

# STATE OF NEW YORK

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1805

2019-2020 Regular Sessions

## IN ASSEMBLY

January 17, 2019

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Introduced by M. of A. M. G. MILLER -- read once and referred to the  
Committee on Education

AN ACT to amend the public health law, in relation to lead screening of  
any child entering pre-kindergarten, kindergarten, second or fourth  
grade

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section  
2 1376-b to read as follows:

3 § 1376-b. Lead screening. 1. Officers or employees of the state, a  
4 school district, a board or cooperative educational services, a charter  
5 school, an approved private school for the education of students with  
6 disabilities approved pursuant to paragraph e, f, g or h of subdivision  
7 two of section forty-four hundred one of the education law, an approved  
8 provider of preschool special education approved pursuant to section  
9 forty-four hundred ten of the education law or a state-supported school  
10 operating pursuant to article forty-five of the education law, shall,  
11 prior to the beginning of the school year, obtain from the parent or  
12 guardian of all children in pre-kindergarten, kindergarten, second or  
13 fourth grade, evidence that said child has been screened for lead.

14 2. Whenever there exists no evidence of lead screening as provided for  
15 in subdivision one of this section or other acceptable evidence of the  
16 child's screening for lead, such school shall provide such parent or  
17 guardian of such child with information on lead poisoning in children  
18 and lead poisoning prevention and refer such parent or guardian to a  
19 primary care provider or the local health authority.

20 3. (a) If any parent or guardian to such child is unable to obtain  
21 lead testing, such person may present such child to the health officer  
22 of the county in which the child resides, who shall then perform or  
23 arrange for such required screening.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1     (b) The local public health district shall develop and implement a fee  
2     schedule for households with incomes below the federal poverty level for  
3     lead screening pursuant to section six hundred six of this chapter,  
4     which shall vary depending on patient household income.

5     § 2. This act shall take effect immediately.