

accreditation, certification, and approval programs to promote 54655
consistency between the requirements of this chapter and those of 54656
other states in order to facilitate reciprocity of the programs 54657
among states; 54658

(6) Establish a program to monitor and audit the quality of 54659
work of lead inspectors, lead risk assessors, lead abatement 54660
project designers, lead abatement contractors, lead abatement 54661
workers, and clearance technicians. The director may refer 54662
improper work discovered through the program to the attorney 54663
general for appropriate action. 54664

(B) In addition to any other authority granted by this 54665
chapter, the director of health may do any of the following: 54666

(1) Employ persons who have received training from a program 54667
the director has determined provides the necessary background. The 54668
appropriate training may be obtained in a state that has an 54669
ongoing lead abatement program under which it conducts educational 54670
programs. 54671

(2) Cooperate with the United States environmental protection 54672
agency in any joint oversight procedures the agency may propose 54673
for laboratories that offer lead analysis services and are 54674
accredited under the agency's laboratory accreditation program; 54675

(3) Advise, consult, cooperate with, or enter into contracts 54676
or cooperative agreements with any person, government entity, 54677
interstate agency, or the federal government as the director 54678
considers necessary to fulfill the requirements of this chapter 54679
and the rules adopted under it. 54680

(C) In accordance with Section 34 of Article II of the Ohio 54681
Constitution, the purpose of this chapter and rules adopted under 54682
it is to protect the comfort, safety, and general welfare of 54683
employees and others who may encounter lead and lead-based paint. 54684
Therefore, it is the intent of the general assembly that the 54685

Revised Code and rules adopted under it be the sole and exclusive 54686
means by which lead abatement activities may be compelled, 54687
prohibited, licensed, or regulated. Any law or rule governing the 54688
abatement of lead, lead-based paint, or the employment or 54689
licensing of lead abatement professionals who abate lead and 54690
lead-based paint enacted or adopted by a political subdivision 54691
before or after the effective date of this section is void. 54692

(1) The department of health has the sole and exclusive 54693
authority to compel, prohibit, license, or regulate lead abatement 54694
activities within the state, including the licensing of lead 54695
abatement professionals, and excepting only those activities for 54696
which oversight has been delegated by the Revised Code to boards 54697
of health. The regulation of lead abatement activities is a matter 54698
of general statewide interest that requires uniform statewide 54699
regulation, and this chapter and rules adopted under it constitute 54700
a comprehensive plan with respect to all aspects of lead abatement 54701
within this state. In order to assist the department in the 54702
furtherance of its sole and exclusive authority as established in 54703
this section, the director may enter into cooperative agreements 54704
with other state agencies for advice and consultation. Such 54705
cooperative agreements do not confer on other state agencies any 54706
authority to administer or enforce this chapter and rules adopted 54707
under it. In addition, such cooperative agreements shall not be 54708
construed to dilute or diminish the department's sole and 54709
exclusive authority as established in this section. 54710

(2) The director of health has the sole and exclusive 54711
authority to adopt rules pertaining to lead and lead abatement, 54712
the purposes of which are, in part, to protect the health, safety, 54713
and welfare of persons owning or living in homes containing lead 54714
and persons working to abate lead. Any such rules shall be adopted 54715
in accordance with Chapter 119. of the Revised Code and shall 54716
include procedures and requirements governing all of the 54717

following: 54718

(a) The dissemination of information for purposes of 54719
educating persons who own, dwell, or work in homes containing lead 54720
or lead-based paint through affirmations, warnings, and 54721
guidelines; 54722

(b) The dissemination of information for purposes of the 54723
training of lead abatement employees in order to address the 54724
hazardous duties and inherent risks associated with lead abatement 54725
and testing; 54726

(c) The gathering of data for purposes of improving the 54727
implementation of this chapter. 54728

(D) Nothing in this section shall be construed to eliminate 54729
any authority statutorily granted to the department of health 54730
prior to the effective date of this section. 54731

Sec. 3742.31. (A) The director of health shall establish, 54732
promote, and maintain a child lead poisoning prevention program. 54733
The program shall provide statewide coordination of screening, 54734
diagnosis, and treatment services for children under age six, 54735
including both of the following: 54736

(1) Collecting the social security numbers of all children 54737
screened, diagnosed, or treated as part of the program's case 54738
management system; 54739

(2) Disclosing to the department of medicaid on at least an 54740
annual basis the identity and lead screening test results of each 54741
child screened pursuant to section 3742.30 of the Revised Code. 54742
The director shall collect and disseminate information relating to 54743
child lead poisoning and controlling lead hazards. 54744

(B) The director of health shall operate the child lead 54745
poisoning prevention program in accordance with rules adopted 54746
under section ~~3742.50~~ 3742.45 of the Revised Code. The director 54747