

NOTICE OF INTENT

Department of Health Office of Public Health

Blood Lead Reference Value and Reporting (LAC 48:V.Chapter 70)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Department of Health (LDH) proposes to amend LAC 48:V.Chapter 70 to specify the blood lead reference value consistent with the Centers for Disease Control and Prevention (CDC) and to update the contact information for the Louisiana Childhood Lead Poisoning Prevention Program (LCLPPP).

Title 48

Public Health—General

Part V. Preventive Health Services

Chapter 70. Lead Poisoning Prevention Program

§7001. Relationship of Local and State Poisoning Prevention Programs

A. The local lead prevention program shall collaborate with the state Childhood Lead Poisoning Prevention Program at the Office of Public Health and adhere to current Centers for Disease Control and Prevention guidelines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5; 40:1285.1; 40:1285.2; and 40:1285.3.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85, (January 2000); amended LR 27:52 (January 2001), amended by the Department of Health, Office of Public Health, amended LR 51:

§7003. Definitions

A Case of Lead Poisoning (in children between the ages of six months to 72 months of age)—

1. a venous blood-lead level greater than or equal to 3.5 µg/dl (micrograms per deciliter);

2. - 3. ...

Clinical Laboratory—a facility for the biological, microbiological, serological, chemical, immunohematological, hematological, biophysical, cytological, pathological, or other examination of substances derived from the human body for the purpose of providing information for the diagnosis, prevention, or treatment of any disease, or in the assessment or impairment of the health of human being.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5; 40:1285.1; 40:1285.2; and 40:1285.3.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85, (January 2000); amended LR 27:52 (January 2001), amended by the Department of Health, Office of Public Health, amended LR 51:

§7005. Mandatory Blood Lead Screening of Children in High Risk Geographical Areas

A. - B.2. ...

3. blood lead levels >3.5µg/dl obtained from finger stick samples will be confirmed using a venous blood sample.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5; 40:1285.1; 40:1285.2; 40:1285.3; and 40:1285.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85 (January 2000), amended LR 27:52 (January 2001), LR 31:1588 (July 2005), LR 34:2173 (October 2008), amended by the Department of Health, Office of Public Health, amended LR 51:

§7007. Mandatory Case Reporting by Health Care Providers

A. Medical providers must report a lead case, which is indicated by a blood lead test result of >3.5µg/dl (micrograms per deciliter), to the Childhood Lead Poisoning Prevention Program, Office of Public Health within 24 working hours to ensure appropriate and timely follow-up. All health care providers shall assure that all the following information is submitted to the testing laboratory with all ordered blood lead samples for analysis and/or submitted

with all lead case reports to the Lead Poisoning Prevention Program:

A.1. - 14. ...

B. Lead cases, along with the specified information shall be reported within 24 business hours by fax to the Lead Poisoning Prevention Program, Office of Public Health at 225-242-0496 and the original lead case reporting form shall be mailed within five business days to the Louisiana Childhood Lead Poisoning Prevention Program Office at 1450 Poydras St. Suite 1631, New Orleans, LA 70112.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5,40:1285.1; 40:1285.2; 40:1285.3; and 40:1285.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85 (January 2000), amended LR 27:52 (January 2001), LR 31:1588 (July 2005), LR 34:2174 (October 2008), amended by the Department of Health, Office of Public Health, amended LR 51:

§7009. Reporting Requirements of Blood Lead Levels by Laboratories and by Health Care Providers Performing Office-Based Blood Lead Analyses for Public Health Surveillance

A. Health care providers who conduct blood lead level screenings using a Clinical Laboratory Improvement Amendments (CLIA) waived blood lead analysis device to determine blood lead levels and clinical laboratories responsible for conducting analysis to determine blood lead levels for health care providers and/or for referring laboratories, shall also report all results to the Louisiana Childhood Lead Poisoning Prevention Program by electronic transmission in a format consistent with the Center for Disease Control and Prevention (CDC) guidelines for uniform reporting of blood lead results to state and local health departments as available at <https://ldh.la.gov/page/electronic-laboratory-reporting-elr-in-louisiana>.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5,40:1285.1; 40:1285.2; 40:1285.3; and 40:1285.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85 (January 2000), amended LR 27:53 (January 2001), LR 31:1588 (July 2005), LR 34:2174 (October 2008), amended by the Department of Health, Office of Public Health, amended LR 51:

Family Impact Statement

The proposed rule is not anticipated to have an impact on family, formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule is not anticipated to have an impact on any child, individual, or family as defined by R.S. 49:973.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed rule. This proposed rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on staffing requirements, qualifications, and cost for providers as defined by HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than July 10, 2025 at close of business, 4:30 p.m., and should be addressed to Jonathan Whipple, Program Monitor, Louisiana Childhood Lead Poisoning Prevention Program, P.O. BOX 60630, New Orleans, LA 70160 or emailed to Jonathan Whipple at jonathan.whipple@la.gov.

Public Hearing

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Thursday, July 10, 2025. If the criteria set forth in R.S. 49:961(B)(1)) are satisfied, LDH will conduct a public hearing at 10 a.m. on Friday, July 25, 2025, in Room 117 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Thursday, July 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Bruce D. Greenstein
Secretary
and
Ralph L. Abraham, M.D.
Surgeon General

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Blood Lead Reference Value and Reporting

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Office of Public Health is approximately \$500 in FY 25 for the notice and rule publication in the *Louisiana Register*.

The proposed rule amends LAC 48:V.Chapter 70 to update the Louisiana Childhood Lead Poisoning Prevention Program's regulations in alignment with current Centers for Disease Control and Prevention (CDC) guidance. Specifically, the rule lowers the blood lead reference value to 3.5 micrograms per deciliter and updates mandatory screening and case reporting requirements for healthcare providers and laboratories. The rule also clarifies reporting procedures, submission timeframes, and updated contact information for the Office of Public Health. These changes are intended to improve the early identification and intervention of lead exposure in children and ensure timely reporting for public health surveillance. No new service obligations are imposed beyond aligning with CDC recommendations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no known estimated costs and/or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment.

Tonya Joiner
Assistant Secretary
2506#049

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person Preparing Statement:	<u>Jonathan Whipple</u>	Dept:	<u>LDH</u>
Phone:	<u>504-568-8915</u>	Office:	<u>OPH</u>
Return Address:	<u>P.O. Box 60630</u>	Rule Title:	<u>Lead Poisoning Prevention Program</u>
	<u>New Orleans, LA 70160</u>	Date Rule Takes Effect:	<u>Upon Promulgation</u>

SUMMARY

(Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

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IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment.

Tanya Joiner
Signature of Head or Designee
Tanya Joiner, Assistant Secretary
Typed Name & Title of Agency Head or Designee
6/9/25
Date of Signature

Patrice Thomas, Deputy Fiscal Officer
Legislative Fiscal Officer or Designee
6/10/2025
Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule amends LAC 48:V.Chapter 70 to update the Louisiana Childhood Lead Poisoning Prevention Program's regulations in alignment with current Centers for Disease Control and Prevention (CDC) guidance. Specifically, the rule lowers the blood lead reference value to 3.5 micrograms per deciliter and updates mandatory screening and case reporting requirements for healthcare providers and laboratories. The rule also clarifies reporting procedures, submission timeframes, and updated contact information for the Office of Public Health. These changes are intended to improve the early identification and intervention of lead exposure in children and ensure timely reporting for public health surveillance. No new service obligations are imposed beyond aligning with CDC recommendations.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The proposed rule amends LAC 48:V.Chapter 70 to update the Louisiana Childhood Lead Poisoning Prevention Program's regulations in alignment with current Centers for Disease Control and Prevention (CDC) guidance and to update the contact information for the Louisiana Childhood Lead Poisoning Prevention Program (LCLPPP).

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule revision will not require any additional funding or expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ YES. If yes, attach documentation.

(b) X _____ NO. If no, provide justification as to why this rule change should be published at this time

Office of Public Health has determined that proposed rule changes are in the public's best interest.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 25	FY 26	FY 27
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	\$500	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	\$0	\$0	\$0
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state agencies resulting from the promulgation of the proposed rule change. The cost for the Office of Public Health is approximately \$500 in FY 25 for the notice and rule publication in the Louisiana Register.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$500	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes. The agency currently has sufficient funds to implement the proposed action.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There are no reporting requirements being placed on local governmental units. Therefore, the Department does not anticipate any impacts, whether additional costs or savings, to local governmental units including adjustments in workload and paperwork requirements, that will result from the promulgation of this rule.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

The proposed rule change will not impact sources of funding of local governmental units.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
LOCAL FUNDS	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The proposed rule changes will not affect revenue collections for state or local governmental units.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

- A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

There are no known estimated costs and/or economic benefits to directly affected persons, small businesses, or non-governmental groups.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed rule change will not have an effect on receipts or income.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There are no known effects on competition and employment.

From: [Jonathan Whipple](#)
To: [Gabrielle Lewis \(LDH\)](#)
Subject: Re: Public Hearing Requests/Public Comments for Lead Poisoning Rules
Date: Thursday, July 17, 2025 5:23:52 PM
Attachments: [image001.png](#)

Hello!

That's correct. I have not received any inquiries regarding the Lead Poisoning rules.
~ Jonathan

On Jul 17, 2025, at 5:11 PM, Gabrielle Lewis (LDH) <Gabrielle.Lewis3@la.gov> wrote:

Hi Jonathan,

I know we spoke via phone. Could you reply to this email as confirmation/verification that you received no PH Requests nor Public Comments for the Lead Poisoning rules?

Gabrielle A.E. Lewis, Esq., MPA

Rulemaking Liason, Bureau of Legislative & Regulatory Affairs
Louisiana Department of Health | Office of Public Health
Cell: (318) 439-3125

<image001.png>

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