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# A BILL FOR AN ACT

RELATING TO LEAD POISONING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 325, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§325-    Lead poisoning; testing; minors; exemption. (a)  
5 Beginning January 1, 2025, a physician treating a minor patient  
6 shall complete the following:

7           (1) Test the minor patient for lead poisoning, or order  
8           the test for the minor patient at certain intervals  
9           using methods pursuant to rules adopted by the  
10           department of health; and

11           (2) If the physician performs the test described in  
12           paragraph (1), the physician shall make an entry of  
13           the testing on the minor patient's record that is  
14           maintained pursuant to section 325-33.

15           (b) The department of health shall adopt rules pursuant to  
16 chapter 91 to implement this section. The rules shall include  
17 but not be limited to:



- 1        (1) Subject to subsection (c), a requirement that a minor  
2        residing in the State is tested at the following ages:  
3        (A) Twelve months of age and twenty-four months of  
4        age; or  
5        (B) If the minor has no previous record of the test  
6        required pursuant to subsection (a), between  
7        twenty-four months of age and seventy-two months  
8        of age;  
9        (2) Identification of geographic areas in the State that  
10       pose a high risk for childhood lead poisoning and a  
11       requirement that a minor who is four years of age be  
12       tested if the minor resides in an area designated by  
13       the department of health;  
14       (3) Factors to identify a minor who is at high risk for  
15       lead poisoning shall include but not be limited to:  
16       (A) Residing in a home where other minors have been  
17       diagnosed with lead poisoning; and  
18       (B) Residing in a home that was built before 1978;  
19       (4) A requirement that minors be tested at intervals  
20       determined by the department of health if a physician  
21       determines that the minor is at high risk for lead



1           poisoning by applying the factors in paragraph (3),  
2           through a parent's attestation or through the  
3           physician's own independent medical judgment; and  
4           (5) Procedures for entering the information described in  
5           subsection (a)(2) on the minor's record of testing  
6           that is maintained pursuant to section 325-33,  
7           including but not limited to procedures for entering  
8           the information if testing is performed by a person  
9           other than a physician.

10           (c) The department of health may, by rule, adjust the age  
11           requirements in subsection (b)(1) or eliminate the testing  
12           requirement if, after collecting and reviewing data on lead  
13           poisoning in the State for five years, the department of health  
14           determines that testing minors at the ages set by subsection  
15           (b)(1) is no longer necessary or appropriate to maintain the  
16           health and safety of minors who reside in the State. If the  
17           department of health adjusts the ages or eliminates the  
18           requirement in subsection (b)(1) pursuant to this section, the  
19           department of health shall submit a report of its findings and  
20           rationale to the legislature twenty days prior to the convening  
21           of the next regular session.



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1        (d) This section shall not apply to a minor whose parent,  
2 guardian, or individual in loco parentis objects to testing."

3        SECTION 2. New statutory material is underscored.

4        SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 19 2024



# H.B. NO. 2156

**Report Title:**

DOH; Minors; Lead Poisoning; Mandatory Testing; Requirements;  
Rules; Exemption

**Description:**

Beginning 1/1/2025, requires physicians to perform or order test for lead poisoning in minor patients at certain intervals, and if the physician performs the test, the results to be included in the minor patient's record of immunization. Requires the Department of Health to adopt rules. Provides certain exemptions for the mandatory lead poisoning testing of minors.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

