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Interested Party Testimony for HB 96
Tim Johnson, Senior Policy Advocate
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Ohio House Finance Health Committee
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Chair Schmidt, Ranking Member Somani and members of the Ohio House Health Committee, my name is Tim Johnson, and I am a senior policy advocate for the Ohio Poverty Law Center and a member of the Ohio Lead Free Kids Coalition Leadership Team. Thank you for allowing me to provide testimony on House Bill 96, specifically the lead poisoning prevention provisions of the biennial budget

Lead is a powerful neurotoxin that has devastating lifelong effects on young children. There is no safe level of lead in a child's blood and there is no cure for lead poisoning. Many states are faced with the complex issue of how to address childhood lead poisoning and Ohio is no different. Over two-thirds of Ohio homes were built before 1980 which means they have potential lead hazards, and over 427,000 of these homes are occupied with children who are under the age of 6. Ohio has the second highest number of children testing positive for elevated blood lead levels in the country. Childhood lead poisoning is an issue in every corner of our state, both rural and urban areas have significant amounts of aging housing stock. No community free of lead hazards. In 2023 Ohio adopted a lower threshold for testing children with elevated blood lead levels. While this was a positive step because it means we can identify children before their symptoms increase in severity, it also means more children will be found to have an elevated blood lead level. According to testimony provided to this committee by Director Vanderhoff, Ohio had over 4,500 children test positive for elevated blood lead levels in 2024

In the face of this overwhelming challenge, we appreciate efforts made both Governor DeWine and members of the Ohio General Assembly to address childhood lead poisoning. Over the last several operating budgets both the Governor and the legislature have made key investments in lead poisoning prevention including an innovative grant program via the Lead Safe Home Fund. The Lead Safe Home fund allows communities across the state to apply for funding to either expand their existing lead poisoning prevention programs or create new ones. Over the previous biennium \$10 million dollars was made available to local communities via the Lead Safe Home Fund, and 16 unique projects were funded including 9 county specific projects.

It is unfortunate that the lead abatement line item, which supports lead testing, lead investigations, and the lead safe home fund program was cut by nearly half a million dollars in FY 26. The number of children testing positive for elevated levels of lead is going up, not down. A cut to this line item means less spending on testing children, identifying those with elevated blood lead levels, and investigating lead hazards. This cut also means we cannot expand the lead safe home fund so that communities across the state can have the support they need to address lead poisoning. Over the last 5 years since I have been working in this space, Ohio has been bold and increased its investment in lead poisoning prevention. Now is not the time to pull back; we urge you to fund the lead abatement line item at \$12 million in FY 26 & FY 27 so that

ODH can continue to do the important work of protecting kids while also expanding the size of the Lead Safe Home Fund.

If we hope to see a day in which all Ohio children can live lead free, it is critical that our state shift its efforts to primary prevention. Unfortunately, for far too long our state has been more reactive than proactive, finding and fixing lead hazards after a child has been poisoned by lead. Primary prevention seeks to control and abate lead hazards before a child is ever poisoned. One of the state's most important primary prevention tools is the SCHIP Lead Abatement Program.

The SCHIP Lead Abatement Program currently allows for homes with lead hazards to be abated for Medicaid households with pregnant women or children eligible for Medicaid. SCHIP has been highly successful; the program has abated over 500 homes since its inception. While this is encouraging, there are over **1100 lead hazards control orders** requiring abatement and the program is still stuck abating homes where kids have already been poisoned, rather than abating properties before a child has been poisoned. Only 16 homes are expected to be proactively abated by June of 2025.

Currently the Director of OBM can transfer up to \$5 million dollars each fiscal at the request of the Medicaid Director to be used for the SCHIP Lead Abatement Program. We are asking that the general assembly increase the spending authority to allow for up to \$10 million each fiscal year to be requested and transferred. Additional funding will allow the program to expand its reach to more communities and allow the state to focus on primary prevention so that we are no longer waiting for kids to become lead poisoned before we act.

Another important step Ohio should take toward primary prevention is through the enforcement of the Renovation, Repair, and Painting rule (RRP). RRP is a U.S. Environmental Protection Agency (US EPA) rule that has been in effect since 2010. It requires contracting firms (including sole proprietors) to take common sense lead-safe precautions when performing work that would disturb lead paint. These measures, such as covering vents, wetting surfaces, and laying down plastic covering, are meant to prevent the spread of lead dust and chipped paint that could arise during renovations of older homes. Under the current rule, every contractor should be RRP certified and following the rules--but unfortunately that is not the case. The US EPA's enforcement of RRP is haphazard at best; it rarely enforces the rules. If a customer feels a contractor has violated the rule, it is difficult to file a complaint. The US EPA is also not proactive at educating contractors about RRP requirements resulting in few contractors knowing that they need to be certified and take required precautions. The lack of education and enforcement leaves contractors out of compliance and puts children at risk of serious harm.

Fortunately, the US EPA allows states to take control of the enforcement and administration of RRP. To date, 15 states have done so, and we believe that Ohio should be next on that list. Ohio is in the best position to look after its businesses and the safety of its children, and we urge the General Assembly to allow Ohio to enforce RRP so we can keep kids safe.

Childhood lead poisoning is a serious issue, but it is also preventable. By working to eliminate lead hazards we can create an Ohio where no child suffers from the harmful effects of lead poisoning. A lead-free Ohio will not happen overnight, but continued state investment by the Ohio General Assembly will ensure that we will one day rid Ohio of the scourge of lead poisoning.

Thank you for your consideration of my testimony. I am happy to answer any questions you have at this time.