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HOUSE CONSUMER AFFAIRS COMMITTEE
PUBLIC HEARING HB 2031 PN2791

MIDDLETOWN TOWNSHIP MUNICIPAL CENTER BUILDING
3 MUNICIPAL WAY
LANGHORNE, PENNSYLVANIA

JANUARY 31, 2012
10:02 A.M.

BEFORE REPRESENTATIVES:

- ROBERT W. GODSHALL, CHAIRMAN
- JOHN R. EVANS
- FRANK A. FARRY
- TODD STEPHENS
- BRYAN BARBIN

1 ALSO PRESENT:

2 AMANDA RUMSEY, ESQUIRE

3 COLIN FITZSIMMONS, EXECUTIVE DIRECTOR OF THE
4 HOUSE CONSUMER AFFAIRS COMMITTEE

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1 CHAIRMAN GODSHALL: Good morning. The
2 hour of 10:00 having arrived, I'd like to call the
3 meeting to order, House Consumer Affairs Committee. This
4 hearing is being recorded.

5 Today's hearing will focus on House Bill
6 2031 sponsored by Committee Member Representative Frank
7 Farry, Bucks County, as you well know, and will establish
8 a freestanding act known as the Carbon Monoxide Alarm
9 Standards Act.

10 So at this point I will turn the meeting
11 over to Representative Farry for his comments.

12 REPRESENTATIVE FARRY: Thank you,
13 Chairman. Thank you members of the committee and members
14 of the public for joining us today. I'd also like to
15 thank Middletown Township for hosting us here this
16 morning.

17 The matter at hand that is before this
18 committee is a public safety issue that has a very simple
19 and low cost solution. As you will hear from the
20 testifiers, carbon monoxide is a silent killer.

21 You will also hear that this colorless,
22 odorless gas has had devastating consequences on
23 residents of this Commonwealth.

24 Several decades ago public officials,
25 citizen advocates and the fire service brought to light

1 the need to require smoke detectors in dwellings.

2 The hard work of those advocating to
3 require detectors paid off and I think you will agree
4 with me that hundreds if not thousands of lives have been
5 saved in the Commonwealth as a result of the early
6 warning smoke detectors.

7 However, one significant difference exists
8 between the dangers that smoke detectors alert you to and
9 that of carbon monoxide detectors: Your senses.

10 You can see smoke and fire, you can hear
11 the crackling, you can taste it in the air, you can smell
12 it and you can feel the heat. None of your five senses
13 can detect carbon monoxide.

14 Lives are being lost and people are being
15 sickened where preventable measures exist. Pennsylvania
16 leads the nation in carbon monoxide poisonings.

17 The Carbon Monoxide Health and Safety
18 Association conducted a nationwide study in 2005 that
19 showed carbon monoxide poisonings and deaths cost \$8.8
20 billion annually in lost productivity and health care
21 costs.

22 They estimate that if every home had two
23 carbon monoxide detectors these costs would be reduced by
24 93 percent.

25 Since September 2011, 146 Pennsylvanians

1 have been poisoned by carbon monoxide to the degree that
2 it either caused illness or was fatal.

3 In my role as fire chief of this
4 community, we recently responded to a carbon monoxide
5 alarm dispatch.

6 Initial crews found carbon monoxide
7 readings that were at levels that would have most likely
8 been fatal over the course of the night to the dwelling's
9 residents.

10 When Senator Browne introduced House Bill
11 2031's companion, Senate Bill 920, we heard concerns
12 raised by the realtors.

13 We worked with them to develop language
14 that is House Bill 2031 which provides the necessary
15 level of protection for our residents while not unduly
16 burdening the group's members. You will hear testimony
17 today from two members.

18 Today you will hear testimony from
19 Commissioner Ayers regarding the success of
20 Philadelphia's ordinance in greatly reducing the
21 poisonings related to carbon monoxide.

22 Contrarily, we will hear from Chief Huf of
23 the devastating consequences that Upper Darby has faced
24 as a result of carbon monoxide.

25 Likewise, testimony was submitted by Bucks

1 County resident Mary Smithson regarding the impact carbon
2 monoxide has had on her family with the loss of her aunt
3 and uncle in Beaver County in a preventable carbon
4 monoxide incident.

5 The solution is simple and inexpensive.

6 If you placed two carbon monoxide
7 detectors in your home at a total cost of \$60, with a
8 useful life of seven years, you will have spent less than
9 \$10 a year to ensure the safety of you and your family.

10 It's a very small price to pay compared to
11 the consequences.

12 Please join me in trying to ensure that PA
13 joins the over 30 other states that have a similar law
14 and let's ensure that our residents have the protection
15 they need from this proven killer.

16 Thank you.

17 CHAIRMAN GODSHALL: Thank you.

18 At this time I'd like to have the people
19 at the head table introduce themselves, and starting on
20 my right with the staff -- including the staff.

21 MR. LIVINGSTON: Jerry Livingston,
22 Representative Preston's office.

23 REPRESENTATIVE BARBIN: Representative
24 Bryan Barbin. I represent Cambria County.

25 MR. SCOTT: Tim Scott with Representative

1 Preston's office.

2 MR. FITZSIMMONS: Colin Fitzsimmons,
3 Executive Director of the House Consumer Affairs
4 Committee.

5 CHAIRMAN GODSHALL: Representative Bob
6 Godshall, Montgomery County.

7 REPRESENTATIVE FARRY: Representative
8 Frank Farry, Bucks County.

9 REPRESENTATIVE POLINCHOCK: Todd Stephens
10 from Montgomery County.

11 REPRESENTATIVE EVANS: Representative John
12 Evans from Erie/Crawford County.

13 CHAIRMAN GODSHALL: Okay. Thank you.

14 And at this point, the first presenter
15 will be Lloyd Ayers, Fire Commissioner, City of
16 Philadelphia.

17 Mr. Ayers, when you're ready.

18 COMMISSIONER AYERS: Good morning,
19 Representative Godshall and all the Representatives here
20 today. Thank you for the opportunity.

21 My name is Lloyd Ayers and I am the fire
22 commissioner for the City of Philadelphia.

23 Chairman Godshall, Chairman Preston and
24 members of the House Consumer Affairs Committee, I would
25 like to thank you for the opportunity to provide this

1 testimony on House Bill 2031.

2 Representative Farry, I'd like to say
3 thank you for your leadership on this very important
4 safety issue.

5 I'm before you today in my capacity as
6 fire commissioner and I also want to make you aware that
7 the fire service community here in Pennsylvania is
8 enthusiastically supporting the passage of HB 2031.

9 The Pennsylvania Fire Institute, the
10 Pennsylvania Paid Professional Firefighters and the
11 Pennsylvania Volunteer Firefighters Association have all
12 publicly expressed their support for this measure.

13 House Bill 2031 will strengthen the
14 requirements for carbon monoxide alarms in homes in
15 Pennsylvania. Passage of this legislation is critically
16 important because it will dramatically improve public
17 health and safety in our community.

18 Carbon monoxide is odorless, colorless,
19 tasteless. It is a gas that kills about 400 people and
20 sends more than 20,000 to the emergency rooms annually.

21 According to the Centers for Disease
22 Control and Prevention, carbon monoxide is the leading
23 cause of accidental poison deaths in the nation and
24 Pennsylvania has the unfortunate distinction of being a
25 national leader in deaths and injuries as a result of

1 this silent killer.

2 According to a 2007 report by the CDC,
3 Pennsylvania leads the nation in accidental carbon
4 monoxide poisoning deaths. 578 deaths in Pennsylvania,
5 those folks died from carbon monoxide poisoning from 2000
6 to 2006, according to the CDC.

7 Pennsylvania has been hit particularly
8 hard by carbon monoxide incidents over the last six
9 months.

10 Based on tracking media reported incidents
11 alone, 146 people in Pennsylvania have been sickened or
12 killed by carbon monoxide exposure since September 1st,
13 2011.

14 This is likely only a small sampling of
15 the incidents that have occurred but it is still very
16 significant in number and the real impact is much, much
17 larger.

18 The reason why carbon monoxide deaths and
19 injuries occur so often in Pennsylvania is because we are
20 one of the few cold weather states that have not yet
21 passed a law, a strong law, requiring carbon monoxide
22 alarms in homes.

23 Over 30 states have enacted alarm
24 requirements and many of these states have laws in place
25 that extend requirements beyond new homes.

1 The fact of the matter is that many of
2 these deaths and injuries are preventable through the use
3 of a carbon monoxide alarm. I have seen this firsthand,
4 firsthand in my home City of Philadelphia.

5 On January 1st, 2009, an ordinance went
6 into effect in the city that required most homes to have
7 carbon monoxide alarms. The results we have experienced
8 is stunning.

9 In the five years prior to the enactment
10 of our ordinance, 30 percent of the carbon monoxide
11 incidents our fire department responded to resulted in
12 the need to transport a victim to the hospital.

13 In the two and a half years since the
14 enactment of the ordinance, four percent of the incidents
15 resulted in the transport of victims to the hospital.

16 Members of the Committee, these are
17 dramatic positive results, and if House Bill 2031 becomes
18 law, I see no reason why the entire State of Pennsylvania
19 could not experience similar results.

20 Why has the number of hospital transports
21 declined so much? It is simple. City residents
22 responded to the law by equipping their homes with carbon
23 monoxide alarms and alarms work.

24 They alert you that carbon monoxide is
25 present in your home before the levels are too dangerous.

1 With these results in mind, it is my
2 opinion that passage of the carbon monoxide alarm
3 ordinance in Philadelphia has improved the public health
4 and welfare of our citizens as much as any other action
5 taken in the city in recent years.

6 It is very important that Pennsylvania act
7 quickly to implement a statewide law that strengthens
8 requirements for carbon monoxide alarms in homes.

9 We are losing too many people to this
10 silent killer and far too many are being injured by this
11 lethal substance.

12 I have been a firefighter for over 37
13 years and have seen the devastating impact of carbon
14 monoxide and what it can have. I have been on the scene
15 of incidents that resulted in the death of a resident.

16 I have seen individuals suffer severe,
17 life-long injuries that are never -- and those folks are
18 never able to fully recover from these injuries.

19 Nearly all of these incidents could have
20 been prevented through the use of carbon monoxide alarms.

21 Burned indelible in my mind's eye is a
22 call that we answered in a home. This was in the Mount
23 Airy section of the City of Philadelphia. As we entered
24 the home, we could see an eerie sense of time and space
25 enveloped in our consciousness.

1 We climbed the stairs to the second
2 floor. We could see a young man and woman fully clothed,
3 huddled close together holding each other, as if to
4 comfort one another on their bed.

5 As we continued, in a room to the right,
6 we could see a grandmother with a little baby nestled
7 safely in her arms as she lay on her back on the bed.
8 The silence and stillness stood out in the house.

9 Three generations, all gone: A mother,
10 her son, his fiancée and their daughter, the
11 granddaughter, laying safely in mom's arms, all gone.

12 In the Cheltenham section of the city, I
13 remember a middle-aged man in his bathtub kneeling in the
14 fetal position.

15 We surmised that he had used the cold
16 water to try to keep awake as he worked on his
17 collection, his very expensive collections.

18 There were baseball cards, music albums,
19 CDs, all well kept, all organized, but he had no warning
20 of the deadly poisonous gas all around him.

21 His mate suffering from house sickness,
22 headaches, fortunately called 911. She was hospitalized
23 and she recovered, but he was gone.

24 Our state has experienced a multitude of
25 incidents as well.

1 Recently two Delaware County residents
2 living in separate apartments above a grocery store died
3 after being overcome by carbon monoxide. It came into
4 their homes from the store.

5 In Pittsburgh, a family had to be
6 transported to a local hospital in the middle of the
7 night after they were exposed to carbon monoxide.
8 Children ages one, three and five were among those
9 impacted by this particular incident.

10 Pennsylvania has a major problem when it
11 comes to carbon monoxide exposure and House Bill 2031 can
12 help to solve this problem.

13 By requiring the installation of carbon
14 monoxide alarms in homes when sold in multifamily
15 structures, you will be capturing many homes and
16 protecting many lives.

17 Carbon monoxide alarms are inexpensive.
18 You can purchase an alarm for as little as \$20 and they
19 typically last seven years.

20 An alarm is the only safe way to know if
21 this silent killer is present in your home and many of
22 the deaths and injuries that occur in Pennsylvania can be
23 prevented with an alarm.

24 Members of the Committee, I urge you to
25 move on House Bill 2031 through the legislative process

1 and to move quickly.

2 This legislation has the broad support of
3 the state fire service community and it will truly result
4 in lives saved in Pennsylvania.

5 Thank you for the opportunity to testify
6 on this important issue. I'm happy to take questions,
7 but I want to just add one other thing.

8 We were sitting back, I was talking to
9 Chief Huf, talking about what our experience was, and on
10 my Rsam, my Blackberry, right now, it came in, Woman, 50
11 years old, Medic 31 transported her to the hospital,
12 carbon monoxide alerted as soon as they walked into the
13 room.

14 This just now happened. She was not
15 protected with a carbon monoxide alarm.

16 It is the law, we're still rolling it out,
17 we're making sure that folks are educated to the need for
18 this, but just this morning as we sat in this building,
19 just now, it came across my Rsam. So we really need to
20 move forward.

21 I appreciate you hearing me this morning.
22 Any questions?

23 CHAIRMAN GODSHALL: Thank you,
24 Commissioner.

25 Those results in Philadelphia in the last

1 two, two and a half years are absolutely staggering, and
2 you have no idea what the compliance -- the compliance is
3 not nearly 100 percent I'm sure of that, never in our
4 area or any area when we have something new come on, but
5 the results that you had there in spite of, you know, not
6 a complete coverage, is absolutely staggering.

7 COMMISSIONER AYERS: Yes, sir.

8 CHAIRMAN GODSHALL: Are there any
9 questions from the members?

10 Representative Barbin.

11 REPRESENTATIVE BARBIN: Thank you.

12 Thank you, Mr. Chairman, and thank you,
13 Chief, for being here.

14 Your statistics, your dropping from 30
15 percent to four percent, which is an incredible public
16 safety benefit, can you tell us though, we're looking at
17 the specific language, how does your ordinance work for
18 the two things that we're addressing here which is
19 multifamily dwellings and when you sell your house you're
20 going to put in two carbon monoxide detectors.

21 How does Philadelphia's ordinance work on
22 those same two things? How many monoxide alarms do you
23 have?

24 COMMISSIONER AYERS: Yes, sir. In our
25 ordinance we ask that you have at least one carbon

1 monoxide alarm in the sleeping area. We ask that you
2 place one on the first floor, one in the basement.

3 And we ask that single family homes,
4 duplexes, multiple-occupied homes, and facilities that
5 deliver services to people who are challenged, if there
6 are 16 people in that home, including those caregivers,
7 you must have those installed.

8 REPRESENTATIVE BARBIN: Thank you. And
9 thank you for your testimony.

10 COMMISSIONER AYERS: Thank you for the
11 opportunity, sir.

12 CHAIRMAN GODSHALL: Thank you,
13 Commissioner. We appreciate you coming up here, you
14 know, and thank you for your testimony. It was quite
15 enlightening.

16 Thank you, sir.

17 COMMISSIONER AYERS: Thank you,
18 Representative.

19 CHAIRMAN GODSHALL: At this time I'd like
20 to call Peter Huf, Eastern Vice President, Pennsylvania
21 Professional Firefighters Association.

22 Mr. Huf, when you're ready.

23 MR. Huf: Good morning. My name is Peter
24 Huf, and I would like to thank the committee for the
25 opportunity to speak today in support of House Bill 2031

1 and the subject of carbon monoxide detectors.

2 I am a 25 year veteran of the Upper Darby
3 Fire Department. I was promoted to the rank of captain
4 in 2000 and currently work at the Upper Darby Station 37,
5 the busiest of five stations, protecting the 69th Street
6 area.

7 I'm a graduate of Villanova University
8 with a BS in biology, premed.

9 I'm also a graduate of Mercer County
10 Community College in New Jersey, graduating with a
11 mortuary science degree resulting in a funeral director's
12 license here in Pennsylvania.

13 I'm certified as a fire officer IV, the
14 top level in the national certification process. I also
15 have extensive training in hazardous materials, weapons
16 of mass destruction, incident command and fire inspector.

17 I currently serve as the president of the
18 Upper Darby Professional Firefighters Association and
19 vice president for the Pennsylvania Professional
20 Firefighters Association, representing 10,000 officers
21 and firefighters.

22 As you are well aware, carbon monoxide is
23 a colorless, odorless gas that can be very dangerous to
24 humans. It's presence can only be found through
25 technology in the use of detectors or meters.

1 As a licensed funeral director and partner
2 in a family business, I see too often the impact death
3 has on loved ones, especially a death that could have
4 been prevented.

5 In Upper Darby, over the past year, the
6 fire department has seen firsthand what this deadly gas
7 is capable of doing. On April 29th, 2011, a half block
8 from my station, two men died as a result of carbon
9 monoxide poisoning.

10 They died in their second floor apartments
11 after the first floor shop owner ran a gas-powered
12 generator inside to supplement the loss of power to his
13 store.

14 The generator ran through the night and
15 the men were found by myself and medics answering a check
16 on the well-being call after the family members could not
17 reach them.

18 The first male must have been sick and was
19 collapsed in the bathroom. The second male was found
20 dead in his bed. No carbon monoxide detectors were
21 present in the building.

22 Fire department meters peaked at 1,000
23 parts per million. Any readings over 35 parts per
24 million are considered dangerous.

25 On October 30th, 2011, at 4:44 in the

1 morning, fire department was dispatched to 7228 Bradford
2 Road for a carbon monoxide detector activation.

3 Our department procedure requires us to
4 remove occupants, meter the dwelling, and try to
5 determine the origin of the carbon monoxide if present in
6 the dwelling.

7 We also must check any adjoining
8 structures, in this case the dwellings on both sides.
9 The crews discovered higher readings in the attached row
10 to the left.

11 A thorough search revealed a 22-year-old
12 female dead in the basement bedroom and numerous sick
13 family members on the second floor. The next row home to
14 the left revealed more sick people.

15 In all, one dead, nine transported to the
16 hospital. PECO determined a blocked heater flu pipe in
17 the dwelling where the girl had died. This is very
18 common. We see this many times on our calls.

19 Again, levels of over 1,000 parts per
20 million were present in this home. Of the seven homes
21 that had some level of carbon monoxide, only one had a
22 carbon monoxide detector, the original call.

23 Potentially 15 people could easily have
24 died if not for this lone detector. But truthfully, no
25 one would have even been sick had all the homes been

1 equipped with operating carbon monoxide detectors.

2 Most recently on December 30th, 2011, the
3 fire department was dispatched to 3814 Albemarle Avenue
4 for possible carbon monoxide inside the dwelling.

5 Fortunately a sick dog, a sick family
6 member passing out resulted in a 911 call that sent seven
7 people to the hospital for extensive treatment. Luckily
8 no one died. But again, no carbon monoxide detectors
9 were present.

10 A week later we had the same incident at
11 the same dwelling. Only this time a recently installed
12 carbon monoxide detector alerted the family.

13 PECO found a second more serious problem
14 this time that only occurred when a gas heater and hot
15 water heater ran at the same time, resulting in back
16 pressure that sent exhaust into the dwelling.

17 These are some of the more serious
18 responses our department has recently been involved
19 with. We also respond to many calls where CO detectors
20 are present.

21 The early detection results in a quick
22 resolve to the incident with no injuries or deaths and
23 little impact to the people involved.

24 I would ask that you support House Bill
25 2031. I realize that every bill has some financial

1 impact on someone, but I think we have to ask ourselves
2 what is the cost of a human being.

3 Does the price of a carbon monoxide
4 detector outweigh a life or lives. I don't think so and
5 I doubt anyone here would think so.

6 This is the same argument that occurred
7 about 20 years ago concerning smoke detectors. I could
8 not even begin to guess how many lives they have saved.

9 Hopefully, the same will be true 20 years
10 from now when carbon monoxide detectors are a common
11 fixture in all our homes.

12 Again, thank you very much for the
13 opportunity to speak today.

14 CHAIRMAN GODSHALL: I was wondering as you
15 were going through this, I'm not sure if you're a paid or
16 volunteer organization in your own -- I know Philadelphia
17 is all paid, you know, personnel, and they have training
18 and so forth for their personnel, I'm sure.

19 But I know in the volunteer end, most of
20 mine are volunteer, most of them around the state are
21 volunteer, well, what's the practice as far as training
22 with CO2, with carbon monoxide?

23 MR. HUF: Well, in Upper Darby,
24 Representative, we're a combination department. There's
25 55 full-time firefighters and we're graduates of the

1 Philadelphia Fire Academy and then there's a portion of
2 volunteers also.

3 There's different types of training that
4 is available.

5 Anybody that goes through one of the fire
6 academies gets extensive training in carbon monoxide
7 incidents and then also in Upper Darby we have a contract
8 with Bucks County Community College that handles all of
9 our training.

10 And each year all the members of the
11 department, whether career or volunteer, go through
12 training just as a refresher to make sure everybody knows
13 how to read the meters that we carry on the trucks and go
14 through different scenarios.

15 Like I had mentioned in our report, the
16 one was a very fluke incident where it was this back
17 pressure that developed and it was an undersized flu
18 pipe.

19 So we have a lot of different things we
20 have to look at, you know, when we do arrive at an
21 emergency to try to figure out exactly what's going on
22 and not miss something.

23 CHAIRMAN GODSHALL: Is that training
24 normally universal?

25 I mean, is it pretty universal in the

1 State of Pennsylvania or, you know, like, it probably is
2 in the more urban areas like we are, but you know, a lot
3 of the rural areas I would seriously doubt the training
4 exists.

5 MR. HUF: Probably not. I don't think
6 it's a required level of training.

7 CHAIRMAN GODSHALL: That's what I was
8 wondering.

9 MR. HUF: But I think most departments as,
10 you know, there's a lot more media attention that's been
11 given to this type of emergency, I think more and more
12 departments are preparing for that.

13 It's only been a few years where we've
14 actually had the hand-held meters that we use and they're
15 roughly about \$10,000.

16 I mean, they're very expensive and we can
17 go in and monitor all sorts of air quality levels, and so
18 with the advent of those meters, there's been a hype in
19 the training to go along with that.

20 CHAIRMAN GODSHALL: Thank you, sir.

21 Are there any comments from any of the
22 committee members?

23 Representative.

24 REPRESENTATIVE BARBIN: Yes. I ask the
25 same question I asked the Philadelphia Fire Commissioner.

1 In Upper Darby, do you have an ordinance
2 that addresses the same issue we're trying to deal with
3 on a state level? How do you deal with home sales and
4 how do you deal with multifamily dwellings?

5 MR. HUF: We do not, Representative, have
6 an ordinance concerning carbon monoxide detectors. We do
7 for smoke detectors.

8 The only thing that we have is just public
9 awareness and education from the fire department, where
10 we educate our civilians on -- the citizens on the
11 importance of this safety.

12 REPRESENTATIVE BARBIN: Is there any
13 device that's out there on the market now less than \$100
14 that will give you both smoke detecting capability and
15 carbon monoxide?

16 MR. HUF: In recent years they have
17 developed a multi detector which is both smoke and carbon
18 monoxide, so yes. They would average in price, I'd say,
19 in the \$40 range.

20 REPRESENTATIVE BARBIN: Thank you.

21 MR. HUF: You're welcome.

22 CHAIRMAN GODSHALL: Representative Farry.

23 REPRESENTATIVE FARRY: I'm a volunteer
24 fire chief. I'd like to address some of the points that
25 the Chairman raised.

1 It's becoming like a more standard
2 practice for departments to carry carbon monoxide
3 detectors.

4 As a matter of fact, even our rescue squad
5 personnel, our medic personnel, actually have a small
6 detector on what's called their first-in bag, which is
7 the bag they take into dwellings.

8 Quite often people will call and not
9 realize it's carbon monoxide, just think that they're
10 sickened, and rather than expose the medic personnel to a
11 hazardous situation, when they walk in, if that early
12 detection on the bag goes off, they immediately get the
13 subject out of the building and they back out and call
14 the fire department.

15 As for fire department operations, for
16 departments that do not have carbon monoxide detectors,
17 they're actually able to evacuate the building and call
18 the utility, in this case PECO, that have air monitoring
19 devices to come in and check the structure.

20 So even the departments that do not have
21 carbon monoxide detectors, which I can tell you in this
22 area it's very common, we have them on all of our trucks,
23 but for departments that do not have them, they can call
24 the utility to do the air monitoring.

25 CHAIRMAN GODSHALL: Thank you.

1 And Frank, what rank have you reached in
2 your fire -- in your days as a firefighter?

3 REPRESENTATIVE FARRY: I'm in my 12th year
4 as chief of the department that protects the area we're
5 in right now.

6 CHAIRMAN GODSHALL: That's Middletown.

7 REPRESENTATIVE FARRY: Middletown
8 Township. Yes. We cover a portion of Middletown as well
9 as the Langhorne Boro and Langhorne.

10 CHAIRMAN GODSHALL: Congratulations.

11 Thank you very much. Are there any other,
12 any additional questions?

13 Another question.

14 REPRESENTATIVE FARRY: I'm sorry. Chief
15 Huf, so in 2011 -- well, actually, what's the population
16 of Upper Darby?

17 MR. HUF: Upper Darby is the fifth largest
18 municipality in the state and we currently have a
19 population of about 83,000 residents.

20 REPRESENTATIVE FARRY: Okay. So in 2011,
21 initially documented is that you testified to three
22 people died and 16 had to be hospitalized just in 2011
23 out of your 83,000 residents from carbon monoxide.

24 MR. HUF: That's correct.

25 REPRESENTATIVE FARRY: I think they're

1 pretty significant numbers.

2 CHAIRMAN GODSHALL: They really are, and
3 the same with Philadelphia. It's quite an eye opening,
4 you know, lesson for us to understand.

5 I never dreamt, you know, this was this
6 kind of a situation that we're hearing about today, so
7 thank you very much and I'd like -- thank you for your
8 testimony.

9 MR. HUF: Thank you.

10 CHAIRMAN GODSHALL: For coming up here
11 from Upper Darby.

12 I'd like to call Meg Watt, an advocate at
13 this point, to testify and, Ms. Watt, it's all yours,
14 whenever you're ready.

15 MS. WATT: Thank you.

16 Hello and thank you for allowing me to
17 speak with you today. My name is Meg Watt and I come
18 bearing a message of voices around the state imploring
19 you for legislation. That's the unique challenge.

20 How do you condense the heartache of loved
21 ones lost into a compelling and thought-provoking message
22 encouraging lawmakers to save lives. Let me share the
23 words of one such voice.

24 Dena Yeagley recently shared her feelings
25 on a similar piece of legislation.

1 She shares the heartbreaking loss of her
2 daughter, Abby, while she slept in her father's rental
3 apartment Thanksgiving 2003, and how her only child would
4 be graduating high school this year. What a tragic loss
5 on so many levels.

6 Dena says, Words cannot adequately express
7 the magnitude of such a loss, and how to this day it
8 continues to devastate me.

9 This event rocked our community, spreading
10 the word to hundreds of people who were completely
11 unaware of such a danger lurking in their own homes.
12 Detectors flew off the shelves of local stores.

13 People in our community were now armed
14 with powerful information, knowledge that could save
15 their lives and the lives of their loved ones. What an
16 example my situation provided.

17 My story, though not the same, shares
18 Dena's pain. Four years ago almost to the day my brother
19 and his friends began renovating a house. My brother had
20 a great day.

21 He had asked and gotten for -- and gotten
22 a raise, opened his first bank account and paid for his
23 membership at BJ's in anticipation of purchasing toilet
24 paper and stuff.

25 He never knew that his breaths were

1 numbered, all because of a danger he couldn't sense.

2 We gauge a life by the breaths we take,
3 from the first to the last. We captivate an audience by
4 taking their breath away. We breathe quickly when we
5 experience our first kiss.

6 We wait with bated breath for a loved one
7 to return from war. But do any of us really think about
8 the simple gift of a single breath?

9 Change and legislation are both
10 reactionary. It is rare we think of a problem before it
11 ever happens. Seat belts were required only after
12 accidents took countless needless -- or lives needlessly.

13 A small strap of fabric provided -- proved
14 to be the difference between life and death. I come to
15 you imploring for a small device to act accordingly for
16 those in our state.

17 House Bill 2031 isn't frivolous or
18 costly. It doesn't change the daily lives of your
19 constituents in any way they would notice. It just
20 protects them on a very base level, assuring air they
21 breathe is not silently poisoning them.

22 We fit homes with smoke alarms. We
23 protect our families and ourselves from a danger we can
24 sense. We see and hear the flames, feel the heat, smell
25 and taste the smoke.

1 With carbon monoxide there are no such
2 indicators. There is no warning. As a mom, many a night
3 I have been tired, or had a headache. I would never
4 suspect a CO leak in my home.

5 I would never worry that an air
6 conditioner unit might be installed incorrectly or a
7 furnace was leaking.

8 Families all over Pennsylvania, indeed all
9 over the country, share a sorrow that can never be eased
10 but the embers of our shared pain have sparked a flame
11 that cannot be squelched without legislation.

12 How many children must lose a mother? How
13 many mothers must lose their only son? How many families
14 must suffer this ache? How many must die for action to
15 take place?

16 I've been speaking on this issue for three
17 years. This bill enacts a change as vital as smoke
18 detectors and seat belts. This is a simple matter of
19 requiring people to protect themselves and others who
20 enter their homes.

21 It's the act of protecting those who may
22 not even know they're in danger.

23 I started the Four Friends Memorial with
24 the goal of getting as many people protected by a CO
25 detector as possible. You have the ability to make this

1 dream a reality.

2 Don't let Michael Hopkins, Salvatore
3 Facciponte, III, Michael McGovern and Steven Larson die
4 in vain. Let their legacy be the breaths of those saved
5 by this law.

6 Thank you for inviting me to speak and
7 considering this imperative legislation.

8 CHAIRMAN GODSHALL: Thank you for your
9 heartfelt sharing with us today. I know what it is to
10 experience loss of a family member and I appreciate your
11 testimony.

12 Are there any questions from any of the
13 committee members?

14 Representative Farry.

15 REPRESENTATIVE FARRY: I just want to
16 thank Meg. We've appeared at press conferences together
17 in Harrisburg to advocate for this cause. She's also
18 testified in front of the Senate.

19 I'm sure it's not easy having lost a loved
20 one to constantly be reminded of it but you're turning it
21 into a good cause. Thank you for being such a strong
22 advocate for this cause.

23 CHAIRMAN GODSHALL: Thank you very much
24 for your testimony. Thank you.

25 MS. WATT: Thank you.

1 CHAIRMAN GODSHALL: We next have Allyson
2 Fulton, Child Safety Coordinator for the Safe Kids of
3 Pennsylvania.

4 Excuse me, Allyson. I wasn't sure you
5 were here.

6 So the next presenter is Gary Zimmer and
7 Kimberly Everett from the department of emergency
8 medicine, St. Mary Medical Center, and trauma prevention
9 coordinator from St. Mary's Medical.

10 I wasn't sure you were here. I
11 apologize.

12 DR. ZIMMER: Good morning, Mr. Chairman
13 and members of the committee and staff. Thank you very
14 much for giving me the opportunity to speak this morning.

15 My name is Dr. Gary Zimmer.

16 I'm the chairman of emergency medicine at
17 St. Mary Medical Center here in Langhorne, and on behalf
18 of the colleagues and physicians at St. Mary as well as
19 the physicians in my physician practice who serve Bucks
20 County, Montgomery County, Mifflin County, Berks County
21 and Philadelphia city, it's my pleasure to be able to
22 speak to you on this very important issue.

23 Carbon monoxide kills. It's a colorless,
24 odorless gas that causes the insidious onset of
25 progressive illness and ultimately death. It's a

1 by-product of the combustion of many substances,
2 including coal, wood, gas and others.

3 It binds to the red blood cells much more
4 strongly than oxygen does. As a result, the oxygen that
5 is vital to life cannot attach to the cells because
6 they're already occupied with carbon monoxide.

7 Because of its characteristics,
8 carboxyhemoglobin, that's the hemoglobin in the red blood
9 cells that's bound to carbon monoxide, is red. What does
10 this mean?

11 It means that as a result patients don't
12 present with signs of cyanosis or blue color, as you
13 might expect in a low oxygen state.

14 Even more concerning, pulse oximetry
15 reading, that is the equipment that we use to measure the
16 oxygen level in the blood, reports a falsely elevated
17 level.

18 As such, vital signs are not just
19 unhelpful, they can be absolutely misleading in carbon
20 monoxide exposure.

21 The symptoms of carbon monoxide poisoning
22 are extremely nonspecific.

23 Symptoms range from dizziness, headache,
24 weakness, nausea and vomiting to more ominous findings of
25 confusion, loss of consciousness, seizures and ultimately

1 death.

2 This range of symptoms mimics literally
3 dozens of other illnesses and can easily be missed.

4 It is not until there's a high index of
5 suspicion and significant symptoms for carbon monoxide
6 exposure that the diagnosis can be made.

7 Many emergency departments must obtain
8 arterial blood samples from a painful procedure to
9 measure the amount of carbon monoxide in someone's blood.

10 At St. Mary Medical Center, we're
11 fortunate to have specialized equipment that measures
12 this level noninvasively.

13 As background, according to the CDC as
14 we've heard, carbon monoxide exposure directly results in
15 over 15,000 emergency department visits nationally and
16 500 unintentional deaths annually. That's not the
17 alarming fact.

18 The alarming fact is when you look at
19 contributing causes of deaths, more than 16,000 deaths
20 are at least partially attributed to carbon monoxide
21 annually.

22 Based on the CDC data and published
23 literature, the elderly and very young are at the highest
24 risk of serious morbidity and death.

25 Personally I remember a case of carbon

1 monoxide poisoning from my training in another state. A
2 large immigrant family was living in a tiny apartment in
3 an urban setting and there was no heat.

4 They were using their stove and portable
5 devices to try to keep their family warm during the
6 winter. There were I believe eight people in the
7 house -- in that apartment that night. There were three
8 fatalities.

9 There were two infants who suffered
10 serious and permanent brain damage and a simple carbon
11 monoxide detector would have prevented all of the harm.

12 In our local community we receive as many
13 as 50 emergency department cases annually at St. Mary
14 Medical Center with significant carbon monoxide exposure.

15 I'll add, just as an aside, that this
16 underrepresents the prevalence of the problem in our
17 community, because those patients with multiple injuries
18 and burns generally don't come to our emergency
19 department, they get flown into Philadelphia directly.

20 So these are the less severe of the cases
21 for those who survive.

22 Each case results in thousands of dollars
23 of healthcare costs, all of which are preventable with
24 effective maintenance of combustion equipment and
25 functioning carbon monoxide detectors.

1 In addition, there are numerous
2 unaccountable cases that are undiagnosed. Minor carbon
3 monoxide exposure would be prevented with carbon monoxide
4 detectors and at lower levels than if people were to be
5 exposed without alerts.

6 And on behalf of St. Mary Medical Center,
7 I urge you to pass House Bill 2031 and any related
8 measures that would require carbon monoxide detectors in
9 dwellings.

10 I'd be happy to take questions.

11 CHAIRMAN GODSHALL: Thank you, Dr. Zimmer.

12 Are there any questions from any of the
13 members?

14 Representative Farry.

15 REPRESENTATIVE FARRY: Doctor, if you can
16 just touch on, you referenced about the infants in that
17 case you had from the other state with the severe brain
18 damage.

19 Carbon monoxide isn't just potentially
20 fatal after the initial incident, it can have some long-
21 term health effects I guess from starving the brain of
22 oxygen.

23 Can you just touch on the point of some of
24 the debilitating aspects of carbon monoxide poisoning.

25 DR. ZIMMER: Sure. There are a range of

1 conditions that can result from significant carbon
2 monoxide exposure.

3 From the more significant ones of anoxic
4 brain damage, not that significantly different from
5 drownings and similar types of situations, with
6 debilitating and severe neurologic problems and
7 retardation, but also more subtle ones.

8 There's a good body of literature that
9 says those people who come in with alterations of their
10 level of consciousness from carbon monoxide have long-
11 term cognitive disabilities: Concentration, learning
12 disabilities.

13 Again, the softer signs are a little bit
14 harder to research but clearly causes permanent damage of
15 a mild to moderate range as well.

16 REPRESENTATIVE FARRY: Thank you.

17 CHAIRMAN GODSHALL: Thank you, sir.

18 Representative Stevens.

19 REPRESENTATIVE STEVENS: Thank you,
20 Doctor.

21 While we have you here, so in terms of the
22 dangers, is simple exposure to carbon monoxide
23 problematic or do you have to be exposed at a certain
24 level I guess? I guess that's sort of the heart of my
25 question.

1 Is there a minimum level or is a prolonged
2 exposure at lower levels equally dangerous in terms of
3 the long-term effects?

4 DR. ZIMMER: There's not a lot of
5 information about long-term low level exposure, other
6 than looking at our friends and family who smoke.

7 Smokers have chronic levels of carbon
8 monoxide in their blood that are three to five times what
9 you expect in nonsmokers.

10 Similarly, firefighters who don't wear
11 protective equipment who come out of house fires have
12 significant carbon monoxide levels often without
13 significant symptoms.

14 There's clearly a threshold for an acute
15 exposure that causes symptoms. I'm not aware of any
16 research that talks about low level damage as a result --
17 sorry, low level exposure causing long-term damage.

18 MR. STEVENS: Thank you.

19 CHAIRMAN GODSHALL: Follow-up from
20 Representative Barbin.

21 REPRESENTATIVE BARBIN: Thank you.

22 Doctor, since you're here and the question
23 was raised, it sounds like the problem with carbon
24 monoxide is it becomes sticky to the blood. How long can
25 it actually dissolve itself over time?

1 DR. ZIMMER: So the amount of time that it
2 takes for carbon monoxide to leave the body depends
3 primarily on how much oxygen is present.

4 One of the hallmarks of therapy for
5 significant carbon monoxide exposure is hyperbaric oxygen
6 treatment where you put someone in the dive chamber, if
7 you will, to present the body with an overwhelming amount
8 of oxygen to try to get that carbon monoxide off.

9 If left at room air, people will take
10 between four and six hours to let carbon monoxide leave
11 their body.

12 With standard amounts of oxygen that we
13 can deliver we can get that number down to 60 to 90
14 minutes, and with hyperbaric oxygen it's under 30
15 minutes.

16 REPRESENTATIVE BARBIN: Thank you.

17 CHAIRMAN GODSHALL: Thank you, Doctor, and
18 thank you very much for being with us today.

19 MR. ZIMMER: Thank you.

20 CHAIRMAN GODSHALL: At this time, I'll try
21 to be correct, Allyson, Miss Allyson Fulton, the Child
22 Safety Coordinator from Safe Kids Pennsylvania.

23 When you're ready. Good morning.

24 MS. FULTON: Good morning.

25 My name is Allyson Fulton and I am the

1 child safety coordinator for Safe Kids Pennsylvania. I
2 want to thank you for the opportunity to testify in
3 support of House Bill 2031.

4 Requiring a carbon monoxide alarm will
5 help protect the youngest residents of the Commonwealth.

6 Safe Kids Pennsylvania is a statewide
7 grassroots organization focused on preventing the number
8 one killer of children, unintentional injuries.

9 While people often think of unintentional
10 injuries as accidents, these injuries and deaths can
11 frequently be prevented either by active supervision or
12 by an inexpensive safety device.

13 As you've already heard, carbon monoxide
14 is an odorless, colorless and tasteless gas often
15 referred to as the silent killer.

16 Understanding that we cannot smell, see or
17 taste CO, we must take a proactive approach to protecting
18 our children from this danger.

19 Based on data from the U.S. census Bureau,
20 83 percent of Pennsylvania housing uses some form of
21 fossil fuel-burning heat which can generate CO.

22 According to the Centers for Disease
23 Control and Prevention, the most common symptoms of CO
24 poisoning are headache, dizziness, weakness, nausea,
25 vomiting, chest pain and confusion.

1 Many of these symptoms are similar to the
2 flu and other common ailments, making CO poisoning
3 difficult to diagnose unless it is suspected. CO causes
4 illness by decreasing the amount of oxygen present in a
5 person's body.

6 Because of their high metabolic rates and
7 high tissue oxygen demands, children are biologically at
8 increased risk of CO poisoning.

9 They are among the most susceptible,
10 experiencing the effects of CO before other members of
11 their family.

12 According to Safe Kids U.S.A., of all age
13 groups, children ages four and under have the highest
14 rates of emergency department visits for CO-related
15 incidents.

16 Health and safety experts agree that the
17 use of a carbon monoxide alarm is a critical safety
18 intervention.

19 The Center for Disease Control and
20 Prevention and the Consumer Product Safety Commission
21 promote carbon monoxide alarms as a way to protect kids
22 and families from poisoning-related injuries and deaths.

23 A CO alarm in the home can give families
24 an early warning when concentrations of carbon monoxide
25 reach dangerous levels. It is estimated that CO alarms

1 may prevent half of such related deaths from occurring.

2 Knowing that relatively few families have
3 CO alarms in their homes and that more public education
4 is needed to spread awareness about the dangers of carbon
5 monoxide, I urge you to support House Bill 2031.

6 Safe Kids Pennsylvania will continue to
7 strive to educate families and caregivers through its
8 statewide affiliate network about the dangers of carbon
9 monoxide exposure and effective ways to prevent
10 fatalities and injuries.

11 Thank you for your time this morning.

12 CHAIRMAN GODSHALL: Thank you very much
13 for your testimony. Are there any questions? No follow-
14 ups?

15 We'll let you off easy. Thank you very
16 much for your testimony.

17 MS. FULTON: Thank you again.

18 CHAIRMAN GODSHALL: We next have Greg
19 Herb, Chairman of the Pennsylvania Association of
20 Realtors and Todd Polinchock, Past President of
21 Pennsylvania Association of Realtors.

22 Gentlemen, when you're ready.

23 MR. HERB: Good morning, Chairman
24 Godshall, Representative Farry and members of the House
25 Consumer Affairs Committee. My name is Greg Herb.

1 I currently serve as the legislative chair
2 of the Pennsylvania Association of Realtors and served as
3 its state president in 2009.

4 On behalf of the 28,000 realtors in
5 Pennsylvania, I'm here to present testimony on carbon
6 monoxide detectors in existing housing stock.

7 I'd like to take the opportunity to share
8 our position on CO detectors and those requirements.

9 Last year Senator Browne introduced Senate
10 Bill 920 and Representative Farry introduced House Bill
11 2031, both of which would require homeowners to
12 demonstrate their homes are equipped with CO detectors
13 upon the sale of their properties.

14 PAR raised concerns about this type of
15 mandate because it would bring unnecessary point of sale
16 inspections and further complicate the transfer of
17 property.

18 Pennsylvania Association of Realtors has
19 worked with Senator Browne and Representative Farry as
20 Representative Farry made remarks in his opening comments
21 to ensure that consumers are protected by their homes and
22 in their homes by alerting buyers to the presence of CO
23 detectors in residences through the Sellers Property
24 Disclosure Statement.

25 Both Senator and Representatives have

1 understood and understand that additional point of sale
2 inspections would be an undue hardship.

3 The bill now allows the buyer and the
4 seller to negotiate the installation of detectors as part
5 of the real estate transaction.

6 Thank you for allowing me to share our
7 thoughts and ideas with you and I would welcome your
8 questions at this time.

9 CHAIRMAN GODSHALL: Would you identify
10 yourself, please.

11 REPRESENTATIVE POLINCHOCK: Good morning,
12 Chairman Godshall, Representative Farry, and Members of
13 the House Consumer Affairs Committee. My name is Todd
14 Polinchock and I've been in the real estate business
15 since 2002.

16 I'm a past president of the Bucks County
17 Association of Realtors and the current Chair of the
18 business issues subcommittee of the Pennsylvania
19 Association of Realtors.

20 I'm here to present testimony in support
21 of adding carbon monoxide detectors to the Sellers
22 Property Disclosure Statement.

23 I was pleased to see this in both Senate
24 Bill 920 and in House Bill 2031 because it is by far the
25 common sense approach to addressing this important issue

1 and keeping Pennsylvanians safe from carbon monoxide
2 poisoning.

3 The Sellers Property Disclosure Statement
4 or Sellers Disclosure as we know it has been required in
5 real estate transactions since 1996 to effectively
6 highlight a range of features and deficiencies with a
7 property.

8 A seller must complete the form to the
9 best of their knowledge. The form allows the seller's
10 agent to open dialogue with his client about the
11 improvements that could be done in good faith to allow
12 the transaction to continue.

13 At this point, a seller's agent can take
14 the opportunity to educate and explain to their client
15 what is needed to comply with carbon monoxide detector
16 regulations.

17 The Sellers Disclosure is used as a
18 negotiating tool as well between a buyer and a seller to
19 determine who will be responsible for installing a CO
20 detector.

21 By including the CO detector in the
22 Sellers Disclosure form, it becomes part of the
23 established real estate transaction and protects the home
24 buyer in much the same fashion as smoke detectors.

25 Thank you again for the opportunity to

1 speak with you today about carbon monoxide detectors and
2 the Sellers Disclosure and at this time I'm available for
3 questions.

4 CHAIRMAN GODSHALL: Thank you, Gentlemen.
5 Are there any questions?

6 Representative Stevens.

7 REPRESENTATIVE STEVENS: Thank you for
8 your testimony.

9 Does that mean that the Pennsylvania
10 Association of Realtors supports the legislation; am I
11 correct?

12 MR. HERB: That is correct.

13 REPRESENTATIVE STEVENS: Thank you.

14 CHAIRMAN GODSHALL: Any other questions?
15 Representative Farry.

16 REPRESENTATIVE FARRY: Yes, I just want to
17 thank the Association.

18 The bill in its initial form, prior to my
19 introduction, the Senate bill in its initial form,
20 obviously as the two gentlemen testified to, there was
21 some concerns with.

22 I worked with Senator Browne and the
23 Association, came up with language that addressed the
24 concerns of this group, which were very fair issues that
25 you raised, and the bill as introduced today does address

1 those concerns, so I appreciate your support on this.

2 Thank you.

3 CHAIRMAN GODSHALL: Thank you, Gentlemen.

4 Thank you for being with us today.

5 And we have one addition to the agenda.

6 Mary Smithson is here today and has a personal experience

7 and she asked if we had time that she be allowed to

8 testify and we're happy to have you here today. Thank

9 you.

10 MS. SMITHSON: Good morning, Mr. Chairman.

11 My name is Mary K. Smithson.

12 CHAIRMAN GODSHALL: Try to speak right

13 into the microphone, please.

14 MS. SMITHSON: Good morning. My name is

15 Mary Smithson.

16 I'm a resident of Washington's Crossing,

17 Bucks County, Pennsylvania, and I'd like to express my

18 sincerest appreciation to the Honorable Frank Farry for

19 giving me an opportunity to submit testimony to the

20 committee on House Bill 2031.

21 I am an elected official in Bucks County

22 and have served the citizens of Bucks County as clerk of

23 the courts of Court of the Common Pleas since 1996.

24 Carbon monoxide poisoning is a deadly gas

25 which contains no odor, no taste, no color and is

1 extremely difficult to detect. The effects of carbon
2 monoxide poisoning can be extremely severe and in some
3 cases fatal.

4 I have a personal experience as my aunt
5 and uncle, Dave and Jean Householder, from Beaver County,
6 Pennsylvania, were overcome by this silent killer while
7 in a nursing facility in Beaver County which is fully
8 accredited by the Department of Welfare.

9 The occurrence happened on February 21st,
10 2007, almost five years ago. High levels of carbon
11 monoxide were found in their system while they slept.

12 Both of them suffered heart attacks, loss
13 of fine motor skills, confusion, Parkinson-like symptoms.

14 Two weeks later, my uncle died, my Uncle
15 Dave died, and seven days later my Aunt Jean passed away
16 from the devastating effects of carbon monoxide
17 poisoning.

18 No carbon monoxide detector was installed
19 at the nursing home until after the tragedy occurred,
20 since the installation of carbon monoxide detectors is
21 not mandatory under Pennsylvania law.

22 This proposed legislation addresses the
23 issues of existing multifamily dwellings and the
24 requirement that new homeowners upon sale of their homes
25 be required to equip the home with carbon monoxide

1 detectors.

2 This device is relatively inexpensive, are
3 either battery or AC powered, with or without battery
4 back-up. The cost of a detector by price at True
5 Hardware is less than \$20.

6 Carbon monoxide detectors are just as
7 important to home and public safety as smoke detectors.
8 I can think of no reason why their installation should
9 not be mandatory by law.

10 Although Bucks County has had five deaths
11 in 2010 and two deaths in 2011 from carbon monoxide
12 poisoning tragedies, which could have been prevented with
13 the presence of carbon monoxide detectors.

14 Pennsylvania has the second largest
15 population of World War II veterans and baby boomers in
16 the nation, many of whom now live in assisted living and
17 nursing facilities.

18 None of them are required by law to have
19 carbon monoxide protectors installed.

20 I implore the members of the committee to
21 not only bring this bill out of committee but to add
22 requirements of all nursing facilities regulated by the
23 Department of Welfare to mandate to have carbon monoxide
24 detectors installed as a condition of maintaining their
25 licenses.

1 Doing so can avoid many tragic deaths from
2 carbon monoxide poisoning as suffered by my aunt and
3 uncle and many others.

4 I respectfully submit this. I will also
5 show to members of the board that are here today
6 actually, once again, what it looks, a carbon monoxide
7 detector. Thank you.

8 CHAIRMAN GODSHALL: Miss Smithson, I was
9 wondering, in the Beaver County incident, the nursing
10 facility, was that a large nursing facility and were
11 other people also injured in that situation?

12 MS. SMITHSON: Yes. Yes. There were a
13 number of patients that were injured. They were the only
14 two that fatally died.

15 CHAIRMAN GODSHALL: Did they find out what
16 caused --

17 MS. SMITHSON: Yes. It was the heater in
18 the basement.

19 CHAIRMAN GODSHALL: Okay. Are there any
20 questions from any of the members?

21 REPRESENTATIVE BARBIN: I have one.

22 CHAIRMAN GODSHALL: Okay. Representative
23 Barbin.

24 REPRESENTATIVE BARBIN: When you started
25 to look at this question as it affected nursing

1 facilities, did you look at any of the other facilities
2 that might be licensed by DPW to see if there were
3 special provisions of their licenses that required carbon
4 monoxide detectors to be used in group homes or let's say
5 skilled nursing facilities?

6 Can you tell us what you found out?

7 MS. SMITHSON: I testified before with
8 Kathy Watson, the state legislator, regarding the issue
9 of carbon monoxide poisoning and in particular for
10 nursing facilities.

11 The Department of Welfare who in this
12 particular incident installed a carbon monoxide detector
13 after the incident occurred, but again, when I testified
14 with them for this, it -- because it is not mandatory and
15 the fact that they felt that it was too expensive to
16 place into facilities, they are -- they have not been
17 supportive of this piece of legislation.

18 So the number of new facilities that are
19 being proposed or are present on the books, I don't have
20 any information to assist you on that answer.

21 REPRESENTATIVE BARBIN: Was there any
22 discussion of -- one of the exclusions under this bill is
23 for dormitories. Was there any discussion in the prior
24 hearing about including this requirement for state
25 university dormitories?

1 MS. SMITHSON: College universities was
2 not an issue that was brought up at that hearing. Not to
3 say that it shouldn't but it was not brought up.

4 REPRESENTATIVE BARBIN: Thank you.

5 CHAIRMAN GODSHALL: Representative Evans.

6 REPRESENTATIVE EVANS: Thank you,
7 Mr. Chairman.

8 Yes. Following in line with the previous
9 questions, it is rather stunning to learn that nursing
10 homes aren't required to have this simple tool ready to
11 use in their facilities.

12 And I'm asking about the possibility of
13 college dormitories, and if we extend that, we have state
14 prisons in Pennsylvania also that house large numbers of
15 people.

16 I'm wondering if the sponsor would be
17 willing to look at any amendments that would address
18 those other concerns that wouldn't be provided in the
19 bill as it now stands.

20 REPRESENTATIVE FARRY: I would absolutely
21 not be opposed to expanding the requirements of where the
22 detectors need to be placed.

23 The reason we are tackling dwellings is
24 I've gotten feedback from several colleagues feeling that
25 this was a mandate and there's obviously a push to be

1 mandate-free.

2 I think the numbers we heard today are
3 very compelling.

4 You know, we're trying to chip away at a
5 boulder at this point, and myself and Senator Browne, the
6 reason we targeted the single family dwellings and
7 multifamily structures is to keep this process moving
8 forward.

9 You know, over time, absolutely nursing
10 homes, dormitories, they should all be required to have
11 that.

12 If we add that to this bill, I think we're
13 going to create opposition groups which at this point in
14 time we do not have any documented opposition.

15 We've worked with the various groups this
16 is going to impact, the realtors, the landlords, and we
17 included language in the bill to address their concerns
18 while still achieving our goal. So that would be my only
19 concern.

20 Representative Watson does have a
21 freestanding bill which addresses the nursing home issue.

22 You know, I'd be happy to, you know,
23 support amendments on this bill if we obviously have
24 enough votes to get it out of the House and to the
25 Senate.

1 Senator Browne's bill is -- I believe it's
2 coming through committee at this point in time, is
3 that -- Senator Browne's bill has already passed
4 committee and I don't care if it's Senator Browne's bill
5 or my bill, I just want this to become law in
6 Pennsylvania and save some lives.

7 So I would be open to it if we can get
8 this legislation through.

9 REPRESENTATIVE EVANS: Well, thank you for
10 responding.

11 I'd like to thank Miss Smithson for her
12 testimony which does bring this issue to light and I
13 think this is a good first step and this is something
14 that will address the issue that has been bouncing around
15 for several years now but perhaps we could look at
16 Representative Watson's bill.

17 It just seems like common sense that if
18 state tax dollars are being used to house students or
19 seniors or inmates or others that we're using state
20 dollars for that we should offer them those simple
21 protections as well.

22 But thank you very much for your testimony
23 and thank you, Representative Farry.

24 MS. SMITHSON: If I could add one more
25 thing to all of you. The reason why I brought this up

1 and I appreciate Representative Evans speaking of that
2 issue, I'm not here to not support this. I believe in it
3 wholeheartedly.

4 I brought this issue so that you would all
5 be aware of what else goes on in regards to the issues of
6 carbon monoxide that happens in other areas, particularly
7 nursing facilities.

8 I certainly truly support this House bill
9 and would hope wholeheartedly that it does come out and
10 that it will be a bill that will be passed and that the
11 government will support it.

12 So I am very supportive and again,
13 appreciate Representative Farry for his interest in that
14 and Chairman Godshall for allowing me to come and speak
15 on this issue.

16 CHAIRMAN GODSHALL: Thank you for your
17 comments today. We're glad we had time to take you in.
18 I think you were a valuable addition to the hearing.

19 And I just want to mention that I have
20 some -- a little -- I have some experience on this issue,
21 not in the housing end of it, but a number of years ago I
22 remember vividly a situation that happened up in north
23 central Pennsylvania during deer season when we have a
24 lot of hunters that go up to hunting from this --
25 especially from the southeast, with campers and sleep in

1 a camper in back of their truck and put in a space heater
2 or some kind or other for heat.

3 And I immediately remember a situation, it
4 goes back as I said, when we sort of came upon -- this
5 truck was sitting there and everyone was sitting there
6 and snow on the ground and there's no tracks.

7 Well, the people that were in there were
8 asphyxiated really by carbon monoxide because of the
9 contained, how tightly the camper was contained.

10 And that happens over and over again in
11 the hunting community as Representative Barbin knows.

12 I believe there's probably more losses
13 every year due to carbon monoxide than there are hunter
14 accidents, which have been, you know, going down and
15 down.

16 But carbon monoxide deaths haven't gone
17 down, they've gone up, because a lot of hunters use that
18 mode of living when they're out in the woods.

19 I just want to say thank you for everybody
20 that came here today, the presenters that came here and
21 gave us their time and your expertise, and with that, I
22 would just like to adjourn the meeting and express my
23 thanks to Representative Farry for setting everything up.

24 Do you have anything in closing?

25 REPRESENTATIVE FARRY: Yes.

1 CHAIRMAN GODSHALL: Representative Farry
2 is going to close the meeting.

3 REPRESENTATIVE FARRY: Thank you,
4 Chairman.

5 I'd like to thank everybody for coming out
6 today, those that testified, those members of the public
7 and the media for being there. It's important that the
8 media spread the word.

9 My office after a blurb running in the
10 newspaper about this coming hearing, my office received
11 phone calls from some residents that said that it drove
12 their level of awareness and they actually went out and
13 bought carbon monoxide detectors.

14 So as we continue moving this battle
15 forward, you know, Pennsylvanians continue to be
16 sickened.

17 As Commissioner Ayers testified, while he
18 was in this room today, Philly had another case of a
19 carbon monoxide poisoning that required hospitalization.

20 So our number of 146 during this winter
21 season which was the number as of last week is now up at
22 least to 147.

23 In Philadelphia where they have a law
24 which is very similar, an ordinance that is very similar
25 to what we're proposing here today, the numbers don't

1 lie.

2 The required hospitalizations went from 30
3 percent to four percent. The numbers are there.

4 Pittsburgh did a three-month study in
5 homes that had carbon monoxide detectors, they had 60
6 incidents in a three-month period. 11.7 percent of the
7 residents had symptoms and only two required
8 hospitalizations, so two out of 60.

9 In structures that did not have a CO
10 alarm, there were 41 incidents. 63.4 percent of the
11 folks had symptoms, 24 required hospitalization. 24
12 hospitalizations out of 41 incidents versus 2 to 60. The
13 numbers are there.

14 I ask my colleagues that are here today,
15 as well as the ones that may read this testimony or see
16 this on PCN, please help advocate for this cause because
17 every moment that goes by Pennsylvanians are at risk,
18 Pennsylvanians are being poisoned, Pennsylvanians are
19 dying.

20 So thank you everybody for being here
21 today. Thank you, Chairman, for allowing us to have this
22 meeting and hopefully advancing this bill.

23 CHAIRMAN GODSHALL: I want to thank Bucks
24 County's number one firefighter for setting this up.
25 Thank you.

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CERTIFICATION

I, KATHLEEN MCHUGH, a Registered Professional Reporter and Commissioner of Deeds, hereby certify that the foregoing is a true and accurate transcript of the deposition of said witness who was first duly sworn by me on the date and place herein before set forth.

I FURTHER CERTIFY that I am neither attorney nor counsel for, not related to nor employed by any of the parties to the action in which this deposition was taken; and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

KATHLEEN MCHUGH
Registered Professional Reporter
and Commissioner of Deeds