

Bill No. 365 – AN ACT CONCERNING THE STATUTE OF LIMITATIONS IN CARBON MONOXIDE POISONING CASES

Mr. Chairman Senator Coleman and members of the judicial committee :

My name is Kelly Anderson and I am from Durham. I am a constituent of Senator Meyer who is a member of the judicial committee, and I am here today to offer testimony in support of bill # 365.

On December 17, 2004 I was poisoned by carbon monoxide.

I was found unconscious in the home that I was leasing, taken to a hospital, and was given oxygen. I stayed in the hospital for a day and a half, and was told upon being discharged that I was okay. There wasn't anything listed within my hospital release papers stating that I had any medical problems that I would need to follow up with.

On November 29, 2010, I experienced a seizure and was taken to the hospital emergency room where I was given a CAT Scan which revealed that my brain had atrophied and now displayed the physical characteristics of an extremely elderly woman. The areas of the frontal lobe of my brain that enable me to handle anxiety, trauma and to perform cognitive skills were all very severely physically damaged.

I then followed up by making appointments with neurologists who requested that I have an EEG and MRI performed on my brain to determine the cause of my brain damage and what could be done to stop it.

On September 8, 2011, almost seven years since I had been poisoned by carbon monoxide, I was medically diagnosed and told for the first time that my brain damage was caused due to the latent effect of carbon monoxide poisoning.

Since first being poisoned by carbon monoxide, I have developed additional medical problems that I have been receiving treatment for (psychological – anxiety / depression; brain – seizure, memory / cognitive problems; sleep disorder - CPAP ) none of which had been previously diagnosed as being caused by carbon monoxide poisoning. Only at this point did all of the pieces fall into place showing that all of these medical problems that I have, were caused by the latent effects of carbon monoxide poisoning.

Now knowing that these very serious medical problems were directly related to my exposure to carbon monoxide, I made appointments with attorneys in order to find out what could be done in order for me to receive justice and restitution for the severe permanent physical and psychological damages that I suffered, and the large negative impact that they were having on my health and my life. The attorney's informed me about the Connecticut Statute of Limitations in regards to this statute only allowing an injured individual three years from the initial point of injury to seek damages. All of the

attorney's that I have spoken with have told me that the current Connecticut Statute of Limitations is not a fair or good law when it is applied to people that have been injured by the latent effect of carbon monoxide poisoning.

I was also told that based upon the circumstances of my carbon monoxide poisoning, the attorney's would have been able to help me if my latent medical problems which were caused by CO had occurred within the three year time period that is currently allowed within the Connecticut Statute of Limitations.

Due to my carbon monoxide medical problems being latent, and falling outside the window allowed within the statute, I was told that there was nothing that the attorneys could do for me. My spirit and heart sank when I realized that the existing statute was written in a manner where it would be working against everyone in the State of Connecticut that had been permanently, latently, injured by carbon monoxide poisoning caused by negligence, when their serious medical problems appear after the three year period allowed in the statute expires.

The attorney's that I spoke with suggested that if I felt strongly enough about the statute being unfair, I should contact and work with my legislators to have the law changed in regards to the latent effects caused by carbon monoxide poisoning. I wish to thank Senator Ed Meyer and members of the Connecticut Trial Lawyers association - President - John J. Kennedy Jr., Executive Director - Neil Ferstand and lobbyist Zeke - Jeff Zyjeski and everyone else involved on my behalf, for their time, effort and support in working towards getting this bill passed into law.

In recognition of my permanent brain damage, which has left my cognitive skills severely impaired (memory / problem solving / executive skills) it was necessary for me to read my testimony entirely, ( after my husband gathered together all of my feelings and ideas), to express how all of these events have affected my life in a negative manner.

In conclusion, I urge you to please support and move this bill forward to change the Connecticut Statute of Limitations in regards to the latent effects of carbon monoxide poisoning. This bill will allow the law to be fair to all of the citizens of the State of Connecticut who will regretfully develop serious latent medical problems due to being poisoned by CO. I honestly and sincerely hope that no one will ever need to use this new statute in the future, because if they do need to do so, it will mean they will be going through all of the physical and psychological medical problems that I now have to deal with. Passing this bill will insure that all of the citizens of the State of Connecticut that have been impacted in this manner will be treated fairly under the law, and that they will have one less burden to deal with as they try to put their life back together.

Thank you.