

SENATE BILL 2385

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 37; Title 49; Title 63; Title 68 and Title 71, relative to blood lead level testing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 50, is amended by adding the following as a new section:

(a) The department of health shall make available and require blood lead level testing for all children prior to attendance at public schools that service any combination of pre-kindergarten through grade twelve (pre-K-12) students.

(b) It is the responsibility of the parents or guardian of children to have their children immunized, as required by subsection (a).

(c) A child tested pursuant to this section that has elevated blood lead levels must be immediately screened to determine if educational services pursuant to the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) may be required.

(d) A child tested pursuant to this section that has lead poisoning must receive mandated wrap around services appropriate for lead poisoned children.

(e) This section does not apply to a child whose parent or guardian opts out of such testing or referrals required by this section.

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following as a new section:

If a juvenile detention facility that receives federal funding is aware that a juvenile in custody of such detention facility has elevated blood lead levels or lead poisoning, then the detention facility shall, in collaboration with the department of health and local

education agencies, provide wrap around services appropriate for children with elevated blood lead levels or lead poisoning for such juvenile.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following as a new section:

The department shall make available and require blood lead level testing for a pregnant woman who receives vouchers for the special supplemental food program for women, infants, and children administered by the department. If a woman is tested pursuant to this section and it is determined that she has elevated blood lead levels or lead poisoning, then the department shall provide the woman specialized nutritional services, education on how to mitigate lead in the body, and other mandated wrap around services tailored for people with elevated blood lead levels or lead poisoning.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.