Subpart 67-3 OF 10 NYCRR
REPORTING OF BLOOD LEAD LEVELS

Statutory Authority: Public Health Law, Section 206(1)(n)
Initially adopted October 13, 1993
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Sec.

67-3.1 Laboratory reporting of blood lead levels for public health follow up.

67-3.2 Reporting of elevated blood lead results by health care providers.

67-3.3 Special effective dates.

Section 67-3.1 Laboratory reporting of blood lead levels for public health follow up.

(a) For purposes of this Subpart, laboratory shall mean: (i) any laboratory that holds a permit issued in accordance with Public Health Law Article 5, Title V and is authorized to conduct blood lead analyses; or (ii) an entity exempt from the requirements of Public Health Law Article 5, Title V pursuant to Section 579(3) of that Title, that holds a certificate of registration issued by the department and is authorized to conduct blood lead analyses.

(b) Laboratories shall report the results of all blood lead analyses performed on residents of New York State to the Commissioner of Health and to the local health officers in whose jurisdictions the subjects of the tests reside. If the laboratory reports electronically to the Commissioner of Health in accordance with subdivision (e) below, the Department of Health shall notify the appropriate local health officer of the test results and the laboratory shall be deemed to have satisfied the reporting requirements of this section.

(c) Whenever a laboratory refers a blood lead sample to another laboratory for analysis, the laboratories may agree on which laboratory will report in compliance with this Subpart, but both laboratories will be accountable to insure that a report is made.
(d) All laboratories shall report electronically to the Commissioner of Health each blood lead analysis conducted. The report must include the subject's name, date of birth, race, gender, address, county of residence, type of sample (venous or fingerstick) and blood lead level; the health care practitioner ordering the test, laboratory identifiers, the date the sample was collected and the date of analysis. Reporting pursuant to this subdivision shall be done using an electronic telecommunication system consistent with the technical specifications established by the Department.

(e) Any laboratory not permitted in accordance with Public Health Law Article 5, Title V to perform blood lead analyses which accepts a blood lead sample and refers the sample elsewhere for analysis shall transmit to the laboratory performing the analysis all of the information that is required by subdivision (d) above.

(f) Time limits for reporting and special notification requirements of blood lead levels in children.

   (1) Laboratories shall report the results of all blood lead tests as specified in this Subpart within five business days of the date of analysis.

   (2) In addition to any other reporting required by this Subpart, all laboratories shall notify the provider ordering the blood lead test of the results of any analysis in a child less than eighteen years of age which is equal to or greater than 45 mcg/dL (micrograms per deciliter) within 24 hours of the analysis.

(g) Nothing in this Subpart shall be construed to relieve any laboratory from reporting results of any blood lead analysis to the physician, or other health care provider that ordered the test or to any other entity as required by state, federal, or local statutes or regulations or in accordance with accepted standards of practice except that reporting in compliance with this Subpart shall satisfy the blood lead reporting requirements of Public Health Law Article 13, Title 10 and Part 22 of this Title.
67-3.2 Reporting of elevated blood lead results by health care providers.

(a) All health care providers shall assure that all of the information specified in section 67-3.1 above is completed for all blood lead analyses ordered by the health care provider and that this information accompanies the sample to the testing laboratory.

(b) All health care providers shall notify the health officer having jurisdiction of the occurrence of any blood lead level above 45 mcg/dL (micrograms per deciliter) in a child less than eighteen years of age within 24 hours of having been notified of this result by the testing laboratory.

(c) For the purposes of this Subpart, health care provider shall mean any health care practitioner who is authorized to order a blood lead test and any facility licensed pursuant to Article 28 of the Public Health Law.

67-3.3 Special effective dates.

(a) Reporting the results of all blood lead tests at or above 10 mg/dl (microgram per deciliter) shall begin no later than 120 days after filing the notice of adoption of this Subpart with the Secretary of State.

(b) Reporting the results of all blood lead tests shall begin no later than 360 days after filing the notice of adoption of this Subpart with the Secretary of State.