

**GOVERNOR'S LEAD POISONING PREVENTION COMMISSION**

Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore MD 21230

AERIS Conference Room  
August 7, 2014

APPROVED Minutes

**Members in Attendance**

Nancy Egan, Cheryl Hall, Melbourne Jenkins, Ed Landon, Pat McLaine, Barbara Moore, Linda Roberts and Cliff Mitchell.

**Members not in Attendance**

Patrick Connor, Delegate Nathaniel Oaks and Mary Snyder-Vogel.

**Guests in Attendance**

Debra Godsey – MSDE-OCC; Shaketta Denson – GHHI, Michelle Fransen – Cogency, Jody Johnson – self, Ron Wineholt – AOBA, Arthur Gray – DHCD, Myra Knowlton – BCHD, Jonathan Klanderud – MDE staff, John Krupinsky – MDE staff, Lisa Nissley – OS/MDE; Horacio Tablada – MDE, Ruth Ann Norton – CECLP/GHHI, Christine Peusch – Maryland State Child Care.

**Introductions**

Pat McLaine called the meeting to order at 9:35 with welcome and introductions.

**Future Meeting Dates**

The next Lead Commission meeting is scheduled for Thursday, September 4, 2014 at MDE in the AERIS Conference Room, Front Lobby, 9:30 AM to 11:30 AM.

**Approval of Minutes**

A motion was made by Ed Landon seconded by Barbara Moore to approve the July minutes with changes and was approved unanimously.

**Discussion**

**Old Business – Office of Child Care**

Cheryl Hall reported that monthly reports on lead compliance are sent directly to her. Cheryl shared a sample report for July 2014 for Charles and St. Mary's Counties. The report was modified to identify the number of owner-occupied facilities and the number of facilities built between 1950-1978 cited for non-compliance. The table does not summarize the number of facilities lacking lead certification and the number of lead certificates does not equal the number of pre-1950 properties. For example, in Region 2, 138 affected properties were built before 1950 and 50 were built between 1950 and 1947, but only 12 had a lead certificate. Linda Roberts asked if a reminder could be sent to all owners for whom Office of Child Care has no certificate. Jonathan Klanderud asked if the Office of Child Care could refer non-compliant facilities to

MDE. Linda Roberts asked if all child care facilities had to meet the requirements of the law; don't they need a certificate even if they are 00? Cheryl Hall stated that 00 means they do not need a certificate. Barbara Moore asked if new applicants were allowed to have children at their facility before the Center or home meets state standards. Cheryl Hall said she had recently found two facilities in operation before they had been approved and they were shut down. Barbara Moore asked if line B was mislabeled; Cheryl Hall indicated yes. Pat McLaine asked Cheryl Hall to report back next month as to how the Office of Child Care is dealing with the universe of homes/centers, for which we do not have certificate information, for example sending letters to the facility manager, checking status with MDE. Cheryl Hall noted that nothing has been done yet with the CATS system; she is not sure about ELIS. Cheryl Hall reported that she is planning to retire at the end of September.

### **Old Business – Lavender Topped Tubes**

Nancy Egan reported that she had reached out to Quest Diagnostic regarding the problem. A representative indicated there were two types of lavender topped tubes. A letter received from F. Leland McClure, Director for Clinical Toxicology at Quest Diagnostics was distributed at the meeting; Dr. McClure will attend the Commission's September or October meeting. Barbara Moore noted that one practice she knows uses a purple microtainer for venous sample (this type of tube is meant for capillary samples). However, errors appear to occur most often when the lead level is checked and the practitioner also orders a hematocrit and mistakenly puts both into a regular purple tube. With regards to appearance, Barbara Moore said the microtainer is one to one and a half inches with a screw cap; the regular tube is 2-3 inches with a rubber cap. John Krupinsky said that requisitions from Quest say "lavender tube" but could be changed to properly identify microtainers. Cheryl Hall asked what the situation was in individual doctor's offices. Barbara Moore said Quest and Lab Corp are the biggest labs doing business in Maryland, but the specimens are not usually analyzed in Maryland (facilities are in North Carolina and New Jersey). John Krupinsky noted that if we could intervene sooner, when the draw was done, for example at a draw station, we might be able to make a difference. Barbara Moore said a lot of PCPs are drawing finger sticks, even where a high percentage of kids have BLLs >5µg/dL. John Krupinsky estimates that he has seen 2-3 purple top tube errors per year. Ruth Ann Norton asked if this problem could be solved by DHMH telling providers what to do and to get confirmation. Cliff Mitchell said he is planning to include this in the revised clinical guidelines. John Krupinsky noted that he thought a focus with the labs, draw stations and hospitals would have more of an impact. Cliff Mitchell noted that multiple levels of intervention will be needed and that revision of the guidelines by DHMH should increase screenings. Point of care testing will also change the metric as we may get more false positives. Barbara Moore noted that Lab Corp's requisition does not identify the type of tube – you have to look it up. John Krupinsky asked how many different types of tubes are manufactured and if there is a standard way to label them. Barbara Moore said the colors on the tubes are universal and noted that having a high BLL gets things moving. Nancy Eaton said she would reach out to Lab Corps as well as to Quest. Michelle Fransen asked why tubes were manufactured with lead. Cliff Mitchell noted that an acid wash was needed to eliminate lead, which is pervasive in the environment. Mel Jenkins asked if there was a cost difference. Barbara Moore replied that she

could check on costs. In primary care practices, the supply of tubes may not turn over quickly. Barbara Moore indicated she will bring sample tubes, a Quest lab slip, and a report form to the PCP and to MDE to a future meeting. One concern is that the statement about the sample is often on the 2<sup>nd</sup> page of the report which the PCP may not see. Pat McLaine will contact Patrick Parsons from New York State to get their input.

### **Old Business Point of Care Testing**

Cliff Mitchell reported that the DHMH Lab had developed regulations proposing to put point of care testing on the accepted list; MDE is reviewing those regulations today. The Lab will specify in regulations that: (1) Users must report to the Childhood Lead Registry as per current law; (2) Users will be required to do proficiency testing. Cliff Mitchell indicated that the regulations would be open for public comment, maybe in September. Tracy will send a copy out to Commissioners and this will be discussed at the September or October meeting. Barbara Moore asked if DHMH had any idea about primary care practices that might purchase point of care testing. Cliff Mitchell noted that medium-sized groups probably are more likely to purchase the system. He observed point of care testing and it worked very well.

### **Old Business – DHMH Screening Guidelines**

Cliff Mitchell indicated that he hopes to have the screening guidelines out for review this fall, in time to focus on increasing screening in 2015. Cheryl Hall asked if this would include the screening/targeting plan. Ruth Ann Norton noted the importance of having a media strategy on expanding to pre-1978 housing and increasing screening; it is important to get into as many meetings as possible (property owners, owner-occupied, etc.) and we may want to buy media time. Cliff Mitchell noted that the costs/benefits of lifetime exposure and of a single case needed to be made clear since providers may ask why all the sudden renewed emphasis on lead if the “problem is going away.” Cheryl Hall noted that pediatricians feel many more pressing issues and child care parents often ask her why testing is needed if their child is at low risk. Cliff Mitchell questioned BLL testing as part of WIC as only two children with elevated BLLs were identified during this effort; what does the general public care? Pat McLaine noted that we don’t want to test forever, but we do want to find where the risks are and do what is needed to eliminate exposures. Ruth Ann Norton stated that we need a communication strategy to lead implementation on screenings and primary prevention.

### **Agency updates**

**MDE** – Horacio Tablada reported that the CDC grant application was submitted; Paula will share the abstract with the Commission. Ed Landon said DHCD had sent a letter of support to CDC. Pat McLaine indicated that she was informed that a support letter from the Commission was not permitted as part of the application. Horacio Tablada indicated that MDE was working on outreach to pre-1978 property owners, getting flyers to multi-housing associations, and the realtors associations, etc. MDE has prepared a fact sheet and plans to send letters out this month to pre-1978 owners who are not registered and not 00; flyers will be sent to address of record regarding expansion of the law and the on-line registration system. MDE is meeting with the multi-housing association that will do an auto data dump from their system to MDE’s system.

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Flyers will be available at the State Fair and at a meeting of realtors in Ocean City.

Horacio Tablada said that MDE appreciated the importance of an outreach effort and was trying to make it more systematic. Ruth Ann Norton asked if there was a template that could be posted on the internet. Horacio Tablada indicated that MDE is working on this – a nice template in plain language. Horacio Tablada reported that the RRP regulations were in final draft and may be ready to send to the commission for review; he is working with the AG's office and expects that MDE will publish them in late September or early October. After publication, MDE will outreach to other stakeholder meetings; MHIC is one target of interest. Ruth Ann Norton suggested that a pop up could be added to the renewal testing being done by contractors. Horacio Tablada noted that the new data base for enforcement and certificate tracking will “talk” to the registration database (a finding from earlier workgroup, since the database is not relational). MDE hopes to eventually have information available on-line. Horacio Tablada indicated that MDE will now send letters to properties registered but without certificates, notifying them about the need for certificates. Replacement of the STELLAR database is the next step. STELLAR programs are all run on Windows XP, no longer supported and not used for security reasons.

**DHMH** – nothing more to report

**DHCD** – Ed Landon reported that DHCD had hired a new manager for the targeted enhanced program, John Mello, who was willing to come to explain the program in November. Ruth Ann Norton stated that six contractors would be trained in August following a two-day training on assessment covering health, safety and lead. Ed Landon reported that there would be a public hearing in September on the new building codes, which will go into effect January 1, 2015. DHCD will train people from across the state and will include information from MDE about RRP in the training. RRP information is not in any Maryland codes offices where individuals are pulling permits on a daily basis.

**BCHD** – no updates for either health or housing

**Office of Child Care** – nothing more to report

**Maryland Insurance Administration** – nothing to report

### **New Business**

Commission vacancies – Horacio Tablada reported that MDE's Office of the Secretary has made recommendations for positions and hopes to have all seats filled by September 1, 2014.

Jody Johnson stated that she was an environmental toxicologist working with honeybees. The bees sample the environment within 2 miles of their hive. Airport fuel for small planes has lead in it and can shed lead over the environment when these small aircraft are in flight (jet liners use kerosene, not leaded gas). A paper was recently published in Italy showing how bees had been used to sample heavy metals in the environment. This method would enable scientists to look at

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the demographic distribution of lead in the outside environment, another way to sample levels of metals in the environment. If lead in children is going down, is there another metal that lead is coupled with (for example, chromium) that should be assessed.

Ruth Ann Norton reported that the Coalition is going through a major website update and would appreciate any feedback on the site. By 2015, the site will be fully bilingual. Ruth Ann Norton noted two major community meetings were being organized in Baltimore City with funding from an Environmental Justice grant from EPA; she will let the Commission know more. The Coalition wants to put a media strategy together.

Motion to adjourn the meeting was made by Ed Landon, seconded by Cheryl Hall, and passed unanimously. The meeting was adjourned at 11:30 AM.