

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

June 2, 2016

APPROVED Minutes

Members in Attendance

Nancy Egan (via phone), Susan Kleinhammer, Edward Landon, Patricia McLaine, Paula Montgomery, Cliff Mitchell, Barbara Moore (via phone), Del. Nathaniel Oaks, Christina Peusch, Manjula Paul, Adam Skolnik

Members not in Attendance

Mel Jenkins. John Scott, Ken Strong, Tameka Witherspoon

Guests in Attendance

Jack Daniels (DHCD), David Fielder (LSBC), Michelle Fransen (Cogency), Mary Beth Haller (BCHD), Syeetah Hampton-El (GHHI), Jason Hessler (DHCD) Dawn Joy (AMA), Myra Knowlton (BCHD), John Krupinsky (MDE), Rachel Mutinda (DHMH), Christine Schiffkovitz (CONNOR), Leah Scrivener, David Skinner (GHHI), Tommy Tompsett (MMHA), Aaron Tustin (DHMH/JHU), Chris White (Arc Environmental), Ron Wineholt (AOBA)

Welcome and Introductions

Pat McLaine began the meeting at 9:30 AM. Everybody present introduced themselves.

Future Meeting Dates

The next Lead Commission meeting will be on Thursday, July 7, 2016 at MDE in the AERIS conference Room, Front Lobby, 9:30 AM – 11:30 AM.

Old Business

Lead Free Certificate Update

Paula Montgomery indicated that MDE has a contract with Maryland Environmental Services with ARC to inspect the remaining 384 properties where access has not yet been granted.

Baltimore City Housing Permitting Process

Jason Hessler distributed a handout for this update. A flowchart of the process is shown after the cover page. Baltimore City Housing is moving all applications to an on-line process. Every user will be tracked and there will be a standard log-in page. When a user logs in, the system will list all their current permits and any messages (see slides 3 and 4). All properties will be identified, including licensed child care facilities. The first screen that ID the type of permit (slide 5) requires the user to answer questions including the year the structure was built, if window are going to be removed. Commissioners suggested that it would be useful to add a question about whether surfaces would be disturbed and the SF involved. Ed Landon suggested that perhaps this screen could identify if interior demolition was being planned, noting there is a new demolition protocol for Baltimore.

Jason Hessler indicated that demolition is captured on page 4. Paula Montgomery noted that demolition requires a different permit. This is RRP, Maryland accredited renovation. Paula Montgomery noted that the flow chart is very well done and suggested that the question for the permit should be "Will the work disturb more than three (3) square feet?" Jason Hessler noted that all contractors would have to complete their profile (slide 6) and that RRP information would go here. He will add the RRP number and the date that certification expires. When contractors use the system initially, they will enter their RRP information. If that information is not there, and RRP risk is identified, the system will stop the user from completing the permit application. Paula Montgomery indicated that owner occupants would have to pull a permit but would not have to be accredited. Baltimore City would not verify or enforce RRP or accreditation but MDE might be able to do spot checks if they had additional staff, acknowledging at this is a huge step forward. Jason Hessler stated that the system goes on-line at the end of August. The City has been beta testing with contractors and individual users. Contractors love it, and love not having to come downtown to pull permit. Pat McLaine suggested incorporating a screen with lead poisoning prevention messages in the system to increase education of contractors. David Fielder asked if a permit needed to be posted at the job site. Jason Hessler stated that the permit does not need to be posted but the plans must be present. Paula Montgomery noted that contractors must post lead remediation jobs. On behalf of the Commission, Pat McLaine thanked Jason Hessler for the update; Jason will be back in December 2016 with an update on the initial experience with the new system.

Minutes

Three changes to the minutes for May 6, 2016 were identified. Ed Landon made a motion to accept the minutes with these changes and the motion was seconded by Nathaniel Oaks. All present Commission members were in favor.

New Business

Childhood Lead Registry Report

Paula Montgomery stated that any suggestions made by the Commission must be approved by MDE's Secretary. Barb Moore asked if we knew the number of immigrants in local jurisdictions so we could get a better idea of the prevalence of blood lead elevation among children. Pat McLaine stated that additional information about case management is needed, including the number of cases, the average time for completion of case management and environmental investigation, the number with lead in housing, the number with other lead hazards, the number who are in a safe environment (defined) at the end of the follow-up process. Cliff Mitchell stated that the new regulations are out, and became effective in March. He is doing outreach to pediatricians across the state and intends to provide an update on screening and challenges and success of screening. DHMH does expect to see an increase in testing, including an increase in children identified with BLLs 5-9µg/dL and 10+ µg/dL. John Krupinsky noted that the screening table for children age 1 and 2 showed much higher levels of screening than the same table for children 0-72 months. The screening of children aged 1 and 2 is a more accurate measure of testing. With regards to a report on Medicaid screening, Cliff Mitchell indicated that DHMH has met with Medicaid and they are interested in helping with this. Medicaid files need to be matched to MDE screening results. In addition, Medicaid follows the fiscal year while MDE reports on the calendar year. Cliff Mitchell suggested that the Commission consider urging

MDE and DHMH to facilitate getting results reported directly to IMMUNET. This system allows providers to enter immunization data directly to a state registry, which allows all providers to see a child's vaccine history. The system also allows providers to order vaccines. John Krupinsky suggested that many providers would resist entering lead information because they don't have the time or staff. Pat McLaine suggested the development of an interface for providers to report electronically to MDE. Providers already populate the report form with their data and then fax the report. It could be sent electronically. Pat McLaine suggested the Commission could send a letter to the manufacturer regarding the need for such an interface. Paula Montgomery noted that MDE is working on the HELPS system now and that system may be able to accommodate such electronic reporting. David Fielder noted concern about the topic. As a program administrator for Baltimore County Housing program, his concern is capturing data for EBL kids. Their families receive assistance from Baltimore City and Baltimore County and there are often other problems preventing action (e.g. rodents, roof). David Fielder expressed concern about pointing the figure at HUD-funded agencies. Pat McLaine noted that communication can probably always improve, but this focus would be to look at what happened to children with BLLs of 10+µg/dL, not at HUD-funded agencies. John Krupinsky asked if information was available on the number of houses abated and why families were turned down. Paula Montgomery stated that Baltimore City and Baltimore County provide these reports on an annual basis. Adam Skolnik stated that it would be useful to see a zip-code breakdown of children with EBL. Pat McLaine suggested that geo-coded maps should be part of the report. Barb More suggested that funding should also be mapped. Pat McLaine asked for clarification about the number of properties and number of new cases. MDE clarified that they count one property for one case. Adam Skolnik asked how the Registry dealt with children that had a capillary BLL of 10µg/DL and a venous of 5µg/dL. John Krupinsky stated that MDE reports the highest venous BLL on the VENOUS (confirmed) table and reports the highest venous or capillary BLL on the unconfirmed table. Confirmed venous is considered a case. But notice for pre-78 rental is sent if there are 2 capillary tests of 10µg/dL or higher.

Proposal for Commission Focus for 2016

Commissioners reviewed the proposed calendar of topics for 2016. Ed Landon asked about the Summer Study – when, where, how? Also, legislation should be discussed in July, since state agencies will begin discussion in August. Both will be added to the July calendar. The approach met with approval; no other suggestions or comments were offered. An updated calendar will be distributed for the July meeting.

Agency Updates

Maryland Department of the Environment – Paula Montgomery stated that MDE is starting to focus efforts to provide oversight on inspections, to the best of their ability. MDE had over 60,000 certificates issued in the last year. MDE is doing spot checks and is issuing subpoenas to audit records. It is a new climate within the Department and Paula Montgomery indicated she wished she had more staff. Being accredited is a privilege, not a right. MDE will be brainstorming about how to make inspection guidelines more stringent while maintaining a business-friendly environment. An inspector does not have to have a GED, start-up costs are low, and it is very attractive. Syeetah Hampton-El stated that taking a look at inspectors was awesome and offered assistance from GHHL.

She indicated that GHHI has referred several cases already and files are available, noting that choosing an inspector was a real problem for owners.

John Krupinsky stated that MDE and DHMH had met to discuss what to do to regulate cultural products that were high in lead and being sold in specialty stores (these include herbs, spices, kohl, and surma). They are talking with New York and California and may approach EPA. There are only guidelines for candy, nothing for food.

Maryland Department of Health and Mental Hygiene – Cliff Mitchell noted that DHMH had provided a lot of outreach to the Provider community. He met today with Bayview and is planning a series of Grand Rounds across the state, including the Eastern Shore (Peninsula Regional). Word is beginning to get out. DHMH has final versions of everything except the School Report Form and is going to print with complete guidelines for providers which will be mailed to 11,000-12,000 primary care providers. Cliff Mitchell stated that DHMH will also be doing a webinar next week for PCPs on the new regulations with GHHIO and will send information to Pet Grant for distribution to the Commission. The webinar will be archived.

Manjula Paul asked how kids would be tested if their 12 month birthday was before March 1, 2016. Cliff Mitchell indicated that Medicaid has rules for when credit is given for testing. If they miss their birthday, they don't get credit. Cliff is having discussions with Medicaid now; BLL testing will probably be recommended to be done between 11 and 13 months of age. Manjula Paul asked for additional guidance for children in child care: what should providers do with the report? Cliff Mitchell stated that DHMH will work on guidance. Child care providers need to encourage parents to get the children tested. Christine Peusch stated that the childcare provider community was very concerned about not being in compliance and parents have no idea what is being done. Pat McLaine noted that children in childcare have been tested for many years. Christine Peusch agreed but stated that not every area had to test. Pat McLaine suggested that Childcare Administration work with Cliff Mitchell and DHMH staff to determine how to answer practical questions coming from childcare providers. Paula Montgomery asked who would follow up with an unlicensed childcare provider caring for a lead poisoned child; Manjula Paul indicated that the Office of Child Care would follow up.

Maryland Department of Housing and Community Development – Ed Landon stated that there were no department updates at this time.

Baltimore City Health Department – Myra Knowlton reported that the Baltimore City Health Department met with the Office of Child Care to coordinate efforts between the two agencies regarding notification of an elevated blood lead level (EBL) child in child care facility. Upon notice of an EBL child, the two agencies will begin conducting joint inspections to streamline efforts. Additionally, it was stated that there will be training of the Child Care city inspectors on this cooperative effort by both agencies.

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Baltimore City Department of Housing and Community Development – no department updates

Office of Child Care – Manjula Paul reported that the Office of Child Care will be working with Cliff Mitchell's agency (DHMH) and MDE to develop programs similar to the one in Baltimore City in other Maryland counties.

Maryland Insurance Administration – Nancy Egan reported that she has turned over the concerns regarding Qualified Offers to the Attorney General.

Public Comment

Christine Schifkovitz provided some information on the non-profit "Parks and People" Program. She stated that EPA had given this program money to test for lead in soil and suggested that the information would be useful for Baltimore City urban gardens.

Adjournment

A motion was made by Cliff Mitchell to adjourn the meeting, seconded by Paula Montgomery. The motion was approved unanimously and the meeting was adjourned at 11:55 AM.