



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: State Board of Health

Subject of possible rule making: WAC 246-101-010, Definitions for notifiable conditions. The State Board of Health (Board) is initiating rulemaking to consider changing the definition of "elevated blood lead levels" for children and adults in WAC 246-101-010, Definitions within the notifiable conditions regulations. The board will also consider editing the definition of "laboratory" for clarity, and make other housekeeping changes.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050

Reasons why rules on this subject may be needed and what they might accomplish: As part of the rulemaking, the Board will consider the Centers for Disease Control and Prevention's blood lead reference level for children and elevated level for adults. In 2012, the Centers for Disease Control and Prevention revised their guidance on childhood lead levels down to a level of concern of 5 $\mu\text{g}/\text{dL}$. In 2009 they revised their guidance on adult lead down from 25 $\mu\text{g}/\text{dL}$ to 10 $\mu\text{g}/\text{dL}$. The change in levels reflects mounting evidence that there is no safe level of lead.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
The Department of Labor and Industries investigates cases of elevated blood lead in adults with occupational exposures and enforces federal Occupational Safety and Health Administration rules regarding lead exposure in the workplace. The Washington State Department of Ecology regulates lead contamination in the environment. Each agency will be asked for a representative to participate in the rulemaking process and comment on draft rules.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The Board will use the collaborative rulemaking approach to develop proposed rules and hold a public hearing at a state board of health meeting to allow testimony and written comment on the proposed rules.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested parties will be provided opportunities to comment on the draft rules and the proposed rules and will be notified of the formal comment period and public hearing. Questions and comments may be referred to: Rad Cunningham, Epidemiologist, Environmental Epidemiology, Division of Environmental Public Health, Washington State Department of Health, PO Box 47846 Olympia, WA 98504-7846; (360) 236-3359 - phone; (360) 236-3059 - fax; rad.cunningham@doh.wa.gov - email.

DATE
09/30/2013

NAME (TYPE OR PRINT)
Michelle A. Davis

SIGNATURE

TITLE
Executive Director

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STATE OF WASHINGTON
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