

**NINE-POINT CRITERIA ANALYSIS  
OF  
PROPOSED BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT  
  
REGARDING THE CALIFORNIA PLUMBING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

Building standards submitted to the California Building Standards Commission for approval are required, by Health and Safety Code Subsection 18930(a), to be accompanied by an analysis which will, to the satisfaction of the Commission, justify their approval. The approval of these proposed building standards is justified as follows:

**1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.**

OSHPD has determined that the proposed amendments to Title 24, Part 5, California Plumbing Code do not conflict, overlap or duplicate existing building standards.

**2) The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.**

The OSHPD's authority and jurisdiction are mandated by the Alfred E. Alquist Hospital Facilities Seismic Safety Act (HFSSA) of 1983 (Health and Safety Code, Division 107, Part 7, Chapter 1, Articles 1 through 9, Section 129675 through 130070). In addition, Health and Safety Code Section 129850 authorizes the Office to develop building standards, as necessary and appropriate, to effectively carry out the Act. The proposed regulations are within the parameters of the statute and are not within the exclusive jurisdiction of another agency.

**3) The public interest requires the adoption of the building standards. The public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.**

The HFSSA is intended to serve the public interest by assuring that health facilities are designed and constructed for the health and safety of the patients and staff. OSHPD is proposing these regulations under the mandated authority to effectively carry out the HFSSA.

In addition, Health and Safety Code Section 18928 mandates the adoption of the most recent model code. This rulemaking represents OSHPD's proposal to adopt the 2015 Uniform Plumbing Code with amendments related to hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

**4) The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.**

The proposed regulations are not unreasonable, arbitrary, or capricious. The proposed action will adopt the 2015 Uniform Plumbing Code for incorporation, into the 2016 California Plumbing Code and to carry forward existing California amendments related to hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. The proposed building standards reflect consistency with nationally

recognized standards, current practices, and new technology and will make minor editorial modification for clarification and consistency within the code.

**5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.**

The cost of compliance for the new requirement to connect domestic hot water circulation pumps and other related essential plumbing equipment to the essential electrical system of a health facility will be negligible. Depending on the specific equipment being connected, the estimated cost is approximately \$100 to \$500 per piece of equipment that is required for the project. Hospitals, skilled nursing facilities, licensed clinics, and correctional treatment centers will benefit because the facility will be allowed to remain operational and continue safe patient care during a power outage.

Additional proposed amendments are editorial and minor technical modifications that will provide clarification and consistency within Title 24 and are in alignment with nationally recognized standards.

**6) The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.**

The OSHPD finds that the proposed amendments are not ambiguous or vague. The language was developed, drafted and reviewed to provide clarification of the existing regulations and consistency with national standards.

**7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.**

Applicable national specifications, published standards and model code have been incorporated in these proposed building standards. These regulations are based on the 2015 Uniform Plumbing Code.

**8) The format of the proposed building standards is consistent with that adopted by the Commission.**

The format of this proposal is consistent with the format adopted by the California Building Standards Commission. OSHPD has followed the procedural outline of the Commission and has complied with the requirements of the State Building Standards Law and Administrative Procedures Act.

**9) The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.**

The Office of the State Fire Marshal reviewed and approved OSHPD's proposed building standards. (Please refer to the attached approval letter dated October 19, 2015.)