

SUBSTITUTE FOR
HOUSE BILL NO. 5118

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 5474a; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5474a. (1) Within 30 days after the effective date of
2 this section, the governor shall establish a childhood lead
3 poisoning prevention and control commission within the department
4 of community health. The governor may designate an existing
5 organization or statewide childhood lead poisoning prevention
6 coalition that can fulfill the requirements of this section to
7 serve as the childhood lead poisoning prevention and control
8 commission.

9 (2) The commission shall study the environmental threats of
10 lead poisoning to children's health, review this state's lead

1 poisoning prevention program, evaluate the effectiveness of that
2 program including, but not limited to, the ability of the program
3 to satisfy federal law requirements that 100% of all young
4 children enrolled in medicaid shall be screened with a blood lead
5 test, and make recommendations for improvements to that program.

6 (3) Members appointed to the childhood lead poisoning
7 prevention and control commission established by the governor or
8 the organization designated by the governor under subsection (1)
9 shall consist of, but are not limited to, at least 1
10 representative of each of the following:

11 (a) The Michigan association of osteopathic family
12 practitioners or its successor organization.

13 (b) The Michigan nurses association or its successor
14 organization.

15 (c) The Michigan association of nurse practitioners or its
16 successor organization.

17 (d) The Michigan association of health plans or its successor
18 organization.

19 (e) The Michigan association of local public health or its
20 successor organization.

21 (f) Blue cross blue shield of Michigan or its successor
22 organization.

23 (g) The Michigan health and hospital association or its
24 successor organization.

25 (h) The Michigan head start association or its successor
26 organization.

27 (i) The Michigan council for maternal and child health or its

1 successor organization.

2 (j) Michigan's children or its successor organization.

3 (k) Michigan league for human services or its successor
4 organization.

5 (l) Detroit public schools or its successor organization.

6 (m) The Michigan state housing development authority or its
7 successor organization.

8 (n) The rental property owners association or its successor
9 organization.

10 (o) The Michigan association of general contractors or its
11 successor organization.

12 (p) The Michigan association of realtors or its successor
13 organization.

14 (q) The Michigan environmental council or its successor
15 organization.

16 (r) The Michigan adult blood lead epidemiology and
17 surveillance program or its successor organization.

18 (s) The Michigan state university extension program or its
19 successor organization.

20 (t) The Detroit lead partnership or its successor
21 organization.

22 (u) The Michigan lead safe partnership or its successor
23 organization.

24 (v) The Detroit mayor's lead task force or its successor
25 organization.

26 (w) United parents against lead or its successor
27 organization.

1 (x) The department of community health or its successor
2 organization.

3 (y) The department of environmental quality or its successor
4 organization.

5 (z) The department of education or its successor
6 organization.

7 (aa) The family independence agency or its successor
8 organization.

9 (bb) The Michigan department of community health medical
10 services administration or its successor organization.

11 (cc) The Michigan occupational safety and health
12 administration or its successor organization.

13 (dd) The Michigan department of community health bureau of
14 laboratories or its successor organization.

15 (ee) An occupational and environmental medicine specialist.

16 (ff) Parents or patient advocates of children who have
17 experienced lead poisoning.

18 (gg) A local housing authority.

19 (hh) A community reinvestment officer.

20 (ii) The Michigan state medical society or its successor
21 organization.

22 (jj) The Michigan academy of family practice or its successor
23 organization.

24 (kk) Saint Mary's field neurosciences institute or its
25 successor organization.

26 (ll) The American academy of pediatrics or its successor
27 organization.

1 (mm) The arc Michigan organization or its successor
2 organization.

3 (nn) Any other interested organization or association
4 concerned with the prevention, treatment, and control of lead
5 poisoning that the department determines necessary.

6 (4) Members of the commission, whether appointed or
7 designated under subsection (1), shall serve without compensation
8 but, subject to appropriations, may receive reimbursement for
9 their actual and necessary expenses while attending meetings or
10 performing other authorized official business of the commission.
11 If a vacancy occurs on the commission, that vacancy shall be
12 filled in the same manner as the original appointment.

13 (5) The childhood lead poisoning prevention and control
14 commission shall conduct at least 2 public hearings to seek input
15 from the general public and from any other groups or individuals
16 that are not represented on the commission. The first public
17 hearing shall be held within 60 days after the commission has
18 been appointed or designated by the governor. The commission
19 shall consider all information received from its public hearings,
20 review information from other sources, and study the experiences
21 of other states. The commission shall develop short- and
22 long-range strategic recommendations for childhood lead poisoning
23 prevention and control in this state. The recommendations shall
24 include, but are not limited to, strategies to:

25 (a) Enhance public and professional awareness of lead
26 poisoning as a child health emergency.

27 (b) Significantly increase blood lead testing rates for young

1 children.

2 (c) Eliminate or manage the sources of lead poisoning,
3 especially focusing on lead based paint in aged housing.

4 (d) Assure state interagency as well as public and private
5 cooperation and communication regarding resolution of this
6 complex environmental and public health problem.

7 (6) The childhood lead poisoning prevention and control
8 commission shall submit a written report of its findings,
9 including the recommendations under subsection (5), to the
10 governor and the legislature by January 1, 2005 and annually
11 thereafter by January 1 of each year. The commission shall
12 continue to monitor and evaluate this state's lead poisoning
13 prevention program and the implementation progress of its
14 recommendations. The commission may hold additional public
15 hearings as it determines necessary or appropriate to carry out
16 its duties under this section.

17 (7) The commission shall conduct its business as the
18 commission at a public meeting held in compliance with the open
19 meetings act, 1976 PA 267, MCL 15.261 to 15.275. The commission
20 shall give public notice of the time, date, and place of the
21 meeting in the manner required by the open meetings act, 1976
22 PA 267, MCL 15.261 to 15.275.

23 (8) The commission shall make available a writing prepared,
24 owned, used, in the possession of, or retained by the childhood
25 lead poisoning prevention and control commission in the
26 performance of an official function as the commission to the
27 public in compliance with the freedom of information act, 1976

1 PA 442, MCL 15.231 to 15.246.

2 (9) As used in this section, "commission" means the
3 commission created and appointed by the governor under subsection
4 (1) or the organization designated to act as the commission by
5 the governor under subsection (1).

6 (10) This section is repealed effective January 1, 2010.