

FEB 1 0 2006
HUMAN RESOURCES

HOUSE FILE 2350
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the establishment of a blood lead testing
2 requirement under specified circumstances, and making an
3 appropriation.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2350

1 Section 1. NEW SECTION. 135.105D BLOOD LEAD TESTING --
2 REQUIREMENTS -- APPROPRIATION.

3 1. For purposes of this section:

4 a. "Blood lead testing" means taking a capillary or venous
5 sample of blood and sending it to a laboratory to determine
6 the level of lead in the blood.

7 b. "Capillary" means a blood sample taken from the finger
8 or heel for lead analysis.

9 c. "Health care provider" means a physician who is
10 licensed under chapter 148, 150, or 150A, or a person who is
11 licensed as a physician assistant under chapter 148C or as an
12 advanced registered nurse practitioner.

13 d. "Venous" means a blood sample taken from a vein in the
14 arm for lead analysis.

15 2. A health care provider shall perform blood lead testing
16 on each of the provider's patients under six years of age to
17 whom health care services are provided unless the health care
18 provider has knowledge that the child has already received
19 blood lead testing in accordance with this section, or
20 pursuant to the childhood lead poisoning prevention grant
21 program in section 135.103, or if testing may be waived as
22 provided in subsection 4. If the health care provider or the
23 provider's staff cannot perform the required blood lead
24 testing, the provider may refer the patient, in writing, to
25 another health care provider for performance of the testing.

26 3. If a health care provider receives laboratory test
27 results indicating that a child has a blood lead level equal
28 to or greater than ten micrograms per deciliter, the health
29 care provider shall notify, in writing, the parent or guardian
30 of the child regarding the test results and provide an
31 explanation in plain language of the significance of lead
32 poisoning, and shall notify the department. The health care
33 provider shall also take appropriate measures to ensure that
34 the child's siblings or other members of the child's household
35 who are under six years of age have received a blood lead

1 test.

2 4. The requirements of this section may be waived if a
3 health care provider determines that a child is of very low
4 risk for elevated blood lead levels, or if the child's parent
5 or legal guardian submits a written statement to the provider
6 that the testing conflicts with the tenets and practices of a
7 recognized religious denomination of which the parent or legal
8 guardian submitting the statement is an adherent or member.

9 5. The department shall by rule establish a mechanism by
10 which children who have undergone blood lead testing can be
11 identified by health care providers so as to avoid duplicate
12 testing. The department shall also adopt rules to specify
13 circumstances indicating blood lead testing for children under
14 six years of age, when follow-up blood lead testing is
15 required after a blood lead level equal to or greater than ten
16 micrograms per deciliter has been detected, the methods that
17 shall be used to conduct the testing, and procedures regarding
18 referrals to another health care provider for testing.

19 6. The department shall conduct a public information
20 campaign to inform parents of young children and health care
21 providers of the blood lead testing requirements, and shall
22 develop written materials that health care providers can use
23 to notify the parent or guardian of a child about blood lead
24 test results.

25 7. Health care providers performing testing pursuant to
26 this section shall submit information regarding the number of
27 tests performed, and costs incurred, to the department on
28 forms and pursuant to procedures to be established by the
29 department by rule, for reimbursement by the department.
30 There shall be appropriated annually from the general fund of
31 the state to the department an amount sufficient to implement
32 this section.

33

EXPLANATION

34 This bill establishes a blood lead testing requirement
35 applicable to health care providers under specified

1 circumstances.

2 The bill provides that a health care provider, as defined
3 in the bill, shall perform blood lead testing on each of the
4 provider's patients under six years of age unless they have
5 knowledge that the child has already received such testing.
6 In the event that the provider or the provider's staff cannot
7 perform the required blood lead testing, the bill states that
8 the provider may refer the patient, in writing, to another
9 health care provider.

10 The bill states that if a provider receives test results
11 indicating that a child has a blood lead level equal to or
12 greater than 10 micrograms per deciliter, the provider shall
13 notify, in writing, the parent or guardian of the child
14 regarding the test results and provide an explanation in plain
15 language of the significance of lead poisoning. The provider
16 shall also take appropriate measures to ensure that the
17 child's siblings or other members of the child's household who
18 are under six years of age have received a blood lead test.

19 The bill provides that blood lead testing may be waived if
20 a provider determines that a child is of very low risk, or if
21 the child's parent or legal guardian submits a written
22 statement to the provider that the testing conflicts with the
23 tenets and practices of a recognized religious denomination of
24 which the parent or legal guardian submitting the statement is
25 an adherent or member.

26 The bill directs the Iowa department of public health to
27 establish a mechanism by which children who have undergone
28 blood lead testing can be identified to avoid duplicate
29 testing, and to adopt rules specifying circumstances for
30 testing of children under six years of age, when follow-up
31 blood lead testing is required, the methods that shall be used
32 to conduct the testing, and procedures regarding referrals to
33 another health care provider for testing. The bill also
34 directs the department to conduct a public information
35 campaign to inform parents of young children and health care

1 providers of the blood lead testing requirements, and to
2 develop written materials that providers can use to notify the
3 parent or guardian of a child about blood lead test results.

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EIGHTY-FIRST GENERAL ASSEMBLY
2006 REGULAR SESSION
DAILY
HOUSE CLIP SHEET

FEBRUARY 24, 2006
Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 2350 - Lead Testing of Blood (LSB 6270 HH)
Analyst: Lisa Burk (Phone: (515) 281-7942) (lisa.burk@legis.state.ia.us)
Fiscal Note Version - New
Requested by Representative Wayne Ford

Description

House File 2350 requires health care providers to perform a blood lead test on each patient under age six unless the provider has knowledge that the test has already been performed. The Bill requires the provider to notify the parent or guardian of the child in writing of the significance of lead poisoning if the test results indicate a blood level greater than 10 micrograms per deciliter. In these cases, the provider is also required to take appropriate measures to ensure that other members in the household under age six receive a blood lead test. The Bill also sets forth circumstances under which blood lead testing may be waived.

In addition, HF 2350 directs the Department of Public Health to establish a mechanism to identify children who have been tested in order to avoid duplicative testing, as well as to develop procedures for testing and follow-up. The Bill also specifies that the Department is to conduct a public information campaign to inform parents and health care providers of blood lead testing requirements.

Background

Currently, the Department of Public Health receives an estimated total of \$1.1 million to reduce the prevalence of lead poisoning in children, which includes \$659,000 in federal funds, \$353,000 in State General Funds, and \$76,000 in funding from the Healthy Iowans Tobacco Trust.

The Department estimates that approximately 50,000 children under age six are currently tested for lead poisoning each year. Of these, the Department pays for laboratory analysis for an estimated 9,000 children not covered by Medicaid and not covered by another source of payment.

Assumptions

1. The federal Centers for Disease Control (CDC) no longer permits costs for drawing blood and lead analysis for children to be paid from federal CDC grant funds; therefore, these costs will be paid for with 100.0% State funds.
2. The Department of Public Health will pay for drawing blood and lead analysis for an additional 10,000 children each year not covered by Medicaid or private insurance.
3. The cost to draw blood will be \$5 per child for a total cost of \$50,000 per year.
4. The cost to conduct laboratory blood analysis will be \$11 per child for a total cost of \$110,000 per year.

Fiscal Impact

The estimated cost of HF 2350 is an increase in General Fund expenditures of \$160,000 annually for the Department of Public Health beginning in FY 2007.

Source

Department of Public Health

/s/ Holly M. Lyons

February 23, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
