



For a thriving New England

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**Testimony of Conservation Law Foundation  
Before the Committee on Health and Human Services  
In Support of LD 1116, An Act To Strengthen the Lead Poisoning Control Act  
March 26, 2019**

Senator Gratwick, Representative Hymanson, and members of the Committee:

My name is Phelps Turner and I am a Staff Attorney at Conservation Law Foundation, where we advocate for, among other things, homes and schools safe from toxic poisons, including lead, so that our children do not suffer the harmful health effects of these toxins.

I live in Portland with my wife and two children. I'm here today, as an advocate and as a father, to voice support for LD 1116. This bill will help prevent the lead poisoning of Maine's children and its harmful health effects on our most vulnerable population.

**Childhood Lead Poisoning is a Major Health Threat to Maine's Children**

In January 2019, the Maine Center for Disease Control & Prevention submitted a report to this Committee concerning lead poisoning, and indicating that it is "one of the major environmental health threats for children in Maine."<sup>1</sup> The report also indicates that, in young children, exposure to lead, even at very low levels, causes brain damage that can result in learning and behavioral problems, and that the national scientific consensus is that there is no safe level of lead in a child's body.

Every year, hundreds of children in Maine become lead poisoned. This poisoning remains primarily a consequence of exposure to dust from lead paint found in our state's old housing stock. Children between the ages of 9 months and 3 years are most at risk. Childhood lead poisoning can also result from exposure to lead in water, a scenario we've seen play out in Flint, Michigan.

**Universal Blood Lead Level Testing is Necessary to Protect Maine's Children**

In 2017 alone, an estimated 392 children were identified as lead poisoned in Maine. As troubling as this number is, it does not account for those children who were never tested: between 2013 and 2017, blood lead level testing rates for one-year-old children not enrolled in MaineCare ranged between 51% and 55%, and for two-year-old children not enrolled in MaineCare ranged between 24% and 26%.<sup>2</sup> A

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<sup>1</sup> Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention, "Update on Childhood Lead Poisoning Prevention in Maine 2018, A Report to the State of Maine Legislature Committee on Health and Human Services," January 2019, <https://www.maine.gov/dhhs/mecdc/environmental-health/eohp/lead/documents/screening-report-2018.pdf>.

<sup>2</sup> The testing rates for one- and two-year-olds enrolled in MaineCare are just as troubling, perhaps even more so because state and federal law requires all of these children to be tested. See 22 M.R.S. § 1317-D. Between 2013 and 2017, blood lead level testing rates for one-year-old children enrolled in MaineCare ranged between 52% and 54%, and rates for two-year-old children ranged between 35% and 37%. See "Update on Childhood Lead Poisoning Prevention in Maine 2018," *supra* note 1.



new study commissioned by the Maine Affordable House Coalition, and released just last week, estimates that every year, hundreds of lead poisoned children go undiagnosed due to Maine's low screening rates.<sup>3</sup> For instance, the report estimates that, in 2017, 164 lead poisoned children were not identified, which increases the figure of 392 children reported by the DHHS, to 556 children.

LD 1116 is critically important because we cannot fix the problems we cannot see. We cannot eradicate childhood lead poisoning when only a quarter to a half of children are being tested for lead.

- LD 1116 directly addresses this critical knowledge gap. By identifying additional lead poisoned children, the bill will prevent further lead poisoning and the associated developmental harms.
- LD 1116 also provides Maine with an opportunity to strengthen its role as a leader in battling childhood lead poisoning, a role the state played in 2015 when the Legislature revised the Lead Poisoning Control Act to lower the blood lead level reference value to 5 µg/dL.

Every other New England state has enacted laws requiring universal testing for lead poisoning. In New Hampshire, for instance, CLF and other advocates championed bill SB 247, which was signed into law by Governor Sununu a year ago last month, and which, among other things, requires all one- and two-year-olds to be tested for the presence of lead.<sup>4</sup> Similarly, Vermont has enacted universal blood lead level testing.<sup>5</sup> Maine should follow suit by passing and enacting LD 1116.

Thank you for your time and attention to this important matter.

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<sup>3</sup> Health Justice Innovations, LLC, "Comparative Assessment of Lead Poisoning Screening Practices in Maine & New England," March 2019, <http://mainehousingcoalition.org/wp-content/uploads/2019/03/Lead-Screening-Report-Final-Full-Report-2.pdf>.

<sup>4</sup> N.H.R.S.A. § 130-A:5-a.

<sup>5</sup> 18 V.S.A. § 1755.p