

public citizens for children + youth

City Council Testimony on Proposed Lead-Poisoning Related Laws
Colleen McCauley, Health Policy Director, Public Citizens for Children and Youth
November 16, 2016

Thank you for this opportunity to speak with you today. I am Colleen McCauley, the Health Policy Director at Public Citizens for Children and Youth, a child advocacy and policy organization working on behalf of children in southeast Pennsylvania.

Last year, approximately 2,400 Philadelphia children under age 6 were poisoned by lead (at a blood lead level of greater than or equal to 5 mcg/dL). 2,400 children could completely fill 85 kindergarten classrooms. This is an obscene amount of children. If 2,400 children had *contracted measles* last year, the city would have been in 'code blue mode' dedicating substantial human and financial resources to containing the disease and preventing more kids from becoming ill. Even though lead poisoning inflicts permanent damage to kids, compared to measles which is temporary and treatable, 'code blue mode' is not how we've responded to lead poisoning.

I have been working on preventing childhood lead poisoning for the 15 years I've been at PCCY. And during that time I can tell you, and many people in the room already know, that the city has made very good progress reducing the number of children permanently injured by lead. However, with nearly 2,400 children under six poisoned in a year, we obviously still have a ways to go.

I commend City Council for taking the issue of lead poisoning seriously – particularly the council members who are sponsoring the lead poisoning prevention bills that we are discussing today.

The number one way that young children are injured from lead in Philadelphia and across the country is exposure to lead-based *paint*. Most children are poisoned by lead-paint based hazards where they spend the majority of their time – that being in their own home or in the home of another caregiver such as a child care provider. Councilwomen's Gym, Bass and Reynolds Brown bill rightly seeks to prevent children from being poisoned in home-based child care environments. Additional bills deal with lead in water, and children should not be exposed to lead in water either, so the actions described in these bills with further protect children.



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But we can't save kids for free. Protecting children from lead requires a greater financial investment – partly by increasing funding in the city budget. In the case of home-based child care providers, for example, many of them have small incomes and will not be able to afford the thousands of dollars it often costs to remediate lead hazards if they are found in their property. The providers could go out of business and the city could lose these child care resources *or* additional funds could be budgeted to help low-income providers remediate their properties – similar to the Philadelphia Department of Health's successful Healthy Homes for Child Care program where low-income, home-based providers voluntarily had their properties tested for lead and other hazards and funds were available to remediate. State funding for the program was unfortunately discontinued.

Funds can also be raised by collecting fines and other fees assessed to landlords who violate housing codes. There are a lot of landlords who adhere to the property maintenance codes and keep kids safe in their properties. Some landlords violate the codes. The majority of children in Philadelphia are poisoned by lead hazards in a rental property. Data is unavailable regarding how many are licensed and unlicensed rental properties.

I commend the administration for looking into how to remove lead hazards in homes. Two key city departments are talking to each other - the health department and L & I – the two key entities that need to coordinate their efforts to implement and strengthen the current lead law.

At PCCY, we've been talking to leadership in both of these departments. L & I reports that they have 55 property maintenance inspectors for approximately 80,000 *licensed* rental properties. Inspectors inspect these properties when *tenants contact them with complaints*. Inspectors do not routinely pro-actively inspect rental properties to check if owners are complying with property maintenance codes – yet building Philadelphia's capacity to do pro-active inspections could significantly improve conditions for kids.

The City of Rochester, New York is a case in point. Rochester has required pro-active inspections to assess for compliance with housing codes since 1970, *and* it has a strong lead law in place for an inspector to act on if he/she identifies a possible lead hazard violation during the inspection. Since the inception of Rochester's lead ordinance in 2006, the number of poisoned kids has been reduced by more than 80%.

Rochester is a much smaller city in comparison to Philly, a population of 210,000 compared to Philly's 1.5 million residents, yet both cities have a high share of residents who are low income and who live in rental properties. It's not an apples to apples comparison of housing rules in these two cities either, but I think Philly still has something to learn from Rochester. Rochester has 53,000 housing units, and depending on the number of units in a single premise, the premise requires inspection either every 3 or 6 years.

Designated "High Risk Areas" for lead poisoning cover two thirds of the city, so if a property in one of these areas passes an inspector's visual inspection for lead hazards during the regular inspection process, it *still* must have a lead dust wipe test performed to ensure there are no unseen lead hazards. Each year Rochester's 26 inspectors perform visual inspections in approximately 14,000 units and conduct lead dust wipe tests in about 2,500 units. And they have gotten this done *despite* a drop in the number of inspectors since the lead law was enacted.

With Rochester's steep reduction in poisoned children, I think we should look more closely at what that city has done and what may be replicable in Philadelphia to strengthen our existing lead law.

I applaud the City Council members gathered here today who are championing thoughtful policies to protect our youngest citizens from permanent damage caused by lead. The *great* news is that lead poisoning is *entirely* preventable. We know how to keep kids safe and healthy. Together, let's craft sound, efficient, cost-effective and expeditious public policy to save the *very next child* from permanent damage.