Senate Study Bill 2164

Conference Committee Text

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1 1 Section 1. NEW SECTION. 135.105A LEAD INSPECTOR AND LEAD
1 2 ABATER TRAINING AND CERTIFICATION ESTABLISHED.
1 3 1. The department shall establish a program for the
1 4 training and certification of lead inspectors and lead abaters
1 5 who provide inspections and abatement for monetary
1 6 compensation. The department shall maintain a listing,
1 7 available to the public and to city and county health
1 8 departments, of lead inspectors and lead abaters who have
1 9 successfully completed the training program and have been
1 10 certified by the department. A certified lead inspector is
1 11 prohibited from also obtaining certification as a lead abater.
1 12 2. The department shall also establish a program for the
1 13 training of painting, demolition, and remodeling contractors
1 14 and those who provide mitigation control services for monetary
1 15 compensation. The training shall be completed on a voluntary
1 16 basis.
1 17 3. A person who owns or manages real property is not
1 18 required to obtain certification to conduct mitigation control
1 19 or abatement measures of property which the person owns or
1 20 manages. However, the department shall encourage property
1 21 owners and managers to complete the training course to ensure
1 22 the use of appropriate and safe mitigation and abatement
1 23 procedures.
1 24 4. Beginning January 1, 1997, a person shall not perform
1 25 lead abatement or lead inspections for compensation unless the
1 26 person has completed the departmental training program and has
1 27 obtained certification. Beginning July 1, 1997, a person who
1 28 violates this section is subject to a civil penalty not to
1 29 exceed five thousand dollars for each offense.
1 30 Sec. 2. NEW SECTION. 135.105B MINIMUM STANDARDS &endash;
1 31 HEALTH AND ENVIRONMENTAL MEASURES &endash; CONFIRMED CASES OF LEAD
1 32 POISONING.
1 33 1. The department shall develop minimum standards which
1 34 may be used to develop and administer local programs to
1 35 address the health and environmental needs of children who are
2 1 confirmed as lead poisoned.
2 2 2. The minimum standards shall be based upon existing
2 3 local ordinances that address the medical case management of
2 4 children's health needs and the mitigation of the
2 5 environmental factors which contributed to the lead poisoning.
2 6 3. Following development of the minimum standards, cities
2 7 and counties are not required to develop and administer local
2 8 programs based upon the standards. However, a city or county
2 9 may elect to utilize the standards in developing and
2 10 administering local programs through city or county health
2 11 departments on a city, county, or multicounty basis or may
2 12 request that the state develop and administer the local
2 13 program.
2 14 Sec. 3. ADOPTION OF RULES. The department shall adopt
2 15 rules by October 1, 1996, regarding training, certification,
2 16 suspension, and revocation requirements and shall implement
2 17 the training and certification program established in section
2 18 135.105A no later than December 1, 1996. The department shall
2 19 seek federal funding and shall establish fees in amounts
2 20 sufficient to defray the costs of the training and
2 21 certification program.

EXPLANATION

This bill requires the Iowa department of public health to establish a training and certification program for lead inspectors and persons who perform lead abatement for monetary compensation. The department is required to adopt rules for the program by October 1, 1996, and to implement the program by December 1, 1996. A person is prohibited from certification as both a lead inspector and a lead abater. The department is to maintain a listing available to the public and to city and county health departments of lead inspectors and lead abaters who have successfully completed the training program and have been certified. Beginning January 1, 1997, a lead inspector or lead abater is prohibited from performing lead inspections or lead abatement if the person is not certified. A person who is not certified to perform inspections or abatement and who performs inspections or abatement for monetary compensation beginning July 1, 1997, is subject to a civil penalty not to exceed $5,000 for each offense.

The bill also directs the Iowa department of public health to develop a voluntary training course for painting, demolition, and remodeling contractors and for those who provide mitigation control services for compensation. Training and certification are not required for these individuals under the bill.

The bill also provides that real property owners or managers are not required to be certified to perform mitigation or abatement measures on the property that the person owns or manages. However, the bill directs the department to encourage property owners and managers to participate in the training course to ensure the use of appropriate and safe procedures.

The bill also directs the Iowa department of public health to develop minimum standards for the development and administration of local programs to address the health and environmental needs of children who are confirmed to be lead poisoned. Local communities are not required to implement their own programs based upon the minimum standards; however, cities and counties may utilize the minimum standards in developing their own programs or may request that the state administer a local program based upon standards that meet or exceed the minimum standards.

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