

SENATE No. 2578

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—

SENATE, February 12, 2024.

The committee on Public Health, to whom was referred the petitions (accompanied by bill, Senate, No. 1352) of Julian Cyr for legislation to modernize childhood lead poisoning prevention; and (accompanied by bill, House, No. 2280) of Andres X. Vargas and others relative to childhood lead poisoning prevention, report the accompanying bill (Senate, No. 2578).

For the committee,
Julian Cyr

SENATE No. 2578

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act modernizing childhood lead poisoning prevention.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 189A of chapter 111 of the General Laws, as appearing in the
2 2020 Official Edition, is hereby amended by inserting after the definition of “Advisory
3 committee” the following definition:-

4 “Blood lead level of concern”, a concentration of lead in whole venous blood in a child
5 under 6 years of age that is less than the concentration of lead in whole venous blood that meets
6 the amount defined as lead poisoning in regulation by the department.

7 SECTION 2. Said section 189A of said chapter 111, as so appearing, is hereby amended
8 by inserting after the definition of “Director” the following definition:-

9 “Lead poisoning”, a medical condition present in a child under 6 years of age in which
10 the child has a concentration of lead in whole venous blood at a concentration level defined by
11 the department through regulation; provided, however, that the concentration of lead in whole
12 venous blood shall not be greater than 5 micrograms per deciliter.

13 SECTION 3. Section 191 of said chapter 111, as so appearing, is hereby amended by
14 striking out, in line 9, the words “the terms ‘lead poisoning’ and ‘previously reported’” and
15 inserting in place thereof the following words:- the term “previously reported”.

16 SECTION 4. Said section 191 of said chapter 111, as so appearing, is hereby further
17 amended by adding the following paragraph:-

18 The department shall perform public health surveillance and outreach to identify children
19 with a blood lead level of concern. A child reported to have a blood lead level of concern shall
20 be offered appropriate case management services in accordance with standards set forth by the
21 American Academy of Pediatrics, or another qualified standard as determined by the department.

22 SECTION 5. Section 193 of said chapter 111, as so appearing, is amended by striking
23 out, in lines 44 and 45, the words “, as defined by regulation by the director,”.

24 SECTION 6. Section 197C of said chapter 111, as so appearing, is hereby amended by
25 striking out, in lines 3 to 5, inclusive, the words “in excess of the level considered dangerous to
26 the child’s immediate health as determined by the department” and inserting in place thereof the
27 following words:- that constitutes lead poisoning.

28 SECTION 7. Said section 197C of said chapter 111, as so appearing, is hereby further
29 amended by striking out, in lines 22 to 24, inclusive, the words “in excess of the level considered
30 dangerous to the child’s immediate health as determined by the department” and inserting in
31 place thereof the following words:- that constitutes lead poisoning.

32 SECTION 8. Section 199 of said chapter 111, as so appearing, is hereby amended by
33 striking out, in line 5, the words “at which the department defines” and inserting in place thereof
34 the following words:- that constitutes.

35 SECTION 9 . Section 5 of chapter 151B of the General Laws, as appearing in the
36 2020 Official Edition, is hereby amended by striking out, in line 214, the figure “\$10,000” and
37 inserting in place thereof the following dollar figure: - \$20,000.

38 SECTION 10. Said section 5 of said chapter 151B, as so appearing, is hereby further
39 amended by striking out, in line 216, the figure “\$25,000” and inserting in place thereof the
40 following figure: - \$35,000.

41 SECTION 11. Said section 5 of said chapter 151B, as so appearing, is hereby further
42 amended by striking out, in line 220, the figure “\$50,000” and inserting in place thereof the
43 following figure: - \$60,000.

44 SECTION 12. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by
45 striking out, in the second sentence of the first paragraph, after the words “as follows: a” the
46 words “twenty-five” and inserting in place thereof the following figure:- “35”.

47 SECTION 13. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by
48 striking out, in the second sentence of the first paragraph, after the words “salesmen; a” the
49 words “twenty-five” and inserting in place thereof the following figure:- “35”.

50 SECTION 14. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by
51 striking out, in the second sentence of the first paragraph, after the words “services; a” the words
52 “twenty-five” and inserting in place thereof the following figure:- “35”.

53 SECTION 15. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by
54 striking out, in the second sentence of the first paragraph, after the words “lead inspections; a”
55 the words “one hundred” and inserting in place thereof the following figure:- “125”.

56 SECTION 16. Section 22 of chapter 482 of the Acts of 1993, is hereby amended by
57 striking out, in the second sentence of the first paragraph, after the words “banks; and a” the
58 words “twenty-five” and inserting in place thereof the following figure:- “35”.

59 SECTION 17. Sections 1 to 13, inclusive, shall take effect on January 1, 2024.

60 SECTION 18. Sections 14 to 18 shall take effect on July 1, 2024.