
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 264 Session of
2015

INTRODUCED BY MUSTIO, WATSON, READSHAW, HENNESSEY, D. COSTA,
MAJOR, KILLION, MARSHALL, CARROLL, BISHOP, PICKETT, O'BRIEN,
PASHINSKI, COHEN, RAVENSTAHL, MILLARD, SCHLOSSBERG, JAMES,
DIAMOND, ZIMMERMAN, V. BROWN, R. BROWN, BOBACK, DEASY AND
KORTZ, FEBRUARY 2, 2015

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,
FEBRUARY 2, 2015

AN ACT

1 Providing standards for carbon monoxide alarms in care
2 facilities; imposing powers and duties on the Department of
3 Aging, the Department of Health and the Department of Human
4 Services; and prescribing penalties.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Care Facility
9 Carbon Monoxide Alarms Standards Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Approved carbon monoxide alarm." The term includes:

15 (1) A single or multiple station carbon monoxide alarm
16 listed as complying with the Approved American National
17 Standard for Single and Multiple Station Carbon Monoxide

1 Alarms (ANSI/UL2034) or a carbon monoxide detector listed as
2 complying with the Approved American National Standard for
3 Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed
4 in accordance with this act.

5 (2) A device that may be combined with a smoke alarm or
6 smoke detector if the combined smoke alarm or smoke detector
7 meets the following:

8 (i) Complies with either of the following:

9 (A) the Approved American National Standard for
10 Single and Multiple Station Carbon Monoxide Alarms
11 (ANSI/UL2034) for carbon monoxide alarms and the
12 Approved American National Standard for Single and
13 Multiple Station Smoke Alarms (ANSI/UL217) for smoke
14 alarms; or

15 (B) the Approved American National Standard for
16 Gas and Vapor Detectors and Sensors (ANSI/UL2075) for
17 carbon monoxide detectors and the Approved American
18 National Standard for Safety for Smoke Detectors for
19 Fire Alarm Systems (ANSI/UL268) for smoke detectors.

20 (ii) Emits an alarm in a manner that clearly
21 differentiates between detecting the presence of carbon
22 monoxide and the presence of smoke.

23 (3) A carbon monoxide detection system that includes
24 carbon monoxide detectors and audible notification appliances
25 that are installed and maintained in accordance with the
26 National Fire Alarm and Signaling Code (NFPA 72) and the
27 Standard for the Installation of Carbon Monoxide (CO)
28 Detection and Warning Equipment (NFPA 720) and are in
29 compliance with the Approved American National Standard for
30 Gas and Vapor Detectors and Sensors (ANSI/UL2075).

1 "Care facility." Any of the following:

2 (1) A long-term care nursing facility as defined in
3 section 802.1 of the act of July 19, 1979 (P.L.130, No.48),
4 known as the Health Care Facilities Act, that is licensed and
5 regulated under the authority of the Department of Health.

6 (2) A personal care home as defined in section 1001 of
7 the act of June 13, 1967 (P.L.31, No.21), known as the Public
8 Welfare Code, that is licensed and regulated under the
9 authority of the Department of Human Services.

10 (3) An assisted living residence as defined in section
11 1001 of the Public Welfare Code, that is licensed and
12 regulated under the authority of the Department of Human
13 Services.

14 "Fossil fuel." Coal, kerosene, oil, wood, fuel gases and
15 other petroleum or hydrocarbon products which emit carbon
16 monoxide as a by-product of combustion.

17 "Installed." A carbon monoxide alarm that is hardwired into
18 electrical wiring, directly plugged into an electrical outlet
19 without a switch, other than a circuit breaker or, if the alarm
20 is battery powered, attached to the wall or ceiling of a
21 residential building, an apartment or a multifamily dwelling in
22 accordance with the Standard for the Installation of Carbon
23 Monoxide (CO) Detection and Warning Equipment (NFPA 720).

24 "Licensing agencies." All of the following:

25 (1) The Department of Aging.

26 (2) The Department of Health.

27 (3) The Department of Human Services.

28 Section 3. Facility powers and duties.

29 (a) Installation.--

30 (1) An approved carbon monoxide alarm at a care facility

1 shall be installed in close proximity of, but not less than
2 15 feet from, any fossil fuel-burning device or appliance.

3 (2) The system shall be installed in a manner that any
4 alarm signal can be heard by the care facility staff
5 responsible for the area where the device or appliance is in
6 use.

7 (3) If the approved carbon monoxide alarm cannot be
8 heard at the staff station on a specific floor or wing of the
9 facility, a single approved carbon monoxide alarm shall be
10 installed in close proximity to that staff station in
11 addition to the alarm installed in close proximity of the
12 fossil fuel-burning device or appliance.

13 (b) Testing and replacement.--

14 (1) Carbon monoxide detectors and alarm systems
15 installed at a care facility shall be tested and cleaned as
16 indicated in the manufacturer's guidelines.

17 (2) If the unit operates by a battery, the battery may
18 not be removed for any length of time beyond that necessary
19 to change the battery.

20 (3) The battery shall be labeled with the date of
21 installation and replaced at least once annually or at such
22 time as the unit signals a drained or failing battery,
23 whichever is sooner.

24 (c) Compliance.--Compliance with this act shall be assessed
25 by the licensing agency with licensure responsibility for the
26 care facility utilizing the standards set forth in this section
27 during the initial issuance of a license or during the annual
28 licensure renewal. All care facilities shall demonstrate
29 compliance with this act and shall be verified at the care
30 facility's renewal inspections following the effective date of

1 this section.

2 (d) Liability exemption.--No care facility shall be liable
3 for damages resulting from any of the following:

4 (1) A false alarm from an approved carbon monoxide
5 alarm, if the approved carbon monoxide alarm was maintained
6 by the care facility in accordance with subsection (b).

7 (2) Failure of an approved carbon monoxide alarm to
8 operate properly, if that failure was the result of tampering
9 with, or removal or destruction of, an approved carbon
10 monoxide alarm by a person other than an employee of the care
11 facility.

12 (3) Failure of an approved carbon monoxide alarm to
13 operate properly if the failure is a result of a faulty alarm
14 that was maintained by the care facility in accordance with
15 subsection (b).

16 Section 4. Programs and education.

17 The Office of the State Fire Commissioner may work with care
18 facilities to develop carbon monoxide educational awareness
19 programs for care facilities and their residents.

20 Section 5. Effective date.

21 This act shall take effect in 180 days.