



State of New York

JUN 2 2009

Department of State
Secretary of State

State of New York

Executive Chamber

No. 21

EXECUTIVE ORDER

ESTABLISHING THE GOVERNOR'S TASK FORCE ON THE PREVENTION OF CHILDHOOD LEAD POISONING

WHEREAS, it is an objective of the State of New York to eliminate childhood lead poisoning, which can have devastating and irreversible effects on growth and development; and

WHEREAS, several thousand new cases of childhood lead poisoning are diagnosed each year and an unknown number of other cases are undiagnosed, making childhood lead poisoning a serious public health issue; and

WHEREAS, it is vital not only to provide timely and appropriate treatment for children with lead poisoning, but also to increase screening and testing rates to ensure that children with lead poisoning are identified in timely fashion; and

WHEREAS, it is also critical to prevent children from becoming lead poisoned in the first instance by avoiding their exposure to sources of lead poisoning to the extent possible; and

WHEREAS, exposure to lead-based paint and lead-based paint dust in housing built before 1978 is the primary source of lead poisoning in children; and

WHEREAS, childhood lead poisoning disproportionately affects low-income and minority children, making it an issue of environmental justice as well as one of public health; and

WHEREAS, the State's efforts to eradicate childhood lead poisoning necessitate the establishment of a body of State officials who are charged with the execution of the State's policies and programs in a variety of areas, for the purpose of ensuring the collaboration of such officials and State agencies in the coordination and maximization of available resources and expertise; and

WHEREAS, the performance of the duties of the New York State Advisory Council on Lead Poisoning Prevention established pursuant to Public Health Law § 1370-b, which include the development of a comprehensive statewide plan to prevent lead poisoning, would be informed and complemented by the activities of such body of State officials;

NOW, THEREFORE, I, David A. Paterson, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do hereby order as follows:

1. There is hereby established the Governor's Task Force on the Prevention of Childhood Lead Poisoning (Task Force).
2. The Task Force shall consist of the following members: the First Deputy Secretary to the Governor, who shall serve as the Chair of the Task Force; the Governor's Deputy Secretary for Health and Human Services, who shall serve as Vice-Chair of the Task Force; the Governor's Deputy Secretary for the Environment; the Governor's Deputy Secretary for Economic Development and Housing; the Governor's Deputy Secretary for Labor and Financial Regulation; the Governor's Deputy Secretary for Energy; the Counsel to the Governor; the Commissioner of Health; the Commissioner of Housing and Community Renewal; the Chief Executive Officer of the Housing Finance Agency; the Secretary of State; the Commissioner of Environmental Conservation; the Commissioner of Temporary and Disability Assistance; the Commissioner of Children and Family Services; the Executive Director of the Council on Children and Families; the Director of the Budget; the Superintendent of Insurance; the Commissioner of Taxation and Finance; the Commissioner of Labor; the Commissioner of Economic Development; and the President of the New York State Energy Research and Development Authority. Additional State officials may be added as members of the Task Force at the discretion of the Governor.
3. Each member of the Task Force may designate a staff member to represent him or her and participate in the Task Force on his or her behalf. A majority of the members of the Task Force shall constitute a quorum and all recommendations of the Task Force shall require approval of a majority of the total members of the Task Force. The Task Force shall meet as often as is necessary and under circumstances as are appropriate to fulfilling its duties under this section.
4. The Task Force shall identify primary prevention actions that are currently being undertaken by State agencies. In addition, the Task Force shall review any and all evaluations issued with respect to the Childhood Lead Poisoning Primary Prevention Program overseen by the Department of Health.
5. The Task Force shall also consult with the New York State Advisory Council on Lead Poisoning Prevention as necessary, and shall also seek the guidance and expertise of stakeholders including but not limited to advocacy organizations engaged in efforts to end childhood lead poisoning, scientific and academic institutions, professional medical associations, and local governments.
6. In carrying out its functions, the Task Force shall seek to target lead poisoning prevention efforts first to those communities identified by the Department of Health as having significant concentrations of children identified with elevated blood lead levels, and then continuing these efforts across the State.
7. The Task Force shall make findings and recommendations for the development and implementation of a coordinated strategy to reduce childhood exposure to lead. The recommendations shall include specific action steps and projected timelines where possible. In making its recommendations, the Task Force shall consider, among other relevant matters, the following:
 - a. how to maximize available State resources for the purpose of State and local primary prevention activities aimed at eliminating childhood lead poisoning;
 - b. the need to partner with county and local governments in primary prevention efforts;
 - c. the feasibility of measures to ensure that public housing and housing supported by State assistance are free of lead-based paint hazards prior to occupancy by a child under six years of age;
 - d. how to ensure that housing renovations performed with public funding include lead-based paint hazard remediation;
 - e. the need for an education and awareness campaign targeted to parents and guardians and health care practitioners about the importance of screening and testing children for lead poisoning pursuant to the regulations of the Department of Health;
 - f. how to educate the owners, lessors and tenants of residential real property as to the importance of allowing access to authorized inspectors for purposes of identifying the presence of conditions conducive to lead poisoning;

g. how to effectively increase enforcement efforts requiring owners and lessors of residential real property to comply with governmental demands for alleviation of conditions conducive to lead poisoning;

h. how to encourage and/or mandate the use of lead-safe work practices in the renovation and maintenance of pre-1978 housing by real property owners and by persons and entities engaged in the construction industry;

i. whether an assessment of lead-based paint hazards, including chipping or peeling paint, should be required in connection with the sale and/or lease of residential real property;

j. the need to examine the status of compliance with existing State and federal lead paint hazard notification requirements for tenants and new homeowners upon the purchase or lease of residential real property; and

k. potential sources of funding or revenue, including but not limited to federal grants, to help fund State and local primary prevention activities aimed at eliminating childhood lead poisoning.

8. The Task Force shall issue a preliminary report to the Governor and to the New York State Advisory Council on Lead Poisoning Prevention on or before November 30, 2009, identifying specific primary prevention actions already undertaken by State agencies and recommending other such actions that can be taken immediately. The Task Force shall issue a final report of its findings and recommendations to the Governor and to the New York State Advisory Council on Lead Poisoning Prevention on or before November 30, 2010. The Task Force shall terminate its work and be relieved of all responsibilities and duties hereunder with the submission of its final report.

9. Every agency, department, office, division or public authority of this State shall cooperate with the Task Force and furnish such information and assistance as the Task Force determines is reasonably necessary to accomplish its purpose.



G I V E N under my hand and the Privy Seal of the
State in the City of Albany this second
day of June in the year two thousand
nine.

BY THE GOVERNOR

Louise Schwartz
Secretary to the Governor

David A. Paterson