

NEW YORK STATE ADVISORY COUNCIL ON LEAD POISONING PREVENTION
NYS DEPARTMENT OF HEALTH
MARCH 4, 2015
ALBANY, NEW YORK
EMPIRE STATE PLAZA, MEETING ROOM 1

Topics	Discussion
Attendees Council Members:	<p>Council Members:</p> <ul style="list-style-type: none"> ➤ Nathan Graber, M.D, M.P.H., Director, Center for Environmental Health, NYSDOH (Council Chair) ➤ Michael Cambridge, R.S., Director, Division of Environmental Health Protection, NYSDOH (Commissioner Designee) ➤ Matthew J. Chachere, Staff Attorney, Northern Manhattan Improvement Corporation (Environmental Group) ➤ Abby Greenberg, M.D., Member, Nassau County Board of Health and American Academy of Pediatrics – District II (Professional Medical Organization) ➤ Thomas Keenan, Temporary Assistance Specialist, NYS Office of Temporary Disability Assistance (OTDA), Bureau of Refugee and Immigrant Assistance (BRIA) (Commissioner Designee) ➤ Eileen Franko, Ph.D., Director of Safety and Health, NYS Department of Labor (Commissioner Designee) ➤ Lisa Irizarry, Representing Darrel Townes, Commissioner, NYS Homes and Community Renewal (Commissioner Designee) ➤ Susan Duchnycz, Division of Child Care Services, NYS Office of Children and Family Services, (Commissioner Designee) ➤ Pamela Hadad Hurst, Special Assistant, Commissioner’s Policy Office, NYS Department of Environmental Conservation (Commissioner Designee) ➤ Mary Elizabeth Mokrzycki, Program Manager, City of Syracuse Lead Program (Local Housing Authority) ➤ Nancy Heidinger, Lead Program Erie County Department of Health (Educator) ➤ Dr. Morri Markowitz Medical Director, Montefiore Regional Lead Resource Center (Hospital Representative) ➤ Patrice Bogan, Deputy Director, Oneida County Health Department (Local Government) ➤ Gerard Hathaway, Assistant Director, Codes Division, NYS Department of State (Commissioner Designee) <p>Additional Attendees:</p> <ul style="list-style-type: none"> ➤ Thomas Carroll, Section Chief, Bureau of Community Environmental Health and Food Protection, NYSDOH ➤ Andy Ruby, Bureau of Budget Management, Fiscal Management Group, NYSDOH <p>Council Member watching Webcast:</p> <ul style="list-style-type: none"> ➤ Andrew McLellan, President/Director, Environmental Education Associates Inc. Amherst, NY (Undesignated At Large Public Member)

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	<p>Absent Council Members:</p> <ul style="list-style-type: none"> ➤ Kallanna Manjunath, M.D, Chief Medical Officer and Pediatrician, Whitney M. Young J. Health Services (Undesignated At Large Public Member) ➤ John Shannon, Administrative Director for the Upstate N.Y. Laborers’ Education and Training Fund (Labor Union) ➤ David Broadbent, M.D., M.P.H., Co-Chair, Coalition to End Lead Poisoning in NYS (Community Group) ➤ Deborah Nagin, M.P.H., Director, NYC Department of Health and Mental Hygiene (NYCDOHMH) – Lead Poisoning Prevention Program (Adjunct Member)
<p>Welcome and Introductions</p>	<ul style="list-style-type: none"> ➤ In accordance with Executive Order #3 and the Open Meeting Law, this meeting is available on the internet and the meeting notice and links to the webcast are available at http://www.nyhealth.gov/events and will be archived for 30 days following the meeting. In accordance with Executive Law, section 166, members of the public who appear before the Council and represent any agency regulated by the Department of Health must fill out a Notice of Appearance form provided at the registration table. ➤ The meeting was convened at 11:00 AM. ➤ Dr. Graber, Director, Center for Environmental Health announced he is the newly appointed Chair of the Council and stated he will have the members and DOH staff introduce themselves after a few reminders. ➤ Dr. Graber announced recent changes to the Advisory Council membership. Two Council members departed, Victorie N. Jacques (Parent Advocate) and Clifford Olin, President, EcoSpect, Inc. (Industry) who were thanked for their many years of service to this Council. He welcomed Dr. Morri Markowitz Medical Director, Montefiore Regional Lead Resource Center fulfilling the hospital representative seat; Ms. Patrice Bogan, Deputy Director Oneida County Health Department representing local government; and Mr. Gerard Hathaway, representing Department of State, standing in for Cesar A. Perales. He thanked them all for taking on the new responsibility. ➤ Dr. Graber pointed out there were now vacancies on the Council as it related to Child Health Advocate, Parent Advocate and Industry seats.

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<p>NYSDOH Department of Budget, Andy Ruby</p>	<ul style="list-style-type: none">➤ It was stated the renewal notices would be sent to current members whose terms were expiring.➤ Dr. Graber noted that a quorum of Council members was present so a vote by the Council can be accomplished, but members on the phone could not vote.➤ Dr. Graber asked the Council members and DOH staff to please introduce themselves.➤ Dr. Graber asked the Council members to review the minutes from last meeting calling for a motion. Dr. Greenburg made a motion and it was seconded by several others. Minutes were approved without abstentions. <p>Department of Budget Update</p> <ul style="list-style-type: none">➤ Mr. Ruby, Bureau of Budget Management, Fiscal Management Group, NYSDOH stated the 2015-16 budget will maintain current funding for both programs with \$4,035,700 for Lead Poisoning Prevention Program and \$9,891,200 for Childhood Lead Poisoning Primary Prevention Program.➤ Dr. Greenberg asked if the distribution of funding to the local health department remained the same.➤ Mr. Cambridge responded: Basically the funding is unchanged as outlined.➤ Mr. Chachere stated: Reading the minutes from last meeting we had a fairly long colloquy that this committee never gets budget information until it's a problem. I think it's stated right in the legislation that created the committee that we are supposed to be weighting in and making recommendations on budgeting issues and this is always after the fact. I think the role of this committee is substantially eviscerated. We should be getting budgets long in advance and have an opportunity to comment on them. We can find a way to communicate and every year when this happens I send out emails asking what the budget is and it's a problem. To clarify we should have the information that was presented here in writing included in the materials today. Are there re-appropriations here? Were there funds that were appropriated in the past and just spent or were the funds spent fully?➤ Mr. Ruby responded: Any funds that were not fully spent in the past have been re-appropriated, but this program is funding at the intended budget amount.➤ Mr. Chachere asked: Is it all being spent?➤ Mr. Ruby responded: That is correct.➤ Mr. Cambridge stated: In the handouts is the presentation that we will be going over and those numbers are in there on page two. An email with these documents was sent prior to the meeting.➤ Mr. Chachere stated: I don't know why it's a secret process and why the committee is not involved and could be making recommendations. I think it's precisely what is said in the Public Health Law as to what the committee is doing. I think
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<p>Lead Program Updates, Thomas Carroll, Section Chief, Housing Hygiene, Bureau of Community Environmental Health & Food Protection</p>	<p>the department would want the benefit of our advocacies to push for as much funding as necessary and possible for this very vital issue.</p> <ul style="list-style-type: none">➤ Dr. Graber acknowledged Mr. Chachere’s statement and thanked Mr. Ruby for coming before the committee. <p>Lead Program Updates (See PowerPoint presentation “Lead Program Updates” for details.)</p> <ul style="list-style-type: none">➤ Mr. Carroll provided an update and overview of state and federal budget that included a \$400,000 grant from CDC for three years used to restore central office staff previously cut from the program.➤ Mr. Carroll stated there was no impact on the Lead Poisoning Prevention Program funding of \$4 million and all state money goes directly to the counties.➤ The Primary Prevention Program remains the same 9.8 million dollars.➤ Mr. Carroll described how the Primary Prevention Program identifies at risk housing units, inspects for lead hazards and aims to prevent lead poisoning in the future.➤ Mr. Carroll stated the new Healthy Neighborhood Program awards that previously funded ten counties are now funding 13 counties with a total of 2.7 million dollars.➤ Dr. Greenberg asked: How many counties get HUD money to do abatement?➤ Mr. Carroll stated: Three or four counties get HUD. The counties use the Primary Prevention funds they receive to leverage to get the HUD grant.➤ Mr. Carroll explained the maps in his presentation showing incidence rates in the counties and how testing rates have increased over the years.➤ Dr. Greenberg asked: How long before new data is available?➤ Mr. Carroll responded: Hoping sometime during this spring.➤ Dr. Franko asked: What is the range of error on analytical methods for blood lead levels?➤ Mr. Carroll explained: Depending on the device, it can range from a plus or minus 2 to 4.➤ Mr. Carroll gave an update on the Primary Prevention Program: We are currently contracting with 15 counties and serving 23 municipalities. Since its inception in 2007 almost 19,500 children have been directly reached through visits to their home, and over 11,384 referred for blood lead testing.➤ Mr. Carroll discussed possible reasons for the length of time it takes to correct lead hazards in the home. <p>5 to 9 µg/dL Blood Lead Levels</p> <ul style="list-style-type: none">➤ Dr. Graber stated: We are in the process of updating all of our lead guidance and requested the Council’s thoughts on how to integrate CDC guidance into our existing guidance.
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<p>Dr Graber, Discussion on 5 to 9 µg/dL Blood Lead Levels (BLLs)</p>	<ul style="list-style-type: none">➤ Dr. Markowitz stated there shouldn't be a distinction between a pregnant woman's blood level of concern or threshold in order to begin intervention with a child; they should all be 5 µg/dL.➤ Dr. Franko asked: What are the screening rates for pregnant woman?➤ Dr. Graber suggested that having the Adult Lead Program speak at the next meeting on efforts to improve communication between obstetricians and pediatricians on kids that are born to moms with (BLLs) 5 µg/dL or greater.➤ Dr. Greenberg also concurred with Dr. Markowitz.➤ Dr. Markowitz asked the Council to consider revising the guidelines with the federal level for floor dust sampling stating they will be obsolete when 5 µg/dL is adopted because they are in place to protect against 10 µg/dL. He stated OSHA only has inhalation standards for workers and no standard to protect workers from dust and if it is not on the federal level does it preclude the state from having one?➤ Dr. Franko stated: We only have authority over NYS public employees with federal OSHA regulating everyone else.➤ Dr. Graber asked Dr. Franko: Are we pre-empted from carrying out a standard at the state level?➤ Dr. Franko responded: Yes, the only place we have jurisdiction is for municipal workers.➤ Mr. Chachere stated that there has been a petition pending in front of the EPA to push clearance numbers down. That does not mean NYS could not act independently on this issue. He stated he has repeated many times before to the Council that NYS can take over the administration of the Federal Renovation, Repair and Paint Rule (RRP). As long as the state standard is more stringent than the Federal Rule, the state can adopt its own lead laws. He cited several federal standards that needed to be made more stringent justifying the change. He suggested it become a recommendation of the Council.➤ Dr. Markowitz asked for clarification on how the Council works when a recommendation is made.➤ Mr. Cambridge explained: In the past, the recommendation would be put on the agenda for the next meeting so staff can research the information and report back to the Council. This recommendation to take over RRP has been made before and the Department chose not to act on it, citing reasons why that decision was made in the past. Mr. Cambridge explained how the recommendations can be made on different levels by the Council and that the Department can opt how it will respond.➤ Dr. Markowitz requested the Department consider the recommendations of the guidelines he stated. ➤ Mr. Chachere stated: Whatever the issues are, this Council should have a discussion and there should be a report to the Council on the pros and cons of NYS taking over the administration of the Federal RRP Rule.➤ Mr. Chachere stated that Mr. McLellan was watching the webcast and would be prepared to discuss the current state of RRP as it relates to NYS. Mr. Chachere stated we need to focus on how to improve lead safe work practices.
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- Nancy Heidinger reported that Erie County is following up on BLLs 5-9 µg/dL, citing it as a tedious process due to many variables in getting the information. Erie is hoping to do follow-up in a year to see how risk reduction education has effected 5-9 µg/dL
- Mary Elizabeth Mokrzycki stated: The County Health Department refers all elevated BLLs to the City of Syracuse who conducts a full inspection/risk assessment and assists with the remediation.
- Ms. Irizarry asked: Has DOH done a survey to see how prevalent BLL of 5-9 µg/dL are in the local health departments?
- Ms. Freligh stated: Tracking BLL of 5-9 µg/dL is an option in the current LPPP work plan and that 45 out of 56 counties are providing some follow-up activities for tracking BLLs 5-9 µg/dL in the 2014-15 contract year. A report on the activities at the next meeting could be given.
- Mr. Carroll explained: We are asking the local health departments to come up with something on their own that works for them as it relates to 5-9s, so that we may look at and develop best practices from them.
- Dr. Greenberg stated that: Some consideration should be given to the age of the child when looking at the BLLs 5-9s; priority should be given for younger children. Younger children are of greater concern.
- Mr. Cambridge reminded the Council that Mr. Carroll had staffing changes that were going to allow the Department to explore all this new data and come up with more specific guidelines on BLLs 5-9s. We are hoping for more CDC guidance on this issue.
- Dr. Graber said that the suggestions and guidelines being formed will be shared with the Council so they will have a chance to comment on them.

Requests for Next Meeting

- Mr. Cambridge clarified the two requests for next meeting 1. Program putting together numbers based on what we expect the workload to be for an agency. 2. Program handling pregnant women issues and concerns.

“A Successful Community Effort to Decrease Childhood Lead Poisoning: The Rochester and Monroe County Experience” (See PowerPoint presentation for details.)

- Dr. Schaffer stated suburban communities in Monroe County have consistently been rated among the best places to live in the nation at the same time they have the 5th highest poverty rate in the US.
- The typical single family house or duplex was built 100+ years ago.
- An article in American Journal of Preventive Medicine showed declines in elevated blood lead levels among children in Monroe County between 1997-2011 where the blood lead levels dropped twice as fast as the rest of the state, excluding NYC, and at 1.8 times as fast as the rest of the nation.

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Stanley J. Schaffer, M.D., M.S., Western New York Lead Poisoning Resource Center, Department of Pediatrics, University of Rochester

- The Lead Coalition started in 2000 with many stakeholders involved. In 2000 2% of US children had lead poisoning and 7.4 % of the children in Monroe County had lead poisoning.
- There are two lead coalition committees that meet each month, Government Relations and Screening and Professional Education.
- The 2005 Local Law passed requiring inspection of rental properties every three years including visual for lead paint.
- Each year they publish blood lead levels in the County.
- The coalition works closely with the school districts to help identify children that may be lead poisoned.
- There is a need for primary prevention to prevent lead poisoning in the first place and secondary to prevent additional exposure for those kids and families and pregnant women who already have been exposed.
- Dr. Markowitz asked if there is an online registry of houses that have been inspected?
- Dr. Schaffer responded that he was not sure if it was active or being worked on.
- Mr. Chachere asked if a grant for assessing homes for pregnant women is in effect?
- Dr. Schaffer affirmed the program and mentioned several collaborating programs for pregnant women.
- Mr. Chachere asked about landlord reception to the program and whether families were discriminated against because of the lead law.
- Dr. Schaffer explained it was a learning curve for all involved, but that none of the negative aspects really surfaced. He explained the many health, housing and educational benefits that came from the change and the housing stock appreciated in value.
- Ms. Irizarry stated that NYS Homes and Community Renewal has a data base and is interested if the Rochester data base could be linked.
- Dr. Graber asked if there is data to back up that property values increased and have the coalitions looked into other housing issues or just lead?
- Dr. Schaffer said a student at University of Rochester did a study and a lot of housing component items were changed on the house increasing the value and that the coalition has looked into other funding for housing issues, but concentrates on lead. The different grants that the city receives in many cases removes the financial burden for the repairs by loaning the money that eventually can turn into a grant and be forgiven over time.
- Ms. Irizarry asked if outreach to owners, developers, Section 8 and neighborhood groups was conducted while the law was being enacted in order to help individuals to find rental housing. On a second question follow-up to Dr. Markowitz an online data base would be helpful.
- Dr. Schaffer stated that extensive outreach was conducted with the help of the stakeholders.
- Dr. Franko asked if houses that were closed by the City of Rochester had other violations besides lead paint?
- Dr. Shaffer was not sure, but assumed it was more than lead issues.

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<p>Advisory Council Members Updates on Lead-Related Activities</p>	<ul style="list-style-type: none"> ➤ Mr. Keenan asked with refugee children there is a lot of cultural considerations so when you speak about the inspection of the home does it include other environmental issues? ➤ Dr. Schaffer stated the outside inspections are visual unless there is an EBLL involved then the County Health Department does a full environmental inspection. <p>Council Members Updates</p> <p>Pamela Hadad Hurst, Special Assistant, Commissioner’s Policy Office, NYS Department of Environmental Conservation</p> <ul style="list-style-type: none"> ➤ Nothing to report. <p>Thomas Keenan, Temporary Assistance Specialist, NYS Office of Temporary Disability Assistance, Bureau of Refugee and Immigrant Assistance</p> <ul style="list-style-type: none"> ➤ Thanked CEH and Ms. Faith Schottenfeld for the brochure “Beware of Lead, Do You Know Where Lead is Hiding” a flyer made for outreach to refugee and immigrant communities across the state. The flyer deals directly with the use of cosmetics and other cultural items that are known to be used, and has been translated into many languages. <p>Mary Elizabeth Mokrzycki, Program Manager, City of Syracuse Lead Program</p> <ul style="list-style-type: none"> ➤ City of Syracuse is in the process of becoming a “Green and Healthy Homes Place.” The City is working with State Attorney General’s Office to get a small grant to help get designation. There are 29 points that are looked at when a home is inspected. We are looking at all hazards, code enforcement, structural and environmental, including the air quality and surroundings of the entire structure. The list of stakeholders in the project is extensive. <p>Susan Duchnycz, Division of Child Care Services, NYS Office of Children and Family Services</p> <ul style="list-style-type: none"> ➤ Mentioned an online video for providers and the public teaching lead safety. In 2015, 2,108 people took the training. Since 2010, 7,319 have taken the training ➤ The office has two forms one for daycare providers and one for parents covering more than lead paint. Requested to review DOH forms with staff and asked for a copy of power point presentations today. <p>Lisa Irizarry, Representing Darrel Townes, Commissioner, NYS Homes and Community Renewal</p> <ul style="list-style-type: none"> ➤ Is interested in more information on the Rochester certification program. ➤ Lisa mentioned they give preference for lead training to developers when they apply for our programs.
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Nancy Heidinger, Lead Program Erie County Department of Health

- Expressed gratitude for having three lead grants that are working in Erie County.

Eileen Franko, Ph.D., Director of Safety and Health, NYS Department of Labor

- Nothing to report.

Matthew J. Chachere, Staff Attorney, Northern Manhattan Improvement Corporation

- Mr. Chachere requested a copy of presentations from today.

Abby Greenberg, M.D., Member, Nassau County Board of Health and American Academy of Pediatrics – District II

- Requested the meetings be held more often and not in the winter.

Meeting Closed

Dr. Graber called for any public comments; no public comments were received. He closed the meeting by thanking everyone for their comments and noted the need for more frequent meetings. He stated the difficulty in scheduling and said we are working on ways to reduce the amount of travel and still have a quorum. The notice for the next meeting will be sent out soon and the agenda will be long. He asked for a motion to adjourn.

Meeting adjourned at 2:05 pm.