

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 264

PRINTER NO. 3367

AMOUNT

No Adverse Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 2, 2015

PRIME SPONSOR

Senator Mustio

DESCRIPTION AND PURPOSE OF BILL

House Bill 264 establishes the Care Facility Carbon Monoxide Alarms Standards Act.

HB 264 defines a "care facility" as a long-term care nursing facility, personal care home, or assisted living residence.

The bill requires carbon monoxide detectors to be installed in each care facility in close proximity of, but not less than 15 feet from, any fossil fuel burning device or appliance. If the alarm cannot be heard in this location by the staff on duty on a specific floor or wing of the facility, an additional alarm shall be installed. Similarly, a third alarm shall be installed if there are resident living units or bedrooms between the second alarm and the fossil fuel burning appliance. This alarm shall be installed in a central location on the same level as the resident living units or bedrooms.

Maintenance of carbon monoxide detectors shall be in accordance with the manufacturer's guidelines. Batteries must be replaced at least annually or if drained or failing, labeled with the date of installation, and may not be removed from the detector longer than the time needed for replacement.

HB 264 provides for care facility protocols should an alarm be activated. Requires that fresh air be introduced into the care facility immediately, that emergency services personnel be contacted, that residents be moved to the nearest sources of fresh air, and that residents be evacuated in accordance with fire safety standards if emergency personnel deem it necessary. A care facility is not required to conduct drills specific to carbon monoxide.

The Department of Health shall determine compliance with this act during the annual or initial licensure survey.

A care facility shall not be liable for false alarms or an alarm which fails to operate properly so long as the alarm is maintained in accordance with the manufacturer's guidelines and the failure to operate is not the fault of the facility or facility employees.

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FISCAL NOTE

The State Fire Commissioner may work with care facilities and care facility residents on carbon monoxide awareness.

This act shall take effect in 90 days.

FISCAL IMPACT:

House Bill 264 will have no adverse fiscal impact to the Commonwealth. Certifying compliance with this act at the care facility by Commonwealth staff will occur during their normal licensing reviews; therefore, there would be no additional costs to the Department of Health or the Department of Human Services.