

GOVERNOR'S LEAD POISONING PREVENTION COMMISSION

Maryland Department of the Environment
1800 Washington Boulevard
Baltimore MD 21230

MDE AERIS Conference Room
July 2, 2015

APPROVED Minutes

Members in Attendance

Nancy Egan, Melbourne Jenkins, Susan Kleinhammer, Patricia McLaine, Cliff Mitchell, Paula Montgomery, Barbara Moore, Del. Nathaniel Oaks, Christina Peusch, Linda Lee Roberts and Tameka Witherspoon

Members not in Attendance

Edward Landon, John Scott, Ken Strong

Guests in Attendance

Shante Adams (GHHI), Peter Ashley (HUD), Rush Barnett (AMA), C.E. Bure (BCHD), Hanna Chen (BCHD), Patrick T. Connor (Connor), Laura Fox (BCHD), Monica Grinnage (Baltimore County), Syeetah Hampton-EI (GHHI), Amy Hoffman (DHMH), Mike O'Leary (BCHCD), Ryan Monroe (DHMH), Rachel Multinde (DHMH), Victor L. Powell (HUD), Marcus Richardson (Baltimore County), Christine Schifkovitz (Connor), Meghan Smith (DHMH), Scott Surrell (GHHI), Ron Wineholt (AOBA).

Welcome and introductions

Pat McLaine called the meeting to order at 9:35 am with welcome and introductions. Minutes of June 4, 2015 were reviewed. Cliff Mitchell made a motion to accept and the motion was seconded by Nancy Egan. All present commission members were in favor.

Old Business

Funding for Child Care Facilities Workgroup

The Workgroup (Liz Kelly, Christina Peusch, and Ken Strong) has not yet had a chance to meet. Christina indicated that money appears to be available for loans and grants according to DHCD.

Letters to Federal Legislators

Pat McLaine reported that the Commission had heard back only from Representative Van Hollen and read the email from his staff person.

DHMH Lead Targeting Roll-out – Communication Strategies

Cliff Mitchell reported that DHMH was still working on regulations and may be ready to discuss this at the August meeting (this would include change in targeting strategy, change in requirements for "at risk" area, change in testing requirements prior to school entry). Students will have to show that they had a lead test. Emphasis for the roll-out will be on providers. Doctor Monroe from Hopkins will assist with the roll-out.

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Dundalk 4th of July Parade

Tameka Witherspoon circulated copies of the flyer for the parade, encouraging Commissioners and guests to join, if possible. Mel Jenkins sent out emails and indicated that the property manager and team members from Dundalk would join the parade.

Education Outreach Campaign to Faith-Based Community

A flyer prepared for the Mondawmin Festival on July 11 was distributed; Baltimore City (Health and Housing Departments), Maryland Insurance Administration and Green and Healthy Homes Initiative will all be participating. Notices of Defect (NOD) paperwork will be available from Baltimore City and GHHI tables. Blood lead testing will not be provided. Work is still being done on another educational flyer on which Commission members have been given input.

Invitation to Baltimore City Health Commissioner Wen

Pat McLaine reported that Health Commissioner Wen plans to attend the August meeting at 10:30. Laura Fox asked Commissioners to let her know about any questions or concerns.

New Business - Update on Lead Enforcement Efforts including HUD support to Local and State Governments; Update on HUD's Lead and Healthy Homes Program Strategies

Victor Powell provided an overview of HUD 1018 enforcement efforts, including Lead Disclosure Rule, Lead Safe Housing Rule and Federally Funded Housing. HUD targets high risk addresses and assists in follow up with owners who fail to disclose. HUD is also interested in RRP enforcement. Paula Montgomery indicated that MDE has provided notice for Maryland's RRP regulations and is responding to comments now. Many small contractors in Baltimore are doing work without any training or certification. Paula Montgomery indicated that MDE would like to strategize a coordinated effort with Baltimore City. Rochester and Buffalo have done a very good job lately. With money being cut, maybe Maryland can increase information about the need for proper training, cleaning and inspections. Paula Montgomery indicated that Maryland law requires federal disclosure for pre-1978 housing and MDE has worked with HUD for targeted enforcement; Victor Powell indicated that HUD is interested in continuing this. Victor reported that in Buffalo, enforcement focused on an owner with 200 units where 2 children had been poisoned. As a result of efforts, all units will be made safe. Nancy Egan asked if there was any connection with home improvement licensure. Paula Montgomery stated that MDE has previously reached out to the Maryland Home Improvement Commission (MHIC) and the Department of Licensing and Regulation (DLR) but have gotten no response. Existing law requires that any jurisdiction that offers rental licenses to ensure that properties are in compliance with state law. A GHHI spokeswoman indicated that GHHI provides training to tenants, owners and contractors. Paula Montgomery indicated that contractors are a difficult group to reach. Susan Kleinhammer stated that more enforcement would be good. Paula Montgomery stated that MDE has few oversight staff for enforcement but does follow-up on complaints. However, it is difficult to catch offenders. Susan Kleinhammer suggested that Baltimore City's Department of Housing could also do enforcement. Laura Fox stated that Baltimore City Health and Housing Departments have been going out on complaints, noting that individuals are sending in videos. Baltimore City Health Department has also discussed intentional cleaning with clients and is

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sponsoring 18 block parties (June 30 – August) that are family-oriented, youth led and driven, and include messages on lead. Linda Roberts and Mel Jenkins stated they would like to see cleaning information and samples that are being handed out. Baltimore City will bring CHW/PHI team to a Commission meeting to talk about how they outreach to families.

Following additional discussion about MHIC, Paula Montgomery moved and Nathaniel Oakes seconded that the Commission send MHIC and DLR a letter identifying gaps and the need for RRP training and inviting them to attend a Commission meeting. The motion passed with one no vote (Susan Kleinhammer), all others voting yes. Paula Montgomery agreed to draft the letter, to be reviewed and approved at a later time by the Commission. Patrick Connor expressed concern about what MHIC can do – they have no enforcement ability, they have not updated their website since 2010. Should there be legislation that home improvement contractors be required to get RRP training? Possibly a legislative approach should be considered. Linda Roberts stated that the focus should be on customer service and outreach; we need to have the right people at the table. Barb Moore asked what was needed for a contractor to get a home improvement license – liability insurance, training. Patrick Connor indicated there is an exam but there are no environmental questions on the exam. Susan Kleinhammer indicated that unlicensed individuals are not following any laws and enforcement on these individuals is needed; larger licensed entities are trying to comply but get dinged. Paula Montgomery stated that many municipalities that receive HUD Section 8 do not have lead certificates on the properties. She asked if there was a list of properties that receive Section 8 funding, outside of Baltimore City. Victor Powell said that HUD has asked about HQS inspections and recommended that housing authorities require all housing authority inspectors to be RRP certified. HUD will check to see what they can do to identify these properties.

Peter Ashley reviewed information about HUD's Lead and Healthy Homes Program Strategies provided on a handout. Nationally, there are approximately 23 million homes with lead based paint hazards. Support for lead is bi-partisan. HUD will repeat its national survey in 2017-2018 and hopes to see additional changes in the national scope of the problem. Barb Moore asked about national data regarding rental and owner-occupied housing; Peter Ashley will send information. Upcoming activities include a new dust lead standard (HUD grantees have provided information about what is feasible, there is an issue of lead capability to detect lower levels) and tracking national progress (HUD is exploring metrics other than NHANES). Patrick Connor noted that Baltimore City Housing Authority implemented a program after working with the Commission's Housing Subcommittee. HQS-Section 8 inspections require that 1018 disclosure must be provided as well as all available reports and records related to lead based paint and lead hazards must be provided (MD form 330). So, Baltimore City stopped accepting applications if there was no Form 330. However, other Housing Authorities around the state did not jump on this and did not encourage a similar approach at their local levels. Victor Powell indicated that HUD can do more enforcement of Housing Authorities in Maryland and can request tenant files where there are children under age 6. Linda Roberts asked if this was for pre-78 housing; Victor Powell stated yes, but they would also narrow checks to properties with

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children less than 6 years old. Linda Roberts asked if HUD's public housing database has the date a house was built; Victor Powell responded it did not. Victor Powell said HUD could assist with training in smaller jurisdictions. Barb Moore stated that health care practitioners think that Section 8 housing is "safe", but sometimes it is not. This needs to be part of the message about the importance of lead safety. Susan Kleinhammer asked if tenants are required to keep a

property clean in order to keep their voucher; Linda Roberts indicated that their lease was between the resident and the owner. Peter Ashley stated that HUD funded research every other year and was looking at lead spot testing. Rhode Island found their law was effective where it was enforced. Peter Ashley stated that the “Healthy Homes” approach started with lead grantees but had been tougher to sell to Congress; federal agencies have had to break it down to individual issues. HUD’s strategy has been to request a Healthy Homes supplement to lead grants to fund specific items, for example smoke detectors. Cliff Mitchell noted that CDC funding for healthy homes has been eliminated at NCEH and asked if there was any possibility to develop a combined funding announcement (CDC and HUD). Peter Ashley stated this was not being planned and asked if the Injury Center was funding interventions. Peter Ashley noted that an intra-agency Healthy Homes Workgroup had met recently to identify priority actions going forward, including IPM, bedbugs and a weatherization/Healthy Homes model (GHHI). The Department of Energy had funds to sponsor training through the National Healthy Homes Training Network so that homes could be addressed holistically. Michael O’Leary stated that Baltimore City Housing Department had just trained 23 people to use the Healthy Homes rating system. The Health Department is sending additional people for training and has a few extra slots available. Paula Montgomery asked if HUD had considered lessening their requirements so local programs could get houses fixed. Maryland has had definite issues in matching applicants to available funding. Peter Ashley encouraged Maryland stakeholders to put such concerns in writing to HUD. He also indicated that the Healthy Homes website would open this month (July) and spoke about the Smoke Free Housing Initiative, which began in 2009, noting that smoking is another source for lead exposure.

Agency Updates

Maryland Department of the Environment – nothing new to report

Maryland Department of Health and Mental Hygiene – nothing new to report

Maryland Department of Housing Community Development – not present

.Maryland Insurance Administration – Nancy Egan reported that she is still trying to track down Quest to follow-up meetings held earlier. She also noted that the agency has been asked to re-examine all commissions that their staff sit on to identify if they are a valuable member of the commission. She asked if the Insurance Administration’s input was required on a monthly basis, noting that most insurers exclude lead from policies they cover, and indicated she would like to discuss this at an upcoming meeting.

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Baltimore City Health Department – Baltimore City has recently issued two press releases concerning lead in children’s jewelry, from Target and Five Below. This remains an exposure problem for children.

Office of Child Care – Liz Kelly was not present but Christina Peusch stated that a Childcare Symposium would be held on October 22, 2015. She requested assistance with training for owners/directors of child care programs. Assistance was offered by MDE, DHMH and Barb Moore from Mount Washington Pediatrics

Public Comment

GHHI reported that they are helping Lead Safe Baltimore County to identify families to take advantage of HUD grant funding received by the County. Ruth Ann Norton would like to update the Commission on the Pay for Success Initiative.

Adjournment

Barbara Moore made a motion to adjourn, seconded by Paula Montgomery. The motion was approved unanimously and the meeting was adjourned at 11:35 AM.