



General Assembly

**Substitute Bill No. 683**

January Session, 2007

\* \_\_\_\_\_SB00683PH\_ED\_032207\_\_\_\_\_\*

**AN ACT CONCERNING EARLY CHILDHOOD LEAD POISONING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (a) of section 10-76d of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (a) (1) In accordance with the regulations and procedures  
5 established by the Commissioner of Education and approved by the  
6 State Board of Education, each local or regional board of education  
7 shall provide the professional services requisite to identification of  
8 children requiring special education, identify each such child within its  
9 jurisdiction, determine the eligibility of such children for special  
10 education pursuant to sections 10-76a to 10-76h, inclusive, prescribe  
11 appropriate educational programs for eligible children, maintain a  
12 record thereof and make such reports as the commissioner may  
13 require. With respect to children described in subparagraph (C) of  
14 subdivision (5) of section 10-76a who are found to have a level of lead  
15 in the blood equal to or greater than ten micrograms per deciliter of  
16 blood, such record shall, on and after September 1, 2007, include the  
17 beginning and ending dates of all special education services. No child  
18 may be required to obtain a prescription for a substance covered by the  
19 Controlled Substances Act, 21 USC 801 et seq., as amended from time  
20 to time, as a condition of attending school, receiving an evaluation

21 under section 10-76ff or receiving services pursuant to sections 10-76a  
22 to 10-76h, inclusive, or the Individuals with Disabilities Education Act,  
23 20 USC 1400 et seq., as amended from time to time.

24 Sec. 2. Section 17a-248d of the general statutes is repealed and the  
25 following is substituted in lieu thereof (*Effective from passage*):

26 (a) The lead agency, in coordination with the participating agencies  
27 and in consultation with the council, shall establish and maintain a  
28 state-wide birth-to-three system of early intervention services pursuant  
29 to Part H of the Individuals with Disabilities Education Act, 20 USC  
30 1471 et seq., for eligible children and families of such children.

31 (b) The state-wide system shall include a system for compiling data  
32 on the number of eligible children in the state in need of appropriate  
33 early intervention services, the number of such eligible children and  
34 their families served, the types of services provided and other  
35 information as deemed necessary by the lead agency. With respect to  
36 children found to have a level of lead in the blood equal to or greater  
37 than ten micrograms per deciliter of blood, such data shall, on and  
38 after September 1, 2007, include the beginning and ending dates of all  
39 early intervention services. The commissioner shall review and  
40 analyze the data collected pursuant to this subsection, for children  
41 from birth to three years of age with elevated blood lead levels, to  
42 assess individual growth as well as the effectiveness of early  
43 intervention services for such children.

44 (c) The state-wide system shall include a comprehensive child-find  
45 system and public awareness program to ensure that eligible children  
46 are identified, located, referred to the system and evaluated. The  
47 following persons and entities, within two working days of identifying  
48 a child from birth to three years of age suspected of having a  
49 developmental delay or of being at risk of having a developmental  
50 delay, shall refer the parent of such child to the early intervention  
51 system unless the person knows the child has already been referred:  
52 (1) Hospitals; (2) child health care providers; (3) local school districts;

53 (4) public health facilities; (5) early intervention service providers; (6)  
54 participating agencies; and (7) such other social service and health care  
55 agencies and providers as the commissioner specifies in regulation.

56 (d) The commissioner, in coordination with the participating  
57 agencies and in consultation with the council, shall adopt regulations,  
58 pursuant to chapter 54, to carry out the provisions of section 17a-248  
59 and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-516a.

60 (e) The state-wide system shall include a system for required  
61 notification to any local or regional school board of education no later  
62 than January first of each year of any child who resides in the local or  
63 regional school district, participates in the state-wide program and will  
64 attain the age of three during the next fiscal year. Such system of  
65 notification shall include provisions for preserving the confidentiality  
66 of such child and of the parent or guardian of such child.

67 Sec. 3. (NEW) (*Effective from passage*) Not later than September 1,  
68 2008, the Department of Education shall review and analyze the  
69 records collected by local and regional boards of education pursuant to  
70 subdivision (1) of subsection (a) of section 10-76d of the general  
71 statutes, as amended by this act, for children described in  
72 subparagraph (C) of subdivision (5) of section 10-76a of the general  
73 statutes with elevated blood lead levels of ten micrograms per deciliter  
74 or greater, to assess individual growth as well as the effectiveness of  
75 special education programs for such children. A copy of such  
76 assessment shall be provided to the Department of Public Health.

77 Sec. 4. (NEW) (*Effective from passage*) Not later than January 1, 2008,  
78 the Department of Education shall develop guidelines for the  
79 management of students with a blood lead level equal to or greater  
80 than ten micrograms per deciliter. Such guidelines shall include, but  
81 need not be limited to: (1) A plan for identifying and evaluating such  
82 students who may qualify as health impaired due to lead poisoning  
83 under the federal Individuals with Disabilities Education Act and  
84 Section 504 of the federal Rehabilitation Act of 1973, and (2) education

85 and training for school personnel on the management of such students,  
86 including, but not limited to, the establishment of an in-service  
87 training program for school health care providers who provide  
88 services to students identified pursuant to subdivision (1) of this  
89 section. Not later than September 1, 2008, each local and regional  
90 board of education shall implement a plan based on the guidelines  
91 developed pursuant to this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-76d(a)(1)
Sec. 2	<i>from passage</i>	17a-248d
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section

**PH**

*Joint Favorable Subst. C/R*

**ED**