

Simple breath test reveals deadly carbon monoxide (CO) leak in home

## DHHR Program Saves Family from Deadly Leak

Contributed by John Law of the Department of Health and Human Resources.

When the Office of Maternal, Child and Family Health, a division of the West Virginia Department of Health and Human Resources (DHHR), began using breath carbon monoxide monitors to help pregnant women quit smoking, they had no idea those monitors might also help save these women and their families from carbon monoxide poisoning.

But that's exactly what happened.

The incident occurred when a designated care coordinator (DCC) with Right From The Start, a DHHR project, conducted a routine home visit to the family. "She pulled out her Smokerlyzer (the actual name of the monitors) and was shocked by what she saw," said Ruth Davis, the supervisor for the region where the incident occurred. "The monitors normally read around 1-2 ppm (parts per million) when you first turn them on. But this time, it was reading up around 80 ppm – a very dangerous level. The monitor was actually sampling the air in the house."



*According to Bedfont Scientific, maker of the Smokerlyzer, the device is proven to assist people who want to quit smoking. The company was pleased to learn how it helped save the lives of a State family by detecting dangerous carbon monoxide levels in the family's home. Photo provided by Jason Aversano of Bedfont Scientific. ([www.bedfontusa.com](http://www.bedfontusa.com))*

According to Davis, the family was complaining of nausea and headaches, two classic symptoms of carbon monoxide poisoning. When the DCC tested the mother on the

Smokerlyzer, her personal reading was 89 ppm. The family was immediately removed from the house and a subsequent check by authorities revealed that the house did indeed have dangerously high carbon monoxide levels.

According to Bruce Evans, a toxicology instructor with the National Fire Academy, "High levels of carbon monoxide exposure can result in loss of consciousness and even death. Carbon monoxide poisoning is often misdiagnosed because the symptoms are mistaken for the flu."

Davis said that the DCC would be recommended for a Governor's Recognition Award. "The quick actions of the DCC and the use of the Smokerlyzer helped to save this family's lives. Recommending her for this award is a great way of showing our appreciation for how she handled the situation."

[See SMOKERLYZER – Page 4](#)

## DEP Warns: Beware of Meth Lab Litter and Dump Sites

Edited and reprinted from the March 2005 issue of *InDEPth*, the Department of Environmental Protection's newsletter. Photo from newsletter article also. ([www.wvdep.org/Docs/8232\\_indepth\\_03\\_05.pdf](http://www.wvdep.org/Docs/8232_indepth_03_05.pdf)).

It goes without saying that Department of Environmental Protection's (DEP) day-to-day activities require the protection of West Virginia's air, land, and water. What you may not know is that the agency is engaged in daily battles in the war against drugs.

Stories about the manufacture of methamphetamine have taken over our local news. It's plaguing neighborhoods and endangering our citizens. DEP is affected daily by meth labs. These days, DEP is often called in to help

clean up meth labs safely. Recently, the Hazardous Waste Emergency Response Unit cleaned out a dumpster that had been used to dispose of the

[See LAB – Page 4](#)

## U.S. Supreme Court Protects IRAs from Seizure

This month, the U.S. Supreme Court unanimously issued an important ruling regarding Individual Retirement Accounts (IRAs). In a case brought before the justices by an Arkansas couple, the high court ruled that creditors cannot seize IRA accounts of those who file bankruptcy.

The ruling means that IRAs are afforded the same protection from creditors as pensions, 401(k)s, Social Security, and other benefits. These benefits have been protected because they are tied to age, illness, and/or disability. Lower courts have sometimes ruled that because IRAs

permit cash withdrawals for any reason, even though the withdrawals are subject to a 10% penalty, they should be treated differently from other retirement benefits; however, the Supreme Court's opinion stated that IRAs are tied to age and therefore afforded protection. Generally, withdrawals from savings accounts are made without penalty, especially age-related penalty. Justice Clarence Thomas, who wrote the Court's opinion, stated that the 10% penalty for an IRA withdrawal was substantial and prevents the use of that 10% if funds are withdrawn – indicating

the Court deems an IRA is NOT a savings account.

IRAs are often the only retirement plan option available to people who own small businesses or are self-employed. In addition, they are commonly used by individuals who are in between jobs. The ruling, doesn't mean complete protection. A separate provision in the bankruptcy law protects assets only to the extent that funds are reasonably necessary for the debtor's (and any dependents') support.

In 2004, over 1.5 million people filed for bankruptcy, compared to 875,000 in 1994. Many financial experts believe that a large portion of the increase is due to seniors (those age 55 and older) who lose their jobs and cannot pay their debts. If you are in financial difficulty and considering filing bankruptcy, you should know that in many cases, it can be avoided. Consult with a trusted and reputable financial and/or legal advisor for your options. For the entire Supreme Court decision, go to: [www.supremecourtus.gov/opinions/04pdf/03-1407.pdf](http://www.supremecourtus.gov/opinions/04pdf/03-1407.pdf).

## Soldiers Have Credit Protection

Did you know that active-duty soldiers, their spouses, and their dependents have legal protection from some financial obligations? Federal law puts strict limits on mortgage companies, banks, and other lenders against foreclosures, evictions, and other actions while a service member is on active duty.

*The Servicemembers Civil Relief Act* was passed in December, 2003, and is actually an updated version of *The Soldiers' and Sailors' Civil Relief Act* from the World War II era. The original act remained essentially unchanged through the 1991 Persian Gulf War. The September 11 attacks prompted the U.S. Congress to act on a previous request from the Pentagon to update the law. The updated version is considered clearer and contains better protections for military families. Basically, the new law provides for:

- § A cap of 6% on interest rates for debts incurred before enlistment.
- § The right to terminate a real estate lease.
- § Protection against foreclosure or repossession without a court order.
- § Restrictions on default legal findings without a court-appointed lawyer to protect the family's rights and interests.
- § Protection against tax-related issues such as double taxation and deferred taxation.
- § Reinstatement of certain health and life insurance benefits.

The above list is not all-inclusive, and the act does not release the service member or his family from the financial obligations; it merely provides relief and protection while the member is on active duty. Also, because many creditors, landlords, debt collection agencies, lawyers, and judges are unaware of the act and its provisions, the burden falls to the service member to notify lenders and critical parties of their status and rights under the act.

For more information, you can visit [www.military.com/Resources/ResourcesContent/0,13964,31042,00.html](http://www.military.com/Resources/ResourcesContent/0,13964,31042,00.html) on the internet, or consult with your member's commanding officer or local Veterans Affairs Office.

Mon., June 13, 2005 10 A.M.  
Pipestem Resort State Park

\$50/person, inc. greens fees, cart, & cookout  
Limited to first 140 golfers

Rooms \$54 (dbl. occup.) 1-800-CALLWVA  
Identify yourself as a tourney participant

Prizes for both men's & women's divisions  
Using Net Scores (Callaway System)  
Closest to Pin/Longest Drive Contest  
DOOR PRIZES!!

Want a practice round? June 12 - \$25  
Tee times begin at 1 P.M.



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PUBLIC EMPLOYEES  
GOLF TOURNAMENT

Entry Deadline May 31

558-2764 or [kcaplinger@dnr.state.wv.us](mailto:kcaplinger@dnr.state.wv.us)



BE  
A  
TROOPER!

Do you know someone interested in the law enforcement field? The West Virginia State Police will be testing for the 56th Cadet Class in June, 2005. Two walk-on testing sites will be conducted as follows:

**WV State Police Academy**

Institute, WV  
June 2, 3, and 4, 2005 9 A.M.

**Morgantown State Police Detachment**

3453 Monongahela Blvd., M'town  
June 9, 2005 1 P.M.

Phase I of the testing process will take place on these dates. It will consist of physical ability and written examinations.

For details of all requirements and to download an application, visit [www.wvstatepolice.com/employ/employ.shtml](http://www.wvstatepolice.com/employ/employ.shtml) on the internet. If you need more information or details, you can e-mail [personnel@wvstatepolice.com](mailto:personnel@wvstatepolice.com) or call 304-746-2117.

## C&T College Responds to Non-Traditional Students' Needs

Article and photograph contributed by Mike Williams of the New River Community and Technical College.

Soloman Simmons, a member of the maintenance staff at the Greenbrier Valley Campus of New River Community and Technical College (GVCNRCTC), puts the finishing touches on just one of the classrooms which have been remodeled at the request of the non-traditional adult students attending the college.

"The traditional student desk is just uncomfortable is what our older students have told us," says Roger Griffith, GVCNRCTC director. "So, with innovative and money-saving renovations, the old student desks have become tables and chairs in most of our classrooms."

Aubrey Houck of Pickaway showed his talent and dedication in taking the chair portion of the traditional student desks and redesigning them to serve as chairs for the more comfortable tables in the classrooms. Also working on the project were David Thompson of Rupert and Ivan Cales of Fort Spring.

"We do listen to our students and work to meet their requests to make the educational opportunities we offer as comfortable as possible," Griffith added. "We also watch our pennies, as is the case with the chairs and tables. The renovations were accomplished at about one-fourth the cost, due to the talents of Houck and the GVCNRCTC maintenance staff."



*GVCNRCTC maintenance employee Solomon Simmons finishes one of the many desk renovations designed to make student life more comfortable.*

## Mediation Services Encouraged by the Grievance Board

Contributed by Ron Wright of the Education and State Employees Grievance Board.

The Education and State Employees Grievance Board has made several changes and additions to its website ([www.state.wv.us/admin/grievanc/grievanc.htm](http://www.state.wv.us/admin/grievanc/grievanc.htm)) to assist those individuals who utilize their services.

The Grievance Board's mission is to equitably, consistently, and expeditiously resolve employment problems between employees and county boards of education, higher education institutions, and State agencies so that good morale may be maintained, effective job performance may be enhanced, and the citizens of this State may be better served.

A grievance procedure is available to higher education employees, county board of education employees, and most State employees. These individuals may file a grievance challenging a broad range of personnel actions, including disciplinary actions and other actions relating to hiring, promotion, compensation, hours, terms, and conditions of employment.

When contacted about these changes, the Board's Director, Ron Wright, Esq., emphasized his belief that the agency's mediation service should be used more frequently, particularly early in the grievance process before a hearing is held. He explained that the Board provides mediators, *free of charge*, to help employers and employees to iden-

See **MEDIATION** – Page 4

## SMOKERLYZER – Continued from Page 1

New Jersey based Bedfont Scientific, the company that manufactures the Smokerlyzer, was very happy to learn that more lives were saved as a result of these monitors. “We knew from clinical studies that the Smokerlyzers were proven to help people quit smoking, but this situation reaffirms that they also serve a larger public good,” said company spokesman Jason Aversano. “I think a lot of credit has to go to the State of West Virginia and Right From The Start, as this project is going to help a lot of people and has the potential of saving a lot more lives. The benefit of these monitors is that they can detect carbon monoxide that you are taking into your body, whether that be from your home, vehicle, or workplace – something that a simple in-home CO detector cannot do.”

Bedfont also announced that they would be donating a personal Smokerlyzer CO breath tester to the West Virginia Department of Health and Human Resources to present to the family so that they would be able to test themselves for elevated CO levels on their own.

## LAB – Continued from Page 1

remnants of a meth lab. The event was the agency’s fourth response to meth labs this year in just that program alone. That is time and money that could be better spent on more pressing environmental protection matters.

One of DEP’s programs that really gears up in the spring months is the Pollution Prevention and Open Dump Program (PPOD). Its task is to tackle the estimated 15,000 open dumps in the State. With the help of citizens and



*Meth lab waste can take many forms.  
Citizens are urged to use caution.*

contractors, hundreds of dumps are cleaned up every year. Clandestine labs and remnants of meth materials dumped into these makeshift landfills are compounding what is already an enormous problem. It puts DEP staff and the citizens willing to help at serious risk.

Amazingly enough, at every Kanawha County open dump cleanup DEP staff conducted in the month of March, they have found

either meth lab remnants or containers carrying volatile mixes of chemicals. As we come upon Earth Month, it is important to stress to all our great citizen volunteers that safety should be their first priority when being part of a cleanup. More cleanups take place in the month of April than in any other, thanks to great programs like PPOD and Make It Shine. Keeping West Virginia clean is just as important as keeping our citizens safe.

If volunteers see the makings of meth, steer clear and call local law enforcement authorities immediately. Empty fuel containers, spent matchbooks, and empty packages of cold medicine are all meth components. Law enforcement officials know how to properly dispose of the chemicals, and will treat the area as a crime scene.

The misdeeds of others shouldn’t deter groups from helping out. Volunteer efforts to keep the State clean are critical to the success of our programs. With the help of West Virginians, our legislators, and Governor Manchin, we can curb the growth of this problem while protecting our citizens and the environment.

## Pencil In ...



For employees who travel on State business, the Travel Management Office has made changes to its per diem rates. For the latest information regarding **State business travel expenses**, visit the Travel Management website at [www.state.wv.us/admin/purchase/Travel/default.htm](http://www.state.wv.us/admin/purchase/Travel/default.htm)

## MEDIATION – Cont. from Page 3

tify, clarify and resolve issues at any stage of the grievance process.

To promote its mediation service, the Board added to its website several tips for successful mediation participation. Also added are links for employees who want to learn more about mediation and its many advantages over other methods of resolving disputes. Wright explained that last fiscal year about 70% of the grievances mediated early in the process were resolved. If you want to know more about mediation, access their webpage at [www.state.wv.us/admin/grievanc/mediation.htm](http://www.state.wv.us/admin/grievanc/mediation.htm). Additional details regarding the Board’s mediation program are available in its Annual Reports to the Governor and Legislature.