

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

REGARDING THE CALIFORNIA MECHANICAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4

Health Facility Design and Construction

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 adopting the most recent edition of model code, as amended by the Office, pursuant to Health and Safety Code Section 18928. This proposed rulemaking represents OSHPD's proposal to adopt the 2015 Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials and carrying forward existing California amendments into the 2016 California Mechanical Code. Editorial and minor technical modifications to the existing requirements are also being proposed for clarification and consistency within the code as identified below.

Specific amendments are as follows:

Section 102.1 Conflicts Between Codes - This existing amendment is being carried forward from Section 101.3 of the 2013 California Mechanical Code and located in Section 102.1 of the 2016 California Mechanical Code. This is an editorial adjustment that is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 221.0 – S – Definitions - The definition of "State Building Code" is being repealed because it is outdated and unnecessary.

Section 303.2 Closet or Alcove Installations - This existing amendment is being carried forward from Section 303.3 of the 2013 California Mechanical Code and located in Section 303.2 of the 2016 California Mechanical Code. This is an editorial adjustment that is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 318.0 Scope - This editorial renumbering is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 319.0 Steam and Hot-Water Systems - This editorial renumbering is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 320.0 Air Conditioning and Heating Systems – This editorial renumbering is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 320.1 Requirements for Hospitals and Optional Services Provided in Correctional Treatment Centers - The 2015 Uniform Mechanical Code renumbered various code sections. This change is to reflect and align with the renumbered sections of the Uniform Mechanical Code. In addition, the amendment regarding humidifiers has been added to clarify the interpretation and requirements of the

code. *ASHRAE 170* and the *Guidelines for Design and Construction of Health Facilities (FGI Guidelines)*, 2014 Edition require a humidifier. This amendment is consistent with the requirements of these national standards.

Section 320.1.2 - The published versions of *ASHRAE Climatic Data for Region X* and the supplement have changed. To avoid future updates due to changes in the published dates, the reference to the date was removed and the “most recent version” was added.

Section 320.1.3 - The published versions of *ASHRAE Climatic Data for Region X* and the supplement have changed. To avoid future updates due to changes in the published dates, the reference to the date was removed and the “most recent version” was added.

Section 320.2 Requirements for Skilled Nursing, Intermediate Care Facilities and Basic Services Provided in Correctional Treatment Centers - This editorial renumbering is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 320.3 Requirements for Outpatient Facilities and Licensed Clinics - This editorial renumbering is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Table 320.0 Heating, Cooling, and Relative Humidity Requirements for Sensitive Areas or Rooms - The temperatures and humidity’s were changed to be consistent with those published in the national standards of *ASHRAE 170* and the *FGI Guidelines*. Also, the editorial renumbering is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 321.0 Essential Mechanical Provisions - This editorial renumbering of the section is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 407.4.1.1 Air Circulation - The words “of equal capacity” were added to clarify the intent of having the two required return air inlets be equal in size to allow the air flow to be uniform across the room.

Section 407.4.1.4 Exception – The new exception is consistent with requirements and scope of the national standards of the *FGI Guidelines* and *ASHRAE 170*.

Section 408.1.5 – This amendment is consistent with the national standards of the *FGI Guidelines* and *ASHRAE HVAC Systems and Equipment Handbook*.

Section 408.2.2 - The removal of the published year from *ASHRAE 52.2* will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Section 408.2.4 – The removal of the published year from *ASHRAE 52.2* will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Section 408.3.3 - The removal of the published year from *ASHRAE 52.2* will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Section 411.1 - The removal of the published year from *ASHRAE 52.2* will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Section 414.1.2 - The removal of the published year from *ASHRAE 52.2* will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Section 416.1 – This is an editorial amendment to indicate the correct measurement.

Tables 4A & 4B - The addition, removal, or changing of room names to Table 4A and Table 4B align with the standards in the *FGI Guidelines* and *ASHRAE 170* and provide consistency in the code. Also, the removal of the published year from *ASHRAE 52.2* in the Table 4B footnotes will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Table 4C – The removal of the published year from *ASHRAE 52.2* in the table footnotes will allow the year to be shown in the *Referenced Standards* of the California Building Code.

Section 504.1.1 Backdraft Protection - This amendment is being carried forward from the 2013 California Mechanical Code Section 504.1 and located in Section 504.1.1 for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 508.5 Supports – This amendment is being carried forward from the 2013 California Mechanical Code from Section 508.1.1 and located in Section 508.5 for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 602.1 General - This change is consistent with the national standards and scope of the *FGI Guidelines* and *ASHRAE 170*.

Section 602.6.1 Flexible Ducts - This existing amendment is being carried forward and renumbered for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 603.4.1 Length Limitation - The five-foot length limitation for the use of flexible air ducts is in conflict with existing code requirements for health facilities under OSHPD jurisdiction.

Section 604.1, 604.2 and 604.3 – These are existing amendments that are being carried forward from the 2013 to the 2016 California Mechanical Code and located within Section 604 – Insulation of Ducts as shown in the express terms. This is an editorial adjustment that is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Section 911.1 Prohibited Installations – The OSHPD amendment is being carried forward from 2013 to the 2016 California Mechanical Code and located as shown in the express terms. This is an editorial adjustment that is necessary for alignment with the renumbered sections of the 2015 Uniform Mechanical Code.

Table 1104.1 – Permissible Refrigeration Systems - This existing amendment is being carried forward from 2013 California Mechanical Code Table 1105.1 Permissible Refrigeration Systems to Table 1104.1 Permissible Refrigeration Systems of the 2016 California Mechanical Code. This is an editorial adjustment that is necessary for alignment with the renumbered tables of the 2015 Uniform Mechanical Code.

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 Facilities (FGI Guidelines)*”, 2014 Edition, published by the Facility Guidelines Institute with assistance from the U.S. Department of Health and Human Services.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

These regulations do not propose to mandate the use of technology or equipment and do not require any prescriptive standards.

CONSIDERATION OF REASONABLE ALTERNATIVES

There were no alternatives for consideration by the Office. The proposed amendments will provide clarification and consistency within the code and are in alignment with national standards.

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

Small businesses will not be adversely impacted by the proposed amendments.

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

The OSHPD did not identify any cost to comply with the proposed amendments. The proposed amendments are editorial and minor technical changes that will provide clarification within the code.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

The Office of Statewide Health Planning and Development has assessed whether or not and to what extent this proposal will affect the following:

- **The creation or elimination of jobs within the State of California.**

The proposed regulations will not create or eliminate jobs within the State of California.

- **The creation of new businesses or the elimination of existing businesses within the State of California.**

The proposed regulations will not create new businesses, or eliminate existing businesses within the State of California.

- **The expansion of businesses currently doing business with the State of California.**

The proposed regulations will not cause expansion of businesses currently doing business with the State of California.

- **The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**

OSHPD promulgates building standards regarding the design and construction of licensed health facilities to ensure the protection of the public's health and safety in the facilities. The proposed regulations are necessary for the continued preservation of the health, safety, and welfare of California residents through updated amendments. The regulations will not affect worker safety, or the state's environment.

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

OSHPD did not identify any cost to comply with the proposed amendments. The amendments make editorial and minor technical modifications and will provide clarification and consistency within the code.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The proposed regulations do not duplicate or conflict with federal regulations.