

# **Procedures for Responding to Reports of Children with Elevated Blood Lead Level (EBLL) (City of Niagara Falls)**

## **City of Niagara Falls Leased Housing Program Hears of a Child with an EBLL**

City of Niagara Falls Leased Housing (NFLH) staff hears from a parent that a child under the age of six, living in housing assisted through the Section 8 Voucher Program, has an EBLL. In most cases the parent doesn't have written verification of the blood test or EBLL score.

NFLH contacts NCDOH and provides the address at which the EBLL was reported.

NCDOH checks its records and responds to NFLH accordingly.

If there is no report, NCDOH simply replies to NFLH that there is currently no record of any EBLL at that address. **Note:** Because the regulations require the PHA (NFLH) to attempt at least twice (NCDOH counts as one attempt) to verify the report if it didn't come from a medical health care, NFLH (Jerry) will need to re-check with the parent to see if they can provide verification of the EBLL. If that fails, NFLH must inform the U.S. Department of Housing and Urban Development (HUD) that we heard about an EBLL at a particular address but have been unable to verify the report. HUD must then attempt its own verification or inform the Office of Lead Hazard Control that they have been unable to verify the report.

If there is a verified EBLL at the subject address, NCDOH provides NFLH with the date of the blood test report and the micrograms/deciliter.

NFLH reports the required information to the HUD Field Office and Office of Lead Hazard Control. (Compliance: Report to HUD within 5 days of the date that verification of the EBLL is received)

## **NCDOH Receives EBLL Report from a Health Care Provider**

NCDOH contacts the head of household upon receiving a verified report of an EBLL. As part of the intake interview, NCDOH asks if the family receives rental assistance and, if so, through which Section 8 agency.

NCDOH notifies the appropriate Section 8 agency of the EBLL and provides the subject address and EBLL score.

Section 8 Agency NFLH notifies HUD (see above for email addresses) of the EBLL within 5 days of receiving the verified EBLL report.

## **NCDOH Conducts Inspection of Subject Unit / Sends Results to NFLH**

NFLH must ensure that a certified LBP Risk Assessor performs an Environmental Investigation of the child's home and common areas that service that home. Ideally, the investigation takes place within 15 days of the verified EBLL report; realistically, the investigation happens as soon as possible. NFLH has no Risk Assessors on staff and must rely on NCDOH to inspect the premises.

Notice PIH 2017-13 states that *in some cities and counties, the local public health department will evaluate the child's home for LBP hazards and other possible sources of lead exposure. In these cases the PHA (NFLH) is not required to perform an additional environmental investigation, and can rely on the results of the health department's evaluation.* It is NFLH's intent to rely on the results of NCDOH's evaluation.

NCDOH sends results of their inspection (LBP hazards) to NFLH as soon as possible following the inspection.

NFLH sends a letter to the owner (and tenant) of the subject property reinforcing NCDOH's repair requirements. Letter reiterates compliance date set by NCDOH and warns of loss of subsidy for non-compliance.

NFLH notifies HUD of the results of NCDOH's inspection.

### **NFLH Follows Up on Repairs**

NFLH communicates regularly with NCDOH during the repair period; discuss delays, problems, need for extension, etc.

Extension of the compliance deadline is NCDOH's prerogative. If NCDOH decides to extend the deadline, NFLH will so notify the owner in writing, thereby allowing the owner to receive the Section 8 subsidy for at least an additional month. Each and every extension must be put in writing.

NFLH abates subsidy payments if the owner fails to make the required repairs and does not request an extension. Eventually the Housing Assistance Payments Contract may be terminated for non-compliance.

### **Project Completion**

Lead Hazard Control work is complete when all required repairs pass visual inspection and the owner receives a passing grade on the lead dust clearance exam. NCDOH sends a copy of the clearance test results to NFLH.

NFLH notifies HUD of the completion of LHC work within 10 days of receipt of positive clearance test results.

If owner fails to adequately address LBP hazards, forcing the family to move from the subject unit, NFLH (assigned Housing Specialist) assists the family in finding a lead-safe unit; that being a unit built after 1977 or, if built prior to 1978, one that has had a risk assessment, LHC work and a positive clearance test.

NCDOH or NFLH may allow a weather-deferment for certain exterior paint repairs due from November 1 - May 31; see 982.404 and 35.115(a)(12).

## Multi-Unit Properties

When the child with EBL lives in a multi-unit building or property (two or more housing units) and LBP hazards are found in the child's unit, all other assisted units, as well as garages, sheds, etc., must have a risk assessment conducted within 30 days of the original Environmental Investigation, and all lead hazards must be controlled. NFLH will ask NCDOH to assist with the risk assessments should this circumstance exist.

NFLH: Refer to PIH Notice 2017-13 for multi-unit details.

## Other Requirements / Suggested Actions

- Data Sharing

In an attempt to identify EBLs more efficiently, NFLH will provide an updated list of HCV-assisted target property addresses to NCDOH for purposes of cross-matching. NFLH will attempt to deliver the list to NCDOH no later than March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup> and December 31<sup>st</sup> of each year.

At least quarterly, NFLH will request from NCDOH the names (if possible) and addresses of children under the age of six who have been found to have EBL and whose parent or guardian indicated that they receive rental assistance through NFLH.

NFLH ensures that the information received from NCDOH is protected and maintained as confidential and that it is used only to protect the children and their families from lead exposure.

- Additional Collaboration with NCDOH

NFLH and NCDOH share a goal of eradicating LBP hazards to the extent possible. In an attempt to better meet this goal, NFLH will provide to NCDOH the address of any rental unit where NFLH's inspectors cite defective paint, if Section 8 records indicate the presence of a child under the age of six. Primary Prevention Program resources permitting, NCDOH may be able to offer the owner some assistance in making the required repairs.

The owner and subject unit information will be sent from NFLH via email to NCDOH a day or two after the HQS inspection is conducted and will include:

- Owner Name, Address and Phone #
- Address of Subject Unit
- Date of Inspection
- Specific locations of defective paint throughout the property (Unit Inspection Summary)

Since the objective of this collaboration is to eliminate lead-based paint hazards in target housing while ensuring the use of lead safe work practices, NCDOH will encourage the owners to enroll in a lead safe work practices class and provide them with a timely clearance test once the work has been completed.

NFLH will maintain regular communication with the designated contact at NCDOH to monitor owner involvement in the training program, check on repairs and receive clearance test results.

**References:****Lead Safe Housing Rule (LSHR) – 24CFR, Part 35, Subparts B-R**

[https://www.hud.gov/program\\_offices/healthy\\_homes/enforcement/lshr](https://www.hud.gov/program_offices/healthy_homes/enforcement/lshr)

**Notice PIH 2017-13; Guidance on Lead Safe Housing Rule**

[https://www.hud.gov/sites/documents/17-13PIHN\\_OHHLHC.PDF](https://www.hud.gov/sites/documents/17-13PIHN_OHHLHC.PDF)

**HUD's Guidelines for the Evaluation and Control of LBP Hazards in Housing**

[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/healthy\\_homes/lbp/hudguidelines](https://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines)

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