

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

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

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

The Office of Statewide Health Planning and Development (OSHPD) finds that no revisions have been made which would warrant a change to the initial statement of reasons for the following proposed actions:

Table 315 – Heating, Cooling and Relative Humidity Requirements for Sensitive Areas or Rooms

The proposed amendments to this table provide clarification and are consistent with the current sensitive room temperature and relative humidity requirements of ASHRAE 170 – 2008, a nationally recognized standard of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE).

Table 4-A – Pressure Relationship and Ventilation Requirements for General Acute Care Hospitals, Skilled Nursing Facilities, Intermediate Care Facilities, Correctional Treatment Centers, Outpatient Facilities and Licensed Clinics. Printing error correction is made to ‘Administrative’ entry in the table. Specific designated areas and rooms of these health facilities and corresponding air pressure and ventilation requirements are being added to Table 4-A. These areas and rooms are currently not addressed in this table and the proposed requirements will provide clarity.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S)

The OSHPD did not receive any objections or recommendations for this proposed action as noticed during the 45-Day Comment Period from April 22, 2011, through June 6, 2011. However, one comment from Mr. Shlomo I. Rosenfeld was received on June 16, 2011, which is outside the 45-day comment period. Also, the subject of the comment is outside the proposed rulemaking. Mr. Rosenfeld suggested a change to Table 4-A regarding the meaning of the acronym “NR”, as indicated on the table. OSHPD is currently in consultation with a committee of the Hospital Building Safety Board which is considering the adoption of ASHRAE-170 which addresses the subject of Mr. Rosenfeld’s comment.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

OSHPD has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

No alternatives were proposed. OSHPD has determined that the proposed regulations will not have an adverse economic impact on small businesses.