

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 522

PRINTER NO. 1275

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 9, 2021

PRIME SPONSOR

Senator Baker

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 522 establishes the Childhood Blood Lead Test Act to promote the elimination of childhood lead poisoning in this Commonwealth by requiring prenatal patients and all children (at one and two years of age) to receive a blood lead level test and to require the tests to be covered by a health insurance policy. In addition, the legislation provides for a public information campaign and establishment of a statewide registry.

The bill imposes the following lead poisoning prevention efforts for children and pregnant women:

- Lead testing requirements for children:
 - A health care provider shall ensure that a patient under the health care provider’s care receives a blood lead test between 9 and 12 months of age and again at approximately 24 months of age; and
 - If the results of the blood lead test indicate an elevated blood lead level, the health care provider shall perform a confirmatory blood lead test by venipuncture within 12 weeks of the first blood lead test.
- Lead testing requirements for pregnant women - a health care provider shall ensure that a patient under the health care provider’s care receives a blood lead test as part of the patient’s prenatal care.

Senate Bill 522 requires that health care providers and laboratories comply with reporting regulations as specified in 28 Pa. Code § 27.34 relating to reporting cases of lead poisoning.

The bill specifies that the testing requirements under this section shall not apply if a child’s parent or legal guardian or a patient under prenatal care objects in writing to the blood lead test on religious grounds or based on a strong moral or ethical conviction similar to a religious belief.

The bill establishes the following duties for the Department of Health:

- The department shall conduct a public information campaign to inform parents of young children, physicians, nurses and other health care providers of the lead testing requirements of this act;

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- The department shall provide culturally and linguistically appropriate educational materials regarding childhood lead poisoning, the importance of testing for elevated lead levels, prevention of childhood lead poisoning, treatment of childhood lead poisoning, remediation and, when appropriate, the requirements of this act;
- Educational materials shall be available at no cost and shall be developed for specific audiences, including health care providers, homeowners, landlords and parents or caregivers; and
- The department shall develop an electronic system to provide for the confidential storage and management of blood lead testing information that enable a health care provider to review a patient's history to determine the status of blood lead testing required by this act.

The bill requires that a health insurance policy or government program covered under this section shall provide to covered individuals or recipients who are pregnant or under two years of age coverage for blood lead tests. The following shall apply to their coverage:

- For individuals or recipients who are pregnant, one blood lead test is covered as part of their prenatal care; and
- For individuals or recipients who are under two years of age, one blood lead test during the time between 9 and 12 months of age, one blood lead test at approximately 24 months of age and, if the results of either of the blood level tests indicate an elevated blood lead level, another blood lead test by venipuncture within 12 weeks of the blood level test in which the elevated blood lead level was indicated.

The bill stipulates that coverage under this section is subject to copayment, deductible and coinsurance provisions and any other general exclusions or limitations of a health insurance policy or government program to the same extent as other medical services covered by the policy or program are subject to these provisions. Nothing in this section shall be construed to limit benefits that are otherwise available to an individual under a health insurance policy or government program.

This requirement shall apply to any health insurance policy offered, issued, or renewed on or after July 1, 2022, in this Commonwealth to groups of 51 or more employees. This section shall not include the following policies:

- An accident-only policy;
- A credit-only policy;
- A long-term care or disability income policy;
- A specified disease policy;
- A Medicare supplement policy;
- TRICARE policy, including a Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement policy;
- A fixed indemnity policy;
- A dental-only policy;
- A vision-only policy;

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- A workers' compensation policy;
- An automobile medical payment policy;
- A hospital indemnity policy; and
- Another similar policy providing for limited benefits.

This section shall apply to any contract executed on or after July 1, 2022, by the adult basic coverage insurance program established under the Tobacco Settlement Act, the Insurance Company Law of 1921 or by any successor program.

The Department of Health shall promulgate rules and regulations to administer and enforce this act.

This act shall take effect in 60 days.

FISCAL IMPACT:

Senate Bill 522 is not estimated to have any fiscal impact on the Department of Health as the department can promulgate rules and regulations within existing staffing and budget levels.

There will be no fiscal impact related to children enrolled in the Medicaid program because they already receive blood lead testing; however, the requirement of prenatal blood lead testing is not currently covered by Medicaid in the Commonwealth. The Department of Human Services estimates that the new requirement of prenatal blood lead testing will cost \$975,000 in total funding (\$284,000 in state funding) based on the average number of deliveries of Medicaid-enrolled individuals in CY 2019 and CY 2020.