



Ohio Healthy Homes Network

SENATE FINANCE SUBCOMMITTEE ON HEALTH AND MEDICAID

Chairman Hackett

Vice Chair Tavares

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Patricia Barnes

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Written Testimony

Chairman Hackett, Vice Chair Tavares, and members of the Senate Finance Health and Medicaid Subcommittee, I am Patricia Barnes Executive Director of the Ohio Healthy Homes Network (OHHN). Our mission is to promote healthy, safe and affordable housing for people of all ages.

Preemption of Local Lead Laws

I am speaking in opposition to the preemption of local lead laws in the budget. The preemption was targeted at Toledo's Lead Ordinance but would have an impact on local lead ordinances across the state. For example, preemption would eliminate codes declaring lead-based paint a "public health nuisance". It would strike laws on lead paint disclosure in real estate transactions. It would even impact the abatement of lead in drinking water service lines, currently regulated by the Ohio EPA, not the Ohio Department of Health.

Why is the preemption issue important? Because Ohio's lead law by itself cannot protect children from exposure to lead. Our state law only allows a health department to act after a child is poisoned. In 2015, 4,500 children were lead poisoned, making Ohio 3rd in the nation. 3.6 million housing units were built before 1979. We need coordinated action by both state and local governments to protect children from lead.

Toledo's Lead Ordinance was modeled after a similar ordinance in the City of Rochester. Like Rochester, Toledo opted to focus the law on 1-4 unit properties because the city's lead poisoning cases tend to occur in small rentals. Toledo also

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adopted Rochester's inspection approach, one that requires only interim controls and not abatement, to achieve compliance. Rental property owners responding to a first-year evaluation of Rochester's lead ordinance reported little impact on rents or vacant units. Lead poisoning rates have significantly declined in Rochester in the 10 years the lead ordinance has been in effect.

Lead Study Group

A better alternative to preempting all local lead laws is to refer the issue to a Lead Study Group. OHHN has been working with Senator Lehner to create a Lead Study Group that would meet over 12-18 months, involve a diverse group of stakeholders, and develop recommendations to improve Ohio's lead law (Chapter 3742). The Lead Study Group would have the time and diverse viewpoints to weigh the pros and cons of local vs. state laws and develop a consensus position.

Medicaid Abatement Funds

OHHN strongly supports the \$5 million in Medicaid funds in the budget for lead abatement. Many families are waiting for this assistance to make their homes safe from lead hazards.

Thank you for the opportunity to testify today.

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