
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1994 Session of
2018

INTRODUCED BY O'BRIEN, READSHAW, SCHLOSSBERG, RABB, BARBIN,
BRIGGS, V. BROWN, DRISCOLL, KINSEY, THOMAS AND YOUNGBLOOD,
JANUARY 3, 2018

REFERRED TO COMMITTEE ON HEALTH, JANUARY 3, 2018

AN ACT

1 Providing for blood lead testing of certain children by health
2 care providers; and imposing duties on the Department of
3 Health.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Childhood
8 Blood Lead Test Act.

9 Section 2. Legislative findings.

10 The General Assembly finds that:

11 (1) Lead is a naturally occurring element that is toxic
12 to humans when ingested or inhaled.

13 (2) Severe lead poisoning causes convulsions,
14 intellectual disabilities, seizures and sometimes death; low-
15 level exposure to lead reduces intelligence, delays cognitive
16 growth and impairs physical development.

17 (3) Children who are in utero or less than seven years
18 of age are most sensitive to lead poisoning because their

1 brains and nervous systems are still developing.

2 (4) The only way to diagnose a child with an elevated
3 blood lead level is through a blood test.

4 (5) The health and development of children is endangered
5 by chipping or peeling lead-based paint or lead-contaminated
6 dust or soil in homes and neighborhoods throughout this
7 Commonwealth.

8 (6) Other sources of lead exposure can be through lead
9 service lines for drinking water and lead solder used in
10 drinking water lines, and lead in consumer products such as
11 toys, foods, cosmetics and ceramics are also of concern.

12 Section 3. Legislative purpose.

13 The purposes of this act are:

14 (1) To promote the elimination of childhood lead
15 poisoning in this Commonwealth with the purpose of
16 establishing a system predicated on cost-effective, health-
17 protective measures to evaluate and control lead-based paint
18 hazards in housing built prior to 1978.

19 (2) To substantially reduce, and eventually eliminate,
20 the incidence of childhood lead poisoning in this
21 Commonwealth.

22 (3) To increase the supply of lead-safe housing in this
23 Commonwealth which measures have been taken to reduce
24 substantially the risk of childhood lead poisoning.

25 (4) To improve public awareness of lead safety issues
26 and educate both property owners and tenants about practices
27 that can reduce the incidence of lead poisoning.

28 (5) To require the testing of all children in this
29 Commonwealth at one and two years of age so that prompt
30 diagnosis and treatment, as well as the prevention of harm,

1 are possible.

2 Section 4. Definitions.

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

6 "Blood lead test." A blood lead draw whether by capillary,
7 venous or unknown sample type on a child that produces a
8 quantifiable result and is analyzed by a Clinical Laboratory
9 Improvement Amendments-certified facility or an approved
10 portable device.

11 "Department." the Department of Health of the Commonwealth.

12 "Elevated Blood Lead Level." A single blood lead test
13 whether capillary or venous, at or above the Centers for Disease
14 Control reference range value, currently established at 5
15 micrograms per deciliter.

16 Section 5. Lead poisoning prevention.

17 (a) Lead testing requirements.--

18 (1) A health care provider shall make reasonable efforts
19 to ensure that patients under the health care provider's care
20 receive a blood lead test between nine and twelve months of
21 age and again at approximately 24 months of age.

22 (2) If the results of the blood lead test indicate an
23 elevated blood lead level, the health care provider shall
24 perform a confirmatory blood lead test by venipuncture within
25 12 weeks of the first blood lead test.

26 (3) Health care providers and laboratories shall comply
27 with reporting regulations as specified in 28 Pa. Code §
28 27.34 (relating to reporting cases of lead poisoning).

29 (b) Nonapplicability.--The testing requirements in this
30 section shall not apply if a child's parent or legal guardian

1 objects in writing to the blood lead test on religious grounds
2 or on the basis of a strong moral or ethical conviction similar
3 to a religious belief.

4 Section 6. Duties of department.

5 (a) Comprehensive educational program.--The department shall
6 conduct a public information campaign to inform parents of young
7 children, physicians, nurses and other health care providers of
8 the lead testing requirements of this act.

9 (b) Distribution of literature about childhood lead
10 poisoning.--

11 (1) The department shall provide culturally and
12 linguistically appropriate educational materials regarding
13 childhood lead poisoning, the importance of testing for
14 elevated lead levels, prevention of childhood lead poisoning,
15 treatment of childhood lead poisoning, remediation and, when
16 appropriate, the requirements of this act.

17 (2) Educational materials shall be available at no cost
18 and will be developed for specific audiences, including
19 health care providers, homeowners, landlords and parents or
20 caregivers.

21 Section 7. Effective date.

22 This act shall take effect in 60 days.