



NEW YORK STATE SENATE

Joint Senate Standing Committee on Health

Senate Standing Committee on Housing, Construction and Community Development

NOTICE OF PUBLIC HEARING

Subject: Childhood Lead Poisoning Prevention in New York State

Purpose: To hear from stakeholders about how New York State can address through legislation the pervasive and persistent threat of childhood lead poisoning and to assess the resources needed for local and state agencies to comply with state and federal prevention programs.

**Tuesday
November 30, 2021
10:00 AM**

Legislative Office Building, 2nd Floor
Van Buren Hearing Room A
Albany, NY

ORAL TESTIMONY BY INVITATION ONLY

The Legislature last held a statewide public hearing on childhood lead poisoning in April 1994. Since then, childhood lead poisoning has continued to occur despite existing programs designed to prevent lead poisoning. Scientific understanding of lead exposure has led to changes in state law to lower the mandated action level on blood lead levels from 10 ug/dL to 5 ug/dL. The COVID-19 pandemic started just as the new action levels were being implemented, overwhelming county health departments and requiring children to spend significantly more time at home and indoors. In March 2021, the Centers for Disease Control and Prevention (CDC) released a report¹ that cited a 56.7% drop in childhood lead testing in New York State counties outside of New York City; and an 86.3% drop in New York City from April 2019 to April 2020 due to coronavirus-related stay-at-home orders.

¹ Courtney JG, Chuke SO, Dyke K, et al., *Decreases in Young Children Who Received Blood Lead Level Testing During COVID-19 — 34 Jurisdictions*, January–May 2020. *MMWR Morb Mortal Wkly Rep* 2021;70:155–161.

In August 2019, State Comptroller Thomas P. DiNapoli issued an Audit and Report on the Department of Health's oversight on the Lead Poisoning Prevention Program.² The report identified the following issues:

- significant flaws in reporting;
- inadequate oversight and compliance with federal and state requirements;
- lack of adequate staff to perform follow-up care; and
- lack of necessary staff to perform primary source lead inspections of residences and buildings, lead risk assessments, exposure elimination, and repairs.

Children whose families live with lead paint indoors, on porches, or with lead water service lines have possibly been further exposed to lead in the last year and a half. The CDC has noted concerns that fewer families accessed pediatric preventive care during the peak of the pandemic. These two factors could increase unidentified cases of lead exposure and poisoning in New York.

As science continues to demonstrate that there is no safe level of exposure to lead, childhood lead poisoning continues to be a widespread and pervasive threat in many communities across our state. New York currently leads the nation in the total number of adolescents identified with elevated Blood Lead Levels (BLLs). This scourge particularly impacts children of color, children living in poorly maintained housing, and those from low-income communities. The purpose of this hearing is to learn best practices and what legislative solutions should be considered to eliminate childhood lead poisoning in New York State.

Persons invited to present pertinent testimony at the above hearing must complete and return the enclosed reply form as soon as possible. The reply must be fully completed and returned in order to be notified of an emergency postponement or unforeseen cancellation.

Oral testimony will be limited to 3 minutes. All testimony will be under oath. In preparing the order of witnesses, the committees will attempt to accommodate individual requests to speak at particular times, given exceptional circumstances. These requests should be made on the attached reply form or communicated to committee staff as early as possible.

Twenty-Five copies of any prepared testimony should be submitted at the hearing registration desk. Additionally, written testimony should be submitted via email two days before the hearing.

In order to meet the needs of those who may have a disability, the Legislature, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to the Legislature's facilities and activities.

² New York. Office of the State Comptroller Thomas P DiNapoli; Division of State Government Accountability. *Lead Poisoning Prevention Program* (Report 2018-S-12). August 2019, <https://www.osc.state.ny.us/files/state-agencies/audits/pdf/sga-2019-18s12.pdf>.

Senator Brian Kavanagh
26th Senate District
Chair
Senate Committee on Housing,
Construction, and Community
Development

Senator Gustavo Rivera
33rd Senate District
Chair
Senate Committee on Health

PUBLIC MEETING REPLY FORM

Persons invited to present testimony at the public hearing on childhood lead poisoning in New York State must complete this reply form as soon as possible, but no later than Tuesday, November 23rd, 2021 and email it to:

Mary Storace
Legislative Analyst
Office of Senator Rivera
Email: Storace@nysenate.gov
Phone: (518) 455-3397

- I plan to attend and make a public statement at the public meeting on childhood lead poisoning in New York State to be conducted IN-PERSON on Tuesday, November 30, 2021. I will address my remarks to the following subjects:

- I do NOT plan to attend the above hearing.

ALL INFORMATION BELOW MUST BE COMPLETED:

Name: _____
Title: _____
Organization: _____
Address: _____
E-Mail: _____
Telephone: _____