

HOUSE BILL No. 1329

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-39.4-2; IC 20-34-3.

Synopsis: Testing of school age children for lead poisoning. Requires the state department of health (state department) to identify those areas of Indiana in which the risk of lead ingestion by children is so high that, in the judgment of the state health commissioner, every school age child who resides in the area should be tested for lead poisoning. Requires the state department to provide written notice about the identification of the high lead ingestion risk areas (high risk area) to every school corporation that operates one or more schools attended by children who reside in a high risk area. Provides that if a school corporation is notified by the state department that an area served by the school corporation is a high risk area, the school corporation shall require all children who: (1) reside in that high risk area; and (2) attend or enroll in a school operated by the school corporation; to be tested for lead poisoning.

Effective: July 1, 2019.

Dvorak

January 14, 2019, read first time and referred to Committee on Public Health.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1329

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-41-39.4-2, AS AMENDED BY P.L.135-2005,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2019]: Sec. 2. (a) The state department may do the following:
- 4 (1) Determine the magnitude of lead poisoning in Indiana's
- 5 residents.
- 6 (2) Provide consultation and education to a medical provider
- 7 network that screens for lead poisoning throughout Indiana.
- 8 (3) Receive and analyze blood samples or assist regional lab sites
- 9 to receive and analyze blood samples for lead poisoning.
- 10 (4) Develop and maintain a data base of unduplicated children
- 11 with lead poisoning.
- 12 (5) Provide consultation to local health departments regarding
- 13 medical case follow-up and environmental inspections connected
- 14 to reducing the incidence of lead poisoning.
- 15 (6) Coordinate lead exposure detection activities with local health
- 16 departments.
- 17 (7) Coordinate with social service organizations for outreach



1 programs regarding lead poisoning.

2 (8) Notify and update pediatricians and family practice physicians
3 of lead hazards in a timely fashion.

4 (9) Provide consumer alerts and consumer education regarding
5 lead hazards.

6 (b) The state department shall establish reporting, monitoring, and
7 preventive procedures to protect from lead poisoning.

8 **(c) The state department, based upon:**

9 **(1) blood examination reports received under section 3 of this**
10 **chapter;**

11 **(2) information shared with the state department by:**

12 **(A) the office of the secretary of family and social services;**

13 **(B) local health departments;**

14 **(C) the United States Department of Health and Human**
15 **Services; and**

16 **(D) the United States Department of Housing and Urban**
17 **Development;**

18 **under section 4 of this chapter; and**

19 **(3) other information of which the state department is aware**
20 **concerning the possibility of lead ingestion hazards in an area,**
21 **such as:**

22 **(A) the prevalence of lead-based paint in the housing of the**
23 **area;**

24 **(B) the prevalence of lead water pipes in the area; and**

25 **(C) possible lead contamination of the soil or water in the**
26 **area from industrial sources;**

27 **shall identify those areas of Indiana in which the risk of lead**
28 **ingestion by children is so high that, in the judgment of the state**
29 **health commissioner, every school age child who resides in the area**
30 **should be tested for lead poisoning. For the purposes of**
31 **IC 20-34-3-11.2, the state department shall provide written notice**
32 **about the identification of high risk areas under this subsection to**
33 **every school corporation that operates one (1) or more schools**
34 **attended by children who reside in an area identified under this**
35 **subsection.**

36 SECTION 2. IC 20-34-3-11, AS ADDED BY P.L.1-2005,
37 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 11. (a) The governing body of a school
39 corporation:

40 **(1) may; or**

41 **(2) if section 11.2 of this chapter applies, shall;**
42 **require students to be tested for lead poisoning.**



1 (b) If a student's parent states in writing that the parent is financially
 2 unable to pay for a test under this section, the student shall be referred
 3 to the free clinic or public health facility in the area that provides
 4 services for indigents.

5 (c) The state department of health and the state board shall adopt
 6 joint rules concerning lead poisoning testing under this section.

7 (d) Records of all tests administered under this section shall be
 8 made and continuously maintained by the state department of health to
 9 provide information useful in protecting, promoting, and maintaining
 10 the health of students.

11 SECTION 3. IC 20-34-3-11.2 IS ADDED TO THE INDIANA
 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2019]: **Sec. 11.2. (a) As used in this section,**
 14 **"high lead ingestion risk area" means an area of Indiana identified**
 15 **by the state department of health under IC 16-41-39.4-2(c) as one**
 16 **in which the risk of lead ingestion by children is so high that, in the**
 17 **judgment of the state health commissioner, every school age child**
 18 **who resides in the area should be tested for lead poisoning.**

19 (b) If a school corporation is notified by the state department of
 20 health that an area served by the school corporation is a high lead
 21 ingestion risk area, the school corporation shall require all children
 22 who:

23 (1) reside in the high lead ingestion risk area; and

24 (2) attend or enroll in a school operated by the school
 25 corporation;

26 to be tested for lead poisoning.

