

HB 342-FN - FINAL VERSION

22Mar2023... 0842h

2023 SESSION

23-0201
08/10

HOUSE BILL

342-FN

AN ACT relative to lead testing in children.

SPONSORS: Rep. N. Murphy, Hills. 12; Rep. W. Thomas, Hills. 12; Rep. Rung, Hills. 12; Rep.
Newell, Ches. 4; Rep. Vail, Hills. 6; Rep. Meuse, Rock. 37

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill establishes a blood lead level testing requirement for children entering day care and public schools.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to lead testing in children.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Health and Sanitation; Physical Examination of Pupils; Lead Testing Requirement. Amend RSA
2 200:32 to read as follows:

3 200:32 Physical Examination of Pupils. There shall be a complete physical examination by a
4 licensed physician, physician assistant, or advanced practice registered nurse of each child prior to or
5 upon first entry into the public school system and thereafter as often as deemed necessary by the local
6 school authority. The result of the child's physical examination shall be presented to the local school
7 officials on a form provided by the local school authorities. ***The form shall include at least one result of***
8 ***blood lead level testing required under RSA 130-A:5-a and RSA 130-A:5-c, for children ages 6 years and***
9 ***under unless the child is exempted under RSA 130-A:5-c. If a child, ages 6 years and under, has not had***
10 ***a blood lead level test at the time of first entry to school, the school shall provide and document both***
11 ***notification to the parent or legal guardian that unless exempted by RSA 130-A:5-c, lead testing is***
12 ***required under RSA 130-A:5-a and RSA 130-A:5-c, and the distribution of written or electronic educational***
13 ***materials provided by the New Hampshire department of health and human services on the dangers of***
14 ***lead poisoning and the importance of blood lead level testing for children.*** No physical examination shall
15 be required of a child whose parent or guardian objects thereto in writing on the grounds that such
16 physical examination is contrary to the child's religious tenets and teachings.

17 2 Child Day Care, Residential Care, and Child-Placing Agencies; Records; Lead Testing Required.
18 Amend RSA 170-E:19 to read as follows:

19 170-E:19 Records. Every child day care agency shall keep and maintain such records as the
20 department shall prescribe by rule pertaining to the admission, progress, health and discharge of children
21 under the care of the child day care agency and shall report relative to such matters to the department
22 whenever called for, upon forms prescribed by rule. ***Health forms shall include at least one result of blood***
23 ***lead level testing required under RSA 130-A:5-a and RSA 130-A:5-c, unless the child is exempted under***
24 ***RSA 130-A:5-c. If the child, aged 1 to 6 years, has not had a blood lead level test at the time of***
25 ***admission, the child day care agency shall provide and document both notification to the parent or legal***
26 ***guardian that unless exempted by RSA 130-A:5-c, lead testing is required under RSA 130-A:5-a and RSA***
27 ***130-A:5-c; and the distribution of written or electronic educational materials provided by the New***
28 ***Hampshire department of health and human services on the dangers of lead poisoning and the***
29 ***importance of blood lead level testing for children.*** All records regarding children and all facts learned
30 about children and their relatives shall be kept confidential both by the child day care agency and by the
31 department.

32 3 Effective Date. This act shall take effect January 1, 2024.

33 VETOED June 29, 2023

HB 342-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2023-0842h)

AN ACT relative to lead testing in children.

FISCAL IMPACT: ☐ State ☐ County ☒ Local ☐ None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill relates to blood level testing in public schools. The Department of Education and Department of Health and Human Services state this may increase costs on local school districts to comply with the requirements of this bill; however the impact is indeterminable.

AGENCIES CONTACTED:

Department of Education and Department of Health and Human Services