



State pledges to restore, keep lead poisoning records

Health lab had destroyed children's test results dating to 1980s

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A lawyer for the state health department pledged Monday in Baltimore Circuit Court to retrieve and safeguard records of Maryland children tested for lead poisoning, resolving a complaint by lawyers for poisoned children over the agency's recent destruction of thousands of paper records of those tests.

Matthew Fader, assistant attorney general representing the state Department of Health and Mental Hygiene, told Judge Pamela J. White that he had reached an agreement with lawyers bringing lawsuits on behalf of lead-poisoned children to keep all remaining paper test results and to try to restore electronic records that had also been deleted.

Dr. Joshua M. Sharfstein, the state health secretary, acknowledged Friday that his agency's laboratory had recently destroyed records of many Maryland children tested for lead poisoning, which had been maintained at the lab since the 1980s. Lawyers representing children's families said the test results kept by the state lab were vital in bringing lawsuits claiming damages for exposure to the toxic lead-based paint that is commonly found in older housing in Baltimore and the rest of the state.

Sharfstein said that he put a halt to the records destruction as soon as he learned of it, requested an internal investigation and ordered efforts be made to restore the missing records. He expressed regret and vowed to see that nothing like that happened again.

Fader told the judge the department already has succeeded in recovering many of the deleted electronic records and is now examining them to see whether they are intact.

Lawyers with firms representing lead-poisoned children had petitioned the court to issue a temporary restraining order barring the department from destroying any more lead-test records. They said they were satisfied by the settlement agreement reached early in the hearing, and they credited Sharfstein with taking prompt action to resolve their concerns.

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