

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 32.1-46.1 of the Code of Virginia, relating to the Board of Health's*
3 *protocol for identification of children with elevated blood-lead levels.*

4 [S 1082]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 32.1-46.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 32.1-46.1. Board to establish protocol for identification of children with elevated blood-lead levels.

9 The Board shall promulgate regulations establishing a protocol for the identification of children at
10 risk for elevated blood-lead levels which shall ~~provide~~ (i) ~~for~~ *require* blood-lead level testing at
11 appropriate ages and frequencies, when indicated, and (ii) *provide* for criteria for determining low risk
12 for elevated blood-lead levels and when such blood-lead level testing is not indicated.

13 As deemed necessary by the Board, the protocol may also address follow-up testing for children with
14 elevated blood-lead levels, dissemination of the protocol ~~and/or~~ other information to relevant health care
15 professionals, appropriate information for parents, and other means of preventing lead poisoning among
16 children. In promulgating such regulations, the Board shall consider the guidelines of the Centers for
17 Disease Control and Prevention and may consider such other materials relating to lead poisoning
18 prevention, testing, and treatment as it deems appropriate.

19 **2. That the Board and Department of Health shall not be responsible for enforcing any blood-lead**
20 **level testing required by the regulations mandated in this provision; complaints relating to**
21 **compliance by a practitioner with such regulations shall be directed to the appropriate health**
22 **regulatory board and shall not be filed with the Board or the Department of Health.**

23 **3. That, in order to avoid costs as much as possible during the regulatory process, the Board of**
24 **Health shall, when in compliance with the Administrative Process Act (§ 2.2-4000, et seq.), notify,**
25 **distribute, and provide public access and opportunity for comment via electronic media, including,**
26 **but not limited to, posting documents to and receiving comments via the Department's website, by**
27 **email and fax. The Board shall, however, continue to provide public notice and participation to**
28 **those persons who do not have access to the Internet or other forms of electronic media.**

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