

# MAINE STATE LEGISLATURE

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Date: 5-18-11

(Filing No. S-129)

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 89, L.D. 300, Bill, "An Act To Increase the Availability of Lead Testing for Children"

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 22 MRSA §1319-A, as amended by PL 2001, c. 683, §4 and affected by §10, is repealed.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 22 MRSA §1319-D is enacted to read:

**§1319-D. Laboratory testing**

**1. Laboratories.** Except as provided in subsection 2, a blood sample taken from a child by a health care provider or laboratory to test for blood lead level must be sent to the Health and Environmental Testing Laboratory for analysis.

**2. Facilities approved by the department.** The department may approve the following facilities to test for blood lead level as long as the facility can perform in-office blood lead analyses for purposes of improving blood lead screening and the facility has demonstrated the ability to electronically submit all blood lead testing results and associated information to the department:

A. A Head Start facility; and

B. A health care provider, health care facility or clinic that dispenses benefits of the Women, Infants and Children Special Supplemental Food Program of the federal Child Nutrition Act of 1966.

**3. Rules.** The department shall adopt rules regarding blood lead testing conducted by:

A. The Health and Environmental Testing Laboratory;

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1 B. Health care providers, health care facilities and clinics that dispense benefits of  
2 the Women, Infants and Children Special Supplemental Food Program of the federal  
3 Child Nutrition Act of 1966; and

4 C. Head Start facilities.

5 4. Fees; dedicated account; uses. Whenever possible when a blood lead test is  
6 performed by the Health and Environmental Testing Laboratory, the laboratory shall bill  
7 3rd-party payors for services provided under this section and shall deposit all fees  
8 received into the Health and Environmental Testing Laboratory dedicated account. The  
9 Health and Environmental Testing Laboratory shall use the funds to:

10 A. Administer a child blood and environmental lead testing program that includes  
11 processing, analyzing and reporting child blood lead samples and materials that may  
12 contain lead; and

13 B. Gather data and report laboratory results.'

14 **SUMMARY**

15 This amendment adds Head Start facilities to the facilities that may analyze a child's  
16 blood sample for blood lead level as long as the facility meets the requirements of the  
17 Department of Health and Human Services. The amendment repeals the Maine Revised  
18 Statutes, Title 22, section 1319-A and reorganizes its contents as section 1319-D for  
19 easier reading.

20 **FISCAL NOTE REQUIRED**

21 (See attached)



Approved: 04/14/11 *MAC*

# 125th MAINE LEGISLATURE

LD 300

LR 163(02)

**An Act To Increase the Availability of Lead Testing for Children**

**Fiscal Note for Bill as Amended by Committee Amendment "A" S-129**

**Committee: Health and Human Services**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor revenue decrease - Other Special Revenue Funds

### Fiscal Detail and Notes

Any decrease in fees collected by the Health and Environmental Testing Lab in the Department of Health and Human Services is expected to be minor and can be absorbed within exiting budgeted resources.

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