

Local laws key to reducing dangers of lead poisoning

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A new study appearing this week in the *Journal of Health Politics, Policy, and Law* catalogues community-based efforts to develop strategies and policies that – by targeting high risk housing – may hold the key to reducing lead hazards in children's homes.

"Lead poisoning has long been characterized as a health problem with a housing solution," said Katrina Korfmacher, Ph.D., director of the [Community Outreach](#) and Engagement Core of the University of Rochester Medical Center (URMC) [Environmental Health Sciences](#) Center and co-author of the study. "It is, therefore, critical that local communities – where the ability to regulate private housing often resides – understand the unique role that they can play in reducing exposure."

Lead is recognized as the most significant environmental hazard to children in the U.S. Federal laws – most notably the banning of lead from gasoline in 1976 and paint in 1978 – have been critical to reducing exposure to lead. While these and other federal and state actions have contributed to the [rapid decline](#) in the overall rates of [childhood lead poisoning](#), rates remain high in some communities and are particularly pronounced in low income urban areas with older rental housing.

The majority of lead poisoning occurs by ingesting lead contained in dust, paint, and soil in and around homes built prior to the ban on lead paint. Children with elevated blood lead levels are more likely to reside in low income urban communities; studies have shown that while an estimated 19 percent of homes nationwide contain lead hazards, this

number rises to 35 percent in homes of individuals below the federal poverty line. In Rochester, more than 86 percent of the housing stock was built prior to the [federal ban](#) on lead paint.

"Lead safety is largely a function of maintenance – intact leaded paint is typically not hazardous unless it is disturbed and released into the environment," said Michael Hanley with the Empire Justice Center, co-author of the study. "Consequently, local lead abatement efforts recognize that lead hazards are related to how owners maintain houses that contain lead paint."

Medical research shows that lead exposure has significant health, learning, and behavioral effects, even at levels previously thought to be safe. These findings – and the realization that the economic cost of lead poisoning in the form of medical care, special education, and criminal justice are frequently borne by local communities and taxpayers – have given rise to several community-based efforts to make homes lead safe.

In Rochester, the disclosure in 2001 that rates of lead poisoning in children exceeded national rates by 10 fold became a rallying cry for action. The subsequent grassroots outreach, education, and advocacy efforts – led by organizations such as the Coalition to Prevent Lead Poisoning – resulted in the passage of a historic lead abatement ordinance by the City of Rochester in 2005.

Over the last several years, more than a dozen municipalities across the country have enacted or amended local lead laws. The study out this week examined local lead abatement efforts in eight communities: Rochester, Burlington, VT, Chicago, Cleveland, Detroit, Philadelphia, San Diego, and Washington, DC.

The study found that local laws can be highly effective tools to address lead hazards. Specifically, because lead hazards are linked to housing

and municipalities typically have the ability to regulate private housing through code enforcement. In Rochester, the new lead abatement ordinance requires regular inspections for [lead paint](#) hazards as a part of the city's certificate of occupancy process for rental properties.

The City of Rochester also works with the Monroe County Department of Public Health to identify neighborhoods with high concentrations of children with elevated blood lead levels and revise designations of "high risk" zones within the city, subjecting homes in these areas to a higher level of scrutiny. These efforts have resulted in a 68 percent decline in the number of children with elevated blood lead levels since the new law went into effect in 2006.

"The Rochester model accepts as its premise the critical need to gain entry to the highest risk housing," said Korfmacher. "This was the rationale for targeting rental housing over owner occupied and for establishing a higher standard for inspection within geographically designated high risk areas."

Additionally, local laws are often more easy to modify to adapt to changing circumstances over time, compared to federal and state laws. The goal of the study, say the authors, is to provide other communities with a blueprint upon which to model their efforts to reduce lead poisoning.

"Local lead laws must operate in a complex legal environment of case, state, and federal laws," said Hanley. "These challenges – along with the technical knowledge necessary to inspect, address, and monitor lead hazards – are often daunting for municipalities. It is our hope that the information in this report will enable communities to tailor lead abatement policies to their legal, housing, and economic circumstances."

The study was funded by the Robert Wood Johnson Foundation's Public

Health Law Research program and was published in a special issue of the *Journal of Health Politics, Policy and Law*. The research was conducted by the URMC in partnership with the Empire Justice Center and the National Center for Healthy Housing (NCHH), a nonprofit corporation dedicated to creating healthy and safe homes for children.

"NCHH has been following Rochester's work on [lead poisoning](#) prevention for years," said Rebecca Morley, the executive direction of NCHH. "We regularly reference it as a model and a success story for other jurisdictions to adopt. The reductions in blood lead levels and safer housing resulting from the ordinance will pay dividends for Rochester city schools. Reducing [lead](#) hazards in housing is one of the most cost effective public health interventions we can offer our children."

More information: Results from six studies investigating various public health laws were published online today in the special issue of the *Journal of Health Politics, Policy and Law*. The studies cover the topics of HPV vaccination policies, lead poisoning prevention laws and specialty courts, state contraceptive mandates, the impact of zoning on walkability, and drug patent laws in India.

Provided by University of Rochester Medical Center

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