

**ASSEMBLY BILL**

**No. 358**

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**Introduced by Assembly Member Holden**

February 14, 2013

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An act to amend Section 105280 of the Health and Safety Code, relating to lead poisoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 358, as introduced, Holden. Childhood Lead Poisoning Prevention Act of 1991.

Existing law, the Childhood Lead Poisoning Prevention Act of 1991, requires the State Department of Public Health to adopt regulations establishing a standard of care, at least as stringent as the most recent United States Centers for Disease Control and Prevention blood lead level screening guidelines, under which all children are required to be evaluated for risk of lead poisoning by health care providers during each child's periodic health assessment. These provisions are to be implemented only to the extent there are sufficient fees collected from certain manufacturers and persons who significantly contributed or currently contribute, or both, to environmental lead contamination. The act defines "environmental lead contamination" as the persistent presence of lead in the environment, in quantifiable amounts, that results in ongoing and chronic exposure to children.

This bill would specify that quantifiable amounts of lead are amounts that can be accurately measured by quantitative or qualitative means, as determined by the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 105280 of the Health and Safety Code  
2 is amended to read:

3 105280. For purposes of this chapter, the following definitions  
4 apply:

5 (a) “Appropriate case management” means health care referrals,  
6 environmental assessments, and educational activities, performed  
7 by the appropriate person, professional, or entity, necessary to  
8 reduce a child’s exposure to lead and the consequences of the  
9 exposure, as determined by the United States Centers for Disease  
10 Control *and Prevention*, or as determined by the department  
11 pursuant to Section 105300.

12 (b) “Lead poisoning” means the disease present when the  
13 concentration of lead in whole venous blood reaches or exceeds  
14 levels constituting a health risk, as specified in the most recent  
15 United States Centers for Disease Control *and Prevention*  
16 guidelines for lead poisoning as determined by the department, or  
17 when the concentration of lead in whole venous blood reaches or  
18 exceeds levels constituting a health risk as determined by the  
19 department pursuant to Section 105300.

20 (c) “Department” means the State Department of *Public Health*  
21 *Services*.

22 (d) “Health assessment” has the same meaning as prescribed in  
23 Section 6800 of Title 17 of the California Code of Regulations.

24 (e) “Screen” means the medical procedure by which the  
25 concentration of lead in whole venous blood is measured.

26 (f) “Health care” means the identification, through evaluation  
27 and screening, if indicated, of lead poisoning, as well as any  
28 followup medical treatment necessary to reduce the elevated blood  
29 lead levels.

30 (g) “Environmental lead contamination” means the persistent  
31 presence of lead in the environment, in quantifiable amounts *that*  
32 *can be accurately measured by quantitative or qualitative means,*  
33 *as determined by the department,* that results in ongoing and  
34 chronic exposure to children.

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