

INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

REGARDING THE CALIFORNIA BUILDING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2, VOLUME 1

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:

The Office of Statewide Health Planning and Development (OSHPD) is proposing technical amendments to the 2013 California Building Code for clarification and consistency of service space requirements regarding hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

In addition, OSHPD is proposing service space requirements specifically for skilled nursing facilities that participate in the "Small House Skilled Nursing Facilities Pilot Program" (SHSNF PP) under the California Department of Public Health (CDPH). This program is to be established by the CDPH in accordance with Health and Safety Code Section 1323.5 which was enacted by SB 1228 (Chapter 671, Statutes of 2012). This statute authorizes OSHPD to develop the building standards for the SHSNF PP. Up to 10 facilities may participate in this program.

Specific amendments are as follows:

Section 1224.3 Definitions. The definition of "Angiography" has been added to help clarify the use as a diagnostic procedure. The definition of "General Acute-Care Hospital" has been amended to cite the California Department of Public Health as the licensing agency. The definition of "Handwashing Station" has been added to support the use of that term in various sections of the health facility regulations in Chapter 12 of the California Building Code. This definition is consistent with relevant national standards published by the *Facility Guidelines Institute* with assistance from the U.S. Department of Health and Human Services. Reference to the definition "Handwashing Fixture" in the California Plumbing Code remains as part of the new definition "Handwashing Station" in this section. The definition of "Scrub Sink" has been amended to reference Sections 210.0 and 221.0 in the California Plumbing Code.

Section 1224.4.4.1 Examination and treatment rooms. The requirements for "exam rooms" and for "treatment rooms" have been separated into two sub-sections for clarity. These requirements are consistent with the requirements used in other sections of Chapter 12, and have been located under the "General Construction" requirements in Section 1224.4 for clarity and convenience of application to all health facilities regulated in Sections 1224, 1225, 1226, and 1227. The requirements are consistent with current use within Chapter 12 and with the national standards contained within the *Guidelines for Design and Construction of Health Facilities (FGI Guidelines)*.

Section 1224.14.1.2 Space requirements. The space requirements for patient rooms under Nursing Service have been amended to include the minimum dimension for the clearance between beds in a multi-bed room. This amendment has been added to provide clarification.

Section 1224.14.1.9 Privacy. The privacy requirements in patient rooms under Nursing Service have been amended to provide clarification of requirements for visual privacy for each patient in patient rooms and in tub, shower and toilet rooms.

Section 1224.15.3 Service areas. The requirements for service areas under Surgical Service have been amended to provide clarification for the reference to housekeeping rooms, and to clarify the relationship of the required supporting spaces as being required service areas under Section 1224.15.3.

Section 1224.18.2 Angiography, 1224.18.3.1 Space required for CT scanning, and **1224.18.4 Magnetic resonance imaging (MRI).** Various inaccuracies in metric conversions have been corrected in reference to the 3-foot clearances required in patient holding in angiography Section 1224.18.2, CT scanning in Section 1224.18.3, and MRI rooms in Section 1224.18.4. This is an editorial amendment.

Section 1224.18.2 and Section 1224.18.2.1 Surgery (Interventional angiography procedures) Clarification has been added to distinguish “diagnostic angiography” procedures from “interventional angiography procedures.” The previous reference to “surgery” has been changed to “interventional angiography procedures” to more accurately refer to the performance of interventional angiography procedures associated with catheterization, and direction to surgical service space and cardiac catheterization sections has been clarified as appropriate. This amendment provides consistency with the national standards contained within the *FGI Guidelines*.

Section 1224.18.5.3 Patient toilet(s). Clarification has been added to ultrasound Section 1224.18.5 regarding the shared use of a patient toilet room for more than one ultrasound procedure room.

Section 1224.29.1.13 Airborne infection isolation room. The language regarding modular toilet units in ICU airborne infection isolation rooms under this section has been modified to refer to the requirements for modular toilet units under ICU Section 1224.29.1.4 for clarification.

Section 1224.31.1.16 Handwashing fixtures. Requirements for “Handwashing Fixtures” in psychiatric nursing unit spaces have been added to allow the use of anti-ligature features for these fixtures in patient rooms and patient toilet rooms that do not compromise compliance with the hot- and cold-water supply controls, laminar flow, and sink requirements in the California Plumbing Code.

Section 1224.35.1 Rehabilitation center space. The requirement regarding patient showers has been clarified to relate to those provided in centralized bathing facilities and reference related requirements in Chapter 11B. This amendment provides consistency with the national standards contained within the *FGI Guidelines*.

Section 1225.1.1 Small House Skilled Nursing Facilities. This sub-section has been added to the scoping section for skilled nursing facilities to include requirements specifically for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5 (SB 1228, Chapter 671, Statutes of 2012).

Section 1225.4.1.2 Room identification. An exception from the requirement for room identification numbers or letters has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.4.1.7.1 Patient/nurse call system. A requirement for a nurse call station in visitor toilet rooms shared with the patient population has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.4.1.8 Special-purpose rooms. An exception to the requirement for a special-purpose room, if all patient rooms are single-resident rooms, has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.4.2.1.2 Dining space. An exception to the requirement for the separation of patient and staff dining areas has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.2.2.11 Toilet rooms. An allowance for the use of common toilet room(s) to serve dietary and nursing areas has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.2.2.12 Lockers. An allowance for the use of common locker room(s) to serve both dietary and nursing service areas has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.4.3.4 Small House Skilled Nursing Facilities. This sub-section has been added to Section 1225.4.3 "Administration Space" under Support Services common to skilled nursing facilities. This sub-section adds an allowance to provide administrative spaces in a separate centralized support area serving multiple households for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.4.8 Employee Dressing Rooms and Lockers. An exception to the requirement for separate male and female staff toilet rooms, for facilities with a peak shift of less than 5 staff, has been provided for consistency with provisions in the California Plumbing Code. Due to the possible small staff complement this exception has been added to provide for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.5.2.1 General Construction. This amendment provides the inclusion of the Small House Nursing Facilities in the general construction requirements for Household Model skilled nursing facilities in support of the pilot program implementing Health and Safety Code Section 1323.5

Section 1225.2.2.1 Design. An exception has been added to provide a limitation on Small House Skilled Nursing Facilities to a maximum of 12 patients per unit in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.5.2.3.1 Capacity. An exception to the capacity of resident rooms has been added to allow two patients only if a partition and/or door is used to separate resident sleeping rooms in Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.5.2.3.6 Renovations. An exception has been added to exclude Small House Skilled Nursing Facilities from the allowance of two-bed rooms under renovation conditions in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.5.2.4.5.1. This sub-section has been added under Section 1225.5.2.4.5 "Medicine preparation" to provide requirements associated with the location of self-contained medication dispensing units for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1225.5.2.4.9.1. This sub-section has been added to 1225.5.2.4.9 "Nourishment room" to provide clarification of the use of nourishment rooms for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Sections 1225.5.2.5.4.1 through 1225.5.2.5.4.4. These sub-sections have been added to 1225.5.2.5.4 "Dietary area" to provide specific amendments for California Department of Public Health review, clarification of handwashing fixtures locations, use of commercial ware-washing space and provision of self-dispensing drinking water and ice associated with dietary areas for Small House Skilled Nursing Facilities in support of the pilot program implementing Health and Safety Code Section 1323.5.

Section 1226.4.1.4 Airborne infection isolation exam/treatment room. Reference for general construction requirements for clinics has been updated to refer to Section 1224.4.4.1.3. Editorial amendment.

Section 1226.9.1.7 Airborne infection isolation exam/treatment room. Reference for chronic dialysis clinic requirements has been updated to refer to Section 1224.4.4.1.3. Editorial amendment.

Section 1227.3 Definitions. The definition of “Licensing Agency” has been amended to refer to the California Department of Public Health. Editorial amendment.

Section 1227.4 General Construction. Requirements associated with examination rooms and treatment rooms in Correctional Treatment Centers have been separated into two sub-sections for clarity and consistency with other sections of the code. The requirements are consistent with current use within Chapter 12 and with the national standards contained within the *Guidelines for Design and Construction of Health Facilities*.

Section 1227.12.8 Utility rooms. Requirements for clean and soiled utility rooms in Nursing Service Space in CTCs have been separated into Sections 1227.12.8.1 and 1227.8.2; and amended for consistency with the requirements in other sections of the code. Previous Section 1227.12.8.1 “size” has been renumbered as 1227.12.8.3 and the language has been amended for consistency with the separation of the utility room sections. Previous Section 1227.8.2 “aisle width” has been deleted as it is no longer applicable.

Section 1227.12.9 Treatment and exam rooms. This section has been modified to refer to the requirements in 1227.4 under “general construction” instead of duplicating the requirements,

Section 1227.12.11 Patient/nurse call system. This section has been updated to reference Table 1224.4.6.5 for nurse call systems. Editorial amendment.

Section 1227.14.1 Dietetic Service Space. Reference to dietetic service space under Section 1225 Skilled Nursing Facilities has been updated to the current section number. Additional amendments have been added to the exceptions for clarity. Editorial amendment.

Section 1227.18 Storage. This section has been corrected to refer to “correctional treatment centers” instead of “hospitals.” Editorial amendment.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

Clarification of various requirements is based on the nationally recognized standards “*Guidelines for Design and Construction of Health Care Facilities*, 2010 Edition” by the Facility Guidelines Institute with assistance from the U.S. Department of Health and Human Services.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

The amendments proposed to Section 1225 are in response to the Small House Skilled Nursing Facilities Pilot Program established by the California Department of Public Health, in accordance with Health and Safety Code Section 1323.5, which was enacted by SB 1228 (Chapter 671, Statutes of 2012). The requirements included in the statute are prescriptive in nature, consequently the amendments required to implement this legislation are also be prescriptive in nature.

CONSIDERATION OF REASONABLE ALTERNATIVES

There are no alternatives for consideration.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

These regulations will not impose an adverse impact on small businesses.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS

No facts, evidence, documentation, testimony or other evidence of no significant adverse impact on business have been identified.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS THAT IMPACT HOUSING

These building standards are for licensed health facility construction and will not impact housing.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

This proposed action does not duplicate or conflict with federal regulations.