

Get the Lead Out

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LEAD POISONING is a serious health hazard, especially for young children. Helping clients understand the hazards of, and their possible liability for, injuries from lead poisoning is another value-added service of the professional insurance agent.

The most common sources of lead exposure are lead-based paint and lead dust in older buildings. Some toys also include lead, especially those manufactured outside of the United States. On a national basis, lead-based paint was banned from residential buildings in 1978. All houses built before 1978 are considered by the Centers for Disease Control (CDC) to have at least some lead-based paint (www.cdc.org). New York City was ahead of the curve, banning use of lead-based paints in residential buildings in 1960 (www1.nyc.gov).

Lead exposure can also come from industrial processes such as refining and smelting. As witnessed during the recent highly publicized problems with drinking water in Flint, Michigan, water can be contaminated with lead from the pipes it passes through. The Flint lead problem was reportedly due to lack of anti-corrosion protection on the water pipes. Lead leached from older service line pipes into the water that was going to homes, businesses and schools. Eight thousand children were exposed to lead and other toxins.

Lead poisoning causes irreversible damage. Even small amounts can result in serious health effects, and in extreme cases lead poisoning can be fatal. There are treatments to lower the blood level of lead, but no cure for the effects of the poisoning. Children under the age of six are especially sensitive to lead poisoning (www.mayoclinic.org). In children, lead exposure leads to cognition and behavioral problems. In adults, lead expo-

sure damages vital organs, and in pregnant women it can lead to reduced fetal growth.

The economic impact of childhood lead poisoning is staggering, in both health and other costs. The problem of lead exposure and poisoning has decreased since lead's use has been curtailed, but it is not gone altogether. The estimated long term social costs to Flint of the lead poisoning, including reduced productivity due to potential lower IQs of those affected, as well as years of health issues, exceeds \$458 million (www.time.com). Lead poisoning is believed to be even more of a problem in other cities, such as Cleveland (www.nytimes.com).

The CDC estimates that 11% of households with children (over 4.2 million) are potentially exposed to harmful lead levels. Children with high lead levels require special, more costly education. Blood levels over one microgram per deciliter of blood result in measurable IQ impact. More than 12 million children in the United States had levels above this threshold in 2010. They are projected to suffer a \$45 to \$99 billion loss in lifetime productivity associated with this exposure (www.cdc.org).

Lead poisoning has also been linked to increased crime. It is estimated that the decrease in crime may be due to the reduction of lead in the atmosphere, with the elimination of leaded gasoline in the 1970s under the Clean Air Act. Studies show that lead exposure impacts the region of the brain dealing with aggression. (www.motherjones.com).

Most insurance policies contain specific exclusions for lead, including testing for its presence as well as its removal. Numerous court cases have upheld these exclusions. This makes it even more important for anyone with a possible exposure to be sure to clean up and contain



any lead, as the cost of doing so, and the cost of defending and paying any claim, would very likely not be covered under insurance.

Numerous federal regulations are directed to lead in air, water, paints, dust and soil. For example, lead in drinking water is addressed in the Clean Water Act as well as the Safe Drinking Water Act. The Clean Air Act regulates lead in the air (www.epa.gov). The Consumer Products Safety Commission (CPSC) currently has over 250,000 recalls for products that contain lead. Most of the recalls involve children's toys and jewelry, as well as water bottles (www.cpsc.org).

Cleaning up lead is neither easy nor cheap. Contractors who perform renovation, repair or painting (RRP) projects, or those who perform other lead-based paint activities such as abatement, inspections and risk assessments on buildings built prior to 1978, must be properly trained and produce the appropriate certificate. Collection of such information is a key component in the underwriting process. There are separate requirements for RRP and abatement activities.

Lead poisoning represents a significant health hazard, with claims and related costs resulting in the millions of dollars. Helping clients protect themselves against the dangers of, and their potential liability to others for, lead exposure is another sign of the true insurance professional.

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