

ORIGINAL                       UPDATED  
 CORRECTED                       SUPPLEMENTAL

**LRB # -3556/2**  
**INTRODUCTION # SB 232**  
 Admin. Rule #

**Subject**  
Changes to lead poisoning prevention statutes.

**Fiscal Effect**  
 State:  No State Fiscal Effect  
 Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

<input type="checkbox"/> Increase Existing Appropriation <input checked="" type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Create New Appropriation	<input checked="" type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Decrease Costs
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Local:  No local government costs

1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<b>Fund Sources Affected</b> <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>Affected Ch. 20 Appropriations</b> 20.435 (5) (ef), 20.435 (1) (gm)
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**Assumptions Used in Arriving at Fiscal Estimate:**

See attached narrative

**Long-Range Fiscal Implications:**

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SB232 proposes numerous changes in the lead poisoning prevention and control statutes. These provisions include requiring owners of occupied dwellings constructed before January 1, 1950, to meet specified maintenance and treatment requirements, unless their properties are found to be either lead-free or free of lead-bearing paint hazards. The bill also provides immunity from liability to property owners and their employees and agents from damages relating to lead poisoning or lead exposure if their property has received one of three types of certificates specified in the bill.

SB 232 also creates a continuing general purpose revenue (GPR) appropriation in the Department's budget of \$2,500,000. This funding will begin in FY01 and is to be used to fund lead-bearing paint hazard reduction activities. Priority is given to grants and interest-free, deferred-payment loans to reduce lead hazards in housing and for the additional purposes of doing lead poisoning education and lead inspections and the expansion of lead poisoning prevention programs to additional counties.

The bill will principally affect two programs in the Department's Division of Public Health. These programs are the Wisconsin Childhood Lead Poisoning Prevention Program (WCLPP) in the Bureau of Environmental Health and the Lead Training Accreditation and Certification Program of the Bureau of Occupational Health.

#### **THE WISCONSIN CHILDHOOD LEAD POISONING PREVENTION PROGRAM (WCLPP)**

The Wisconsin Childhood Lead Poisoning Prevention Program (WCLPP) in the Bureau of Environmental Health provides grants, technical support and consultation to local health departments for the expansion and development of childhood lead poisoning prevention programs. The program also serves as a resource to Wisconsin citizens about childhood lead poisoning health concerns, issues and preventive measures.

SB 232 will bring a substantial increase in responsibilities for WCLPP. It will be necessary to enhance existing infrastructure for program administration, technical support and consultation. It is assumed that additional responsibilities for WCLPP will include:

- Administering a statewide abatement fund and lead program.
- Promulgating administrative rules.
- Statewide expansion and monitoring of local childhood lead poisoning programs and data collection.
- Increased screening, case follow-up and environmental assessments for lead poisoned children.
- Provision of technical assistance and consultation from DHFS professional staff.

#### **WCLPP Fiscal Estimate**

The WCLPPP will administer the lead abatement funds, oversee statewide expansion of childhood lead poisoning prevention activities and data collection, oversee the screening, follow-up and environmental assessments for lead poisoned children and provide technical assistance and consultation to local health departments, managed care organizations and others. The increase in duties will necessitate several new positions. The estimated total annual cost for these positions is \$233,000, with one-time costs of \$19,200. A table summarizing the fiscal effects of the following positions can be found at the end of this fiscal estimate.

- **Environmental Health Supervisor** – This position will be responsible for directing the activities of the WCLPPP. This includes the supervision of contractual employees and the existing lead FTEs who engage in childhood lead poisoning prevention activities.

- **Research Analyst 5** – This position will oversee the collection and analysis of lead data and prepare statistical reports and summaries. This would require knowledge of SAS and the CDC database, Stellar.
- **2 FTEs Environmental Health Specialist, Advanced** – These positions will be responsible for providing statewide technical assistance and completing environmental assessments. As well, they will work with the DOA, Division of Housing, to provide oversight for properties abated with state tax dollars, including wipe tests, visual inspection and other activities.

**Impact on Local Health Departments**

SB232 requires that all facilities serving children under age 6 obtain written evidence that each child less than 6 years has obtained a lead screening. It is estimated that this will double the number of 63,000 children who are currently being screened. The increased screening will identify more children with elevated blood lead levels who are in need of follow-up services, resulting in greater cost for local health departments. The estimated cost for screening is \$315,000. The estimated cost for follow-up is \$252,000. This estimate is based on the projection that 10% of the 63,000 children will have blood leads  $\geq$  10 ug/dl. These 6,300 children will require follow-up services, estimated at a cost of \$40/child.

In addition, the bill includes a provision requiring the Department to conduct a lead inspection of any dwelling with a child under the age of 6 who has one venous blood lead level of 20 g/dL or two consecutive venous levels of 15 g/dl or more that are performed at least 3 months apart. It is estimated that compliance with this provision will require 1,100 additional inspections per year at a cost of \$600 per inspection, which includes 10 paint chip and/or dust samples. It is expected that local health departments will complete the majority of these inspections with an estimated cost of \$660,000 annually.

As a result, the estimated annual total cost to local health departments for compliance with SB232 is \$1,227,000.

**LEAD TRAINING ACCREDITATION AND CERTIFICATION PROGRAM**

The Lead Training Accreditation and Certification Program of the Bureau of Occupational Health will administer the lead risk assessment certificate program, including accreditation of training courses, certification of persons to perform lead-based paint activities, development, monitoring and enforcement of the lead risk assessment certificates, and development, implementation and enforcement of additional work practice requirements. Currently, there are 12 state certified lead inspectors and 62 state certified lead risk assessors who are not government employees and who may be available to perform lead inspections and lead risk assessments. Training for certified risk assessors includes prerequisite worker safety training (usually a 1-day course), a 3-day lead inspector course, and a 2-day lead risk assessor course. Additional education and experience prerequisites also exist. Currently, there are 3 accredited lead (Pb) inspector and lead (Pb) risk assessor courses/providers in Wisconsin available to prepare individuals for certification.

**Lead Certification Fiscal Estimate**

SB 232 requires any occupied dwelling built before 1950 to receive a lead assessment, inspection, or clearance after lead hazard reduction activities have been conducted. The following table is from the Department of Administration report of households by tenure, income group and age of occupied unit, which indicates a total of 856,397 dwelling units built prior to 1950.

Year	Owner-occupied Units	Rental Units
Pre1940	308,050	176,391
1940-1949	267,692	104,264
<b>Total:</b>	<b>575,742</b>	<b>280,655</b>

Each risk assessment takes approximately 8 hours to complete. One risk assessor working full time (48 weeks) can complete approximately 240 risk assessments per year. In addition, the bill requires that each unit be periodically reassessed, which is assumed to occur every five years. Therefore it is estimated that approximately 160,000 units will be assessed each year. It is assumed that these units will be issued a lead certificate and registered with the Department at a registration fee of \$5. This assumes the Department will be granted the authority to collect such a registration fee to cover administrative costs, which is not explicitly stated in the currently proposed legislation. As a result, the expected annualized number of assessments is expected to be approximately 160,000, which will generate an estimated \$800,000 in annual program revenues.

In addition, it is estimated that over a two-year period that an additional 600 people will meet the education and experience prerequisites and will be trained and certified as risk assessors. The annual certification (licensure) fee is \$175 for an increase in program revenues of \$105,000 each year. In addition, it is estimated that these 600 assessors will be employed by 500 companies, which will be required to pay for a \$50 annual fee, which will generate an estimated \$25,000 in annual program revenues. The total for these two licensures is \$130,000 annually. The Department also expects to increase the number of licenses for the lead abatement supervisors and workers. However, no reliable fiscal estimate can currently be determined.

#### **Lead Certification Program Staff Costs**

The increase in duties will necessitate several new positions. The estimated total annual cost for these positions is \$225,200, with one-time costs of \$24,000. A table summarizing the fiscal effects of the following positions can be found at the end of this fiscal estimate.

- ❑ **1 FTE Regulatory Specialist 3** – This position will be responsible for coordinating the activities of the staff who enforce certification (licensure), work-site work practices, and issuance of lead risk assessment certificates. This position will also take the lead in promulgating applicable Wisconsin Administrative Codes. Many of these duties are currently shared by other staff, who will then be freed up to take on the additional enforcement and staff activities that are needed to support the proposed requirements.
- ❑ **1 FTE Environmental Health Specialist, Senior** – This position will be responsible for providing statewide verification of the accurate issuance of certificates, work practice compliance activities, complaint investigations and technical assistance.
- ❑ **1 FTE Regulatory Specialist 2** – This position will be responsible for monitoring the lead risk assessment certificate database, comparing it against the property database for compliance, and issuing notices of noncompliance when a required certificate is not on file. This position will also provide support to other enforcement activities.
- ❑ **2 FTEs Program Assistant 2** – These positions will be responsible for processing certification (licensure) applications of new industry professionals, e.g., additional inspectors and risk assessors. In addition, they will be responsible for entering certificate information into a certificate database, to be developed, and for resolution of errors in the data.

#### **Other Annual Costs**

- ❑ Annual special scanning supplies - \$10,000
- ❑ Annual (post migration) maintenance of database application - \$50,000

#### **Other One-time Costs**

- ❑ Modification and migration of existing database system to accommodate increased data and comply with state database software standards are estimated to cost \$400,000
- ❑ Optical scanning/data entry equipment is estimated to cost \$100,000
- ❑ Printing and mailing notices to affected entities. Costs are estimated to be \$0.25 for postage and \$0.25 for printing of 800,000 notifications for a total of \$400,000.

**FISCAL ESTIMATE WORKSHEET**

Detailed Estimate of Annual Fiscal Effect

1999 Session

- ORIGINAL     UPDATED  
 CORRECTED     SUPPLEMENTAL

LRB # -3556/2

Admin. Rule #

INTRODUCTION # SB 232

**Subject**

Changes to lead poisoning prevention statutes.

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**  
 \$943,200

<b>II. Annualized Costs:</b>		<b>Annualized Fiscal impact on State funds from:</b>	
		<b>Increased Costs</b>	<b>Decreased Costs</b>
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$ 391,100	\$ -
(FTE Position Changes)		( 9.0 FTE)	(- FTE)
State Operations - Other Costs		113,200	-
Local Assistance			-
Aids to Individuals or Organizations		2,500,000	-
<b>TOTAL State Costs by Category</b>		<b>\$ 3,004,300</b>	<b>\$ -</b>
<b>B. State Costs by Source of Funds</b>		<b>Increased Costs</b>	<b>Decreased Costs</b>
GPR		\$ 252,200	\$ -
FED			-
PRO/PRS		252,100	-
SEG/SEG-S			-
<b>State Revenues</b>	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS		930,000	-
SEG/SEG-S			-
<b>TOTAL State Revenues</b>		<b>\$ 930,000</b>	<b>\$ -</b>

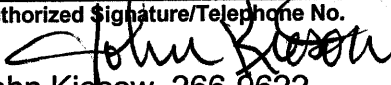
**NET ANNUALIZED FISCAL IMPACT**

STATE

LOCAL

NET CHANGE IN COSTS                    \$ 3,004,300 \_\_\_\_\_                    \$ 1,227,000 \_\_\_\_\_

NET CHANGE IN REVENUES                \$ 930,000 \_\_\_\_\_                        \$ \_\_\_\_\_

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