

February 22, 2012

Senator Kathy Campbell
Health and Human Services Committee
State Capitol

Dear Senator Campbell and members of the Health and Human Services Committee:

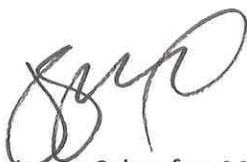
The Division of Public Health has reviewed LB 945 and offers the following technical information on the bill.

According to the statement of intent for LB 945, the bill would establish a maximum radon level of four picocuries per liter of air and prohibit child care facilities from operating if the radon level exceeds the maximum. As drafted, the bill does not include a requirement for mitigation when radon levels exceed the minimum standard or language that failure to comply with legislation is grounds for discipline.

Additionally, Nebraska Revised Statutes, Section 71-3507(4) and the Nebraska Administrative Code Title 180, Chapter 11-003.02 allow individuals to test their own homes. All Family Child Care Home I and some Family Child Care Home II programs are located in the residence of the licensee. The testing of a child care facility not located in the residence of the licensee would need to be conducted by a licensed radon inspector in accordance with Revised Statutes, Section 71-3507(3) and the Nebraska Administrative Code Title 180, Chapter 11 govern radon measurement. If the Committee decides to advance LB 945, it may want to consider who can perform radon measurements in child care child care centers located in the residence and other buildings.

Please feel free to contact me for discussion that you would deem necessary on this matter.

Sincerely,



Joann Schaefer, M.D.
Chief Medical Officer, Director
Division of Public Health, NE Dept of Health and Human Services