

Legislative Summary

Pursuant to the authority granted to it under the Pennsylvania Local Health Administration Law, Sections 12010(f) and 12011(c), on May 3, 2017 the Allegheny County Board of Health approved a new regulation, Article XXIII, “Universal Blood Lead Level Testing”. This approval was preceded by a 30-day public comment period during which the Allegheny County Health Department (“ACHD”) received thirty-two comments in support of the regulation and four comments in opposition to the regulation.

The new Article XXIII is made up of ten sections, with a summary of each provided below:

- ***Section 1: Authority, Purpose, and Scope.*** A description of the ACHD’s authority under state law for adopting the regulation, a description of the purpose of the regulation (the detection and treatment of lead poisoning in county children), and a description of to whom the regulation applies (residents and schools of Allegheny County).
- ***Section 2: Definitions.*** Several key terms used throughout the regulation are defined by this section.
- ***Section 3: Blood Lead Level Testing Requirements.*** Establishes the requirement that children have their blood lead levels tested at approximately the ages of 9 to 12 months of age and again at 24 months of age; provides for more frequent testing of children considered at high risk for lead exposure; allows delays in testing for medical reasons; establishes a “catch-up” blood lead level test for children not previously tested; and establishes the methods to be used when conducting blood lead level tests.
- ***Section 4: Exceptions.*** Permits parents to forego having their child’s blood level tested if testing is objectionable for religious or moral/ethical reasons and exempts testing when necessary for medical reasons.
- ***Section 5: Responsibilities of Schools and School Administrators.*** Requires that schools inform parents of the blood lead level testing requirement and that schools ascertain the blood lead level testing status of children prior to admission to kindergarten.
- ***Section 6: School Reporting.*** Establishes when, what, and how schools report blood lead level testing information to the ACHD.
- ***Section 7: Responsibilities of the Department.*** Requires that the ACHD provide schools with forms for reporting blood lead level testing data to the ACHD, requires

that the ACHD monitor schools for compliance with the regulation, and grants the ACHD access to the schools' data regarding blood lead level testing.

- ***Section 8: Responsibilities of Health Care Providers.*** Requires that health care practitioners test the blood lead level of Allegheny County children in accordance with the regulation and reminds them of requirements under Pennsylvania law to report lead testing data.
- ***Section 9: Severability Clause.*** Establishes that the provisions of Article XXIII are severable.
- ***Section 10: Effective Date.*** Establishes an effective date for the regulation of January 1, 2018.

The following pages contain the text of the regulation passed by the Board of Health on May 3, 2017. Since this is a new regulation, all the text is original. Therefore, no special formatting denoting added or deleted text has been applied to the document.

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