

Readoption Review

Lead-based Paint Program 410 IAC 32

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

Description of Rule:

The Indiana State Department of Health (ISDH) has the responsibility of licensing lead professionals including training course providers, risk assessors, lead inspectors, abatement contractors, abatement workers, clearance technicians and lead supervisors. This rule also incorporates standards for work practices, notification of abatement activities and requirements for meeting the state definitions of lead inspections, risk assessments and clearance testing and subsequent reporting.

Readoption Analysis:

1) Is there a continued need for this rule?

Yes, there is a continued need for licensure of lead professionals. There are currently 941 licensed lead professionals operating in the state of Indiana. This rule provides requirements for each licensed professional in regards to the lead work that they are doing to ensure compliance with the federal regulations.

2) What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?

Since the effective date of the rule, there has been no complaints or comments received from the public or small business concerning this rule or the implementation of this rule by ISDH.

3) Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.

No complaints or comments have been received from small business about this rule or the implementation of it and ISDH is not aware of any difficulties in administration of or compliance with this rule. It is difficult to see how the rule could be made easier to understand or implement.

4) To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?

This rule does not overlap, duplicate, or conflict with any other federal, state, or local laws, rules, regulations, or ordinances.

5) When was the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?

The rule was reviewed thoroughly by another state agency prior to being transferred to ISDH in October 2007. The rule is currently being reviewed for technology advancements that would assist licensed individuals with the requirements of the rule.

June 28, 2011