STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 24, 2012
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 8, 2012

Date: 5 October 2012

From:
Carol Corr
(RB) Name (Print or type) (Signature)

KAISER PERMANENTE
Agency, jurisdiction, chapter, company, association, individual, etc.

1800 Harrison Street (Street) Oakland (City) CA (State) 94612 (Zip)

I/We **do not** agree with:

[**X**] The Agency proposed modifications As Submitted on Section No. ***1226.5.11.6.7***

and request that this section or reference provision be recommended:

[ ] Approved [ ] Disapproved [**X**] Held for Further Study [ ] Approved as Amended

Suggested Revisions to the Text of the Regulations:

GASTROINTESTINAL ENDOSCOPY
1226.5.11 Gastrointestinal endoscopy. *When provided, gastrointestinal endoscopy services space shall comply with Section 1224.39.3 and the provisions of this section:*
[intervening lines omitted]
1226.5.11.6 Support areas for outpatient gastrointestinal endoscopy.
1226.5.11.6.1 Control station. *Refer to Section 1224.15.3.1.*
1226.5.11.6.2 Medication station. *Refer to Section 1226.4.13.2.*
1226.5.11.6.3 Soiled workroom. *Refer to Section 1224.15.3.7.*
1226.5.11.6.4 Clean utility room. *Refer to Section 1224.15.3.8.*
1226.5.11.6.6 Storage room(s) for equipment and supplies used in gastrointestinal endoscopy service space. *Refer to Section 1224.15.3.10.*
~~***1226.5.11.6.7 Staff clothing change areas. Refer to Section 1224.15.3.11.***~~
1226.5.11.6.8 Housekeeping room. *Refer to Section 1224.39.2, Item 7.*

(1) The proposed building standard is unreasonable, arbitrary, unfair, or capricious, in whole or in part.

The proposed paragraph is unreasonable, because it dictates an overly specific operational practice without allowing for numerous possible alternatives, and therefore adds unnecessary cost. It is common, and universal at KP facilities, for patients to change in prep and recovery cubicles. This reduces unnecessary gowned-patient movement, makes it easier to keep track of patient location, and provides greatly increased spatial flexibility compared to dedicated changing rooms. Changing clothes may be a necessary function, arguably an obvious one, but the new language is unreasonably restrictive, and requires space to be built that is unnecessary for many facilities and inefficient for them to use.

It is also unfair, because it is not required by 1224.39.3 for outpatient endoscopy suites in hospital space, and thereby creates different standards for exactly the same services, licensed identically, when provided in buildings in different jurisdictions.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

(a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:

(1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
(2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
(3) The public interest requires the adoption of the building standards.
(4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
(5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
(6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
(7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
    (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
    (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
(8) The format of the proposed building standards is consistent with that adopted by the commission.
(9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.