

Legislative Analysis



LEAD ABATEMENT: REVISE EXEMPTIONS

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House Bill 4763

Sponsor: Rep. Jeff Mayes

Committee: Health Policy

Complete to 10-9-07

A SUMMARY OF HOUSE BILL 4763 AS INTRODUCED 5-15-07

Under state and federal laws, anyone engaging in lead abatement activities must be appropriately trained and certified. "Abatement" is defined generally to mean the permanent removal of lead-based paint and dust lead hazards. Currently, the act provides several exemptions, including any lead-paint activity performed by a homeowner on his or her own home.

House Bill 4763 would amend the Lead Abatement Act within the Public Health Code (MCL 333.5453) to exempt certain activities from the definition of "abatement" if performed by volunteers from, or under the oversight of, charitable organizations. Specifically, the scraping or removal of paint, painting over paint, or other similar activity that has the effect of reducing or eliminating a lead-based paint hazard, would be exempted from the definition of "abatement" if the activity met all of the following:

- The activity was performed only on residential or multifamily dwellings containing four or fewer units.
- The activity was coordinated by a nonprofit charitable or volunteer organization.
- The activity was performed only by unpaid volunteers and the organization received no remuneration directly from the owner or occupant of that residence.
- The activity did not involve the use of a lead-based paint encapsulation product that required certification from the Department of Community Health.

FISCAL IMPACT:

House Bill 4763, as introduced, will not have immediate direct fiscal implications for the Michigan Department of Community Health. Nationally, over 80% of children with high blood levels are enrolled in the Medicaid program. If the changes made by the bill result in reduced lead exposure and lead poisoning of children, over time the bill may have the fiscal impact of reducing state costs for medical services of the Medicaid program related to lead poisoning.

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