DAWIDA AND TELEK, JANUARY 28, 1987

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AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 7, 1987

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## AN ACT

1 To provide for the prevention, detection, treatment and followup  
2 of cases of undue lead absorption and lead poisoning among  
3 certain children; and making an appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Statewide program.

7 In accordance with adopted standards consistent with accepted  
8 public health practice and the recommendations of the Centers  
9 for Disease Control, the Department of Health shall establish a  
10 Statewide program for the prevention, screening, diagnosis,  
11 treatment, and medical and environmental followup of cases of  
12 undue lead absorption and lead poisoning among children aged  
13 five years and younger. A summary of the Statewide program shall  
14 be made public.

15 Section 2. Eligible persons.

16 Every child determined to be at risk of undue lead absorption

1 and of lead poisoning according to standards for the Statewide  
2 program adopted by the Department of Health shall be eligible  
3 for service under this act.

4 Section 3. Powers and duties of Department of Health.

5 The Department of Health may provide financial support to  
6 State, district, county or local governmental or private  
7 agencies for the establishment of local lead poisoning  
8 detection, treatment or prevention projects which agree to  
9 provide screening, diagnostic, treatment, educational and  
10 followup services as required under the standards established  
11 for the Statewide program. The department shall designate high  
12 risk areas of the Commonwealth by priority order, which shall  
13 include, as a minimum, those communities ~~with a population of~~ <—  
14 ~~25,000 or more~~ which have expected percentages of children aged  
15 five or younger with elevated blood levels higher than the  
16 Commonwealth average and those communities designated as being  
17 required to inspect for and regulate automobile exhaust  
18 emissions in accordance with Federal or State law.

19 Section 4. Annual screening for certain children.

20 Children aged five and younger who participate under the  
21 Early Periodic Screening, Diagnosis and Treatment Program  
22 (EPSDTP) shall receive a screening test for undue lead  
23 absorption and lead poisoning at least once during each year the  
24 child receives EPSDTP services under the Department of Public  
25 Welfare.

26 Section 5. Annual report.

27 The Department of Health will publish an annual report which  
28 will include, as a minimum, the number of children aged five and  
29 younger screened within the year and the number found to have  
30 elevated blood lead levels.

1 Section 6. Immunity.

2 No physician, nurse, government employee, agency employee or  
3 other citizen shall be liable for civil damages as a result of  
4 an act, or the omission of an act, committed while rendering  
5 services in good faith and in accordance with the provisions of  
6 this act.

7 Section 7. Use of funds.

8 (A) GENERAL RULE.--Funds provided by this act may not be <—  
9 used to replace local or Federal funding provided for the same  
10 purposes as funds provided under this act for programs in  
11 existence on the effective date of this act. Commonwealth funds  
12 may, however, be used in addition to Federal or local funds for  
13 expansion of current programs or initiation of childhood lead  
14 poisoning detection, treatment or prevention programs in new  
15 geographic areas not yet served in the Commonwealth.

16 (B) PUBLIC AWARENESS PROGRAMS.--COMMONWEALTH FUNDS MAY ALSO <—  
17 BE USED TO DEVELOP EDUCATION AND PUBLIC AWARENESS PROGRAMS  
18 STATEWIDE. SUCH PROGRAMS SHOULD INCLUDE THE MOST COMMON SITES  
19 FOR LEAD-BASED MATERIALS, THE CONSEQUENCES OF EXCESSIVE LEVELS  
20 OF LEAD IN THE BODY AND SYMPTOMS OF LEAD POISONING.

21 Section 8. Appropriation.

22 The sum of \$2,500,000 is hereby appropriated to the  
23 Department of Health for the fiscal year July 1, 1987, to June  
24 30, 1988, to carry out the provisions of this act.

25 Section 9. Effective date.

26 This act shall take effect July 1, 1987, or immediately,  
27 whichever is later.