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GOVERNOR PATERSON PLEDGES TO FIGHT CHILDHOOD LEAD POISONING

Through Governor Paterson's Leadership and Existing Programs, State Already Focused on Lead Crisis

State Efforts to End Lead Poisoning Will Be Increased

Governor David A. Paterson today pledged to intensify the State's efforts to eradicate childhood lead poisoning through existing state programs and new initiatives, **while also announcing that he has vetoed two bills, A-6399-C and S.6852-B**. The pledge is part of Governor Paterson's goal to aggressively address the problem, and includes a commitment to strengthen existing programs. While commending the laudable goals of A-6399-C, Governor Paterson cited the duplicative nature and financial burden of the bill as reasons for its veto.

"Over the last several months, I have been compelled to disapprove many bills as a direct consequence of the state's fiscal crisis. A great number of those proposals were very worthy initiatives of great importance to legislators and their constituents. However, no bill pains me more to veto than this measure," said Governor Paterson. "Lead poisoning is a scourge that has plagued and destroyed the lives of too many children, the vast majority of whom live lives deprived in too many ways. I have been a vocal proponent for addressing this issue for more than two decades. Responding to this plague is and should be an obligation for everyone in government."

Governor Paterson continued: "At the outset let me emphasize that I am convinced that we can and will work with this bill's sponsors to achieve their objectives in a way that is more efficient and less financially burdensome in this time of economic duress. I have pledged to the sponsors to do that and to make such a proposal in the Executive Budget which will be presented on December 18."

Governor Paterson pledged to address lead poisoning in a number of ways, including:

- Revising regulations so that comprehensive follow-up interventions for children will be triggered when a child has a blood lead level of 15 micrograms per deciliter (mcg/dL) instead of the current level of 20 mcg/dL. The Department of Health (DOH) will also review available scientific research and data to determine if the State should further revise the threshold for comprehensive interventions to 10 mcg/dL.
- Resubmitting a DOH legislative proposal (A.11464-A/S.8179-A), that would link the statewide immunization registry and the statewide registry of children with elevated

blood lead levels, promoting timely lead screening by practitioners and improving DOH's ability to survey screening rates.

- Reviewing the results of the evaluation of the Childhood Lead Primary Prevention Program, which are expected by the end of the year. These results will help identify effective local policies and practices, which should be of value in designing future local lead poisoning prevention efforts. In addition, the Governor will propose a statutory change to make sure that the program, now known as a pilot program, is permanent.

Over the course of two years, and after years of flat funding, this administration has almost doubled the level of state funding dedicated to lead poisoning control and prevention activities in New York. In addition to funding the baseline Lead Poisoning Prevention Program (LPPP), new investments were made in 2007 and 2008 to specifically target the communities where children face the highest risk of exposure to lead-based paint. Under the Childhood Lead Primary Prevention Program (CLPPP), DOH works with city and county health officials to develop a primary prevention plan to prevent exposure to lead-based paint for children under the age of six living in the highest risk housing in areas with significant concentrations of children with elevated blood lead levels.

To date, this program has targeted areas of high incidence in seven counties (Erie, Monroe, Onondaga, Oneida, Albany, Orange and Westchester) and New York City, and DOH is currently in the process of working with local health officials to expand the CLPPP to an additional six counties. Further, an evaluation of the CLPPP is under way, which will help determine the practices and policies that are most effective in each community.

The bill vetoed today, A-6399-C, sought to target lead poisoning prevention efforts to the highest risk communities – the very same objectives undertaken by the Childhood Lead Primary Prevention Program established in 2007. Moreover, the bill would cost approximately \$50 million over a two year period – an enormous, unfunded and unplanned impact to the State's Financial Plan. Any additional funding used to enhance the State's existing lead poisoning prevention efforts should be considered during the budget process.

Under New York's LPPP, which implements the State's strategy for eliminating childhood lead poisoning, DOH actively addresses the crisis in a comprehensive manner, by requiring:

- Screening of children for lead poisoning;
- Follow-up testing, risk reduction education and nutritional counseling for each child with blood lead levels of 10 mcg/dL or greater;

- For each child with a blood lead level of 20 mcg/dL or greater, a complete diagnostic evaluation, including a detailed lead exposure assessment, nutritional assessment, and developmental screening, followed by a referral to the appropriate local or State health unit for comprehensive follow-up interventions, including environmental inspection and control of lead hazards;
- Coordination with local and federal agencies in lead poisoning prevention, detection and risk reduction activities;
- The maintenance of a statewide registry of children with elevated blood lead levels; and
- Public education and community outreach programs on lead exposure, detection and risk reduction.

Additionally, Governor Paterson vetoed S.6852-B, Senate Bill Number S.6852-B, a bill which would amend the Tax Law to provide an exemption from the Petroleum Business Tax ("PBT") for motor fuel and diesel motor fuel used by tugboats. This bill would have a negative fiscal impact on state finances – \$1.5 million in 2008-09, and \$3 million annually, thereafter. While recognizing the need to occasionally review the structure of the State's tax laws, this bill also would have set a precedent for other industries to request similar exemptions, which collectively could undermine the basic structure of this tax statute.