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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 892 Session of  
2019

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INTRODUCED BY STEFANO, BROWNE, MARTIN, FONTANA, MASTRIANO,  
YUDICHAK, BAKER AND YAW, OCTOBER 15, 2019

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REFERRED TO HEALTH AND HUMAN SERVICES, OCTOBER 15, 2019

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, providing for lead exposure and  
3 poisoning.

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

6 Section 1. Title 35 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a part to read:

8 PART II

9 PUBLIC HEALTH

10 Chapter

11 31. Lead Exposure and Poisoning

12 CHAPTER 31

13 LEAD EXPOSURE AND POISONING

14 Sec.

15 3101. Scope of chapter.

16 3102. Definitions.

17 3103. Educational materials.

18 § 3101. Scope of chapter.

1 This chapter relates to lead exposure and poisoning.

2 § 3102. Definitions.

3 The following words and phrases when used in this chapter  
4 shall have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Child." An individual under 21 years of age who is a  
7 resident of this Commonwealth.

8 "Department." The Department of Health of the Commonwealth.

9 "Health care practitioner." As defined in section 103 of the  
10 act of July 19, 1979 (P.L.130, No.48), known as the Health Care  
11 Facilities Act.

12 "Plumbing component." Any pipe, pipefitting, plumbing  
13 fitting, solder, flux or fixture through which drinking water  
14 may pass.

15 § 3103. Educational materials.

16 (a) Lead screenings.--

17 (1) The department shall develop and distribute readily  
18 understandable information and educational and instructional  
19 materials regarding risk factors associated with lead  
20 exposure, emphasizing lead screening and testing procedures  
21 required by law. The materials shall be provided to:

22 (i) The parent or guardian of a child by:

23 (A) A health care practitioner.

24 (B) The health care facility where the child was  
25 born at the time of discharge or the health care  
26 practitioner who assisted with the birth if the child  
27 is born outside of a health care facility.

28 (C) A health care practitioner at the time of a  
29 child's six-month checkup or the first checkup after  
30 the child attains the age of six months.

1                   (D) A school at the time of a child's first  
2                   enrollment at the school.

3                   (ii) A pregnant woman at any prenatal visit.

4                   (2) Lead educational materials shall be provided without  
5                   cost to the parent or guardian of the child or to a pregnant  
6                   woman and may be made available in a downloadable format on  
7                   the department's publicly accessible Internet website.

8                   (b) Lead poisoning posters and brochures.--The following  
9                   shall apply:

10                  (1) A retailer, store or commercial establishment that  
11                  offers paint or other supplies intended for the removal of  
12                  paint shall display a poster in a prominent and easily  
13                  visible location and make available to its customers  
14                  brochures containing statements that the dry sanding or  
15                  scraping of paint in dwellings built before 1978 is dangerous  
16                  and that the improper removal of old paint is a significant  
17                  source of lead dust and the primary cause of lead poisoning.  
18                  The poster and brochure shall also inform consumers about  
19                  where they may obtain more information on lead poisoning and  
20                  paint removal.

21                  (2) A retailer, store or commercial establishment that  
22                  offers plumbing components shall display a poster in a  
23                  prominent and easily visible location and make available to  
24                  its customers brochures containing statements that plumbing  
25                  components and plumbing systems containing lead are dangerous  
26                  and can contribute to lead poisoning of drinking water. The  
27                  poster and brochure shall also inform consumers about where  
28                  they may obtain more information on lead poisoning and  
29                  drinking water.

30                  (3) The department shall produce posters and brochures

1 to meet the requirements under paragraphs (1) and (2) and  
2 shall provide paper copies to retailers, stores and  
3 commercial establishments and post copies for downloading on  
4 the department's publicly accessible Internet website. A  
5 retailer, store or commercial establishment may display  
6 posters and provide brochures that differ from those provided  
7 by the department if the posters and brochures provide the  
8 information required under paragraphs (1) and (2) and may  
9 create one poster combining the information required under  
10 paragraphs (1) and (2), if appropriate.

11 (4) A retailer, store or commercial establishment  
12 described under paragraphs (1) and (2) shall also provide the  
13 requisite information on its publicly accessible Internet  
14 website.

15 (5) A retailer, store or commercial establishment  
16 described under paragraphs (1) and (2) that offers paint or  
17 plumbing supplies through an online retail site to residents  
18 of this Commonwealth shall provide similar notification on  
19 its publicly accessible Internet website.

20 Section 2. This act shall take effect in 60 days.