

STATE OF CALIFORNIA  
STATE AND CONSUMER SERVICES AGENCY  
CALIFORNIA BUILDING STANDARDS COMMISSION  
2525 NATOMAS PARK DR., SUITE 130  
SACRAMENTO, CA 95833  
(916) 263-0916 Phone  
(916) 263-0959 Fax  
Email: cbsc@dgs.ca.gov

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      Oakland      CA      94612  
Street                              City                              State                              Zip

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

The Agency proposed modifications As Submitted on Section No. **1226.5.11**

and request that this section or reference provision be recommended:

Approved     Disapproved     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:~~

~~1226.5.11.1 Procedure Room(s).~~

~~1226.5.11.1.1 Space requirements. Refer to Section 1224.39.3.1.1.~~

~~1226.5.11.1.2 Handwashing fixture. Refer to Section 1224.39.3.1.2.~~

~~1226.5.11.2 Processing room. Refer to Section 1224.39.3.2.~~

~~1226.5.11.3 Pre-operative patient holding. Refer to Section 1224.15.2.~~

~~1226.5.11.4 Post-anesthesia recovery area. Refer to Section 1224.16.~~

~~1226.5.11.5 Communication system. Refer to Section 1224.39.3.5.~~

~~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.~~
- ~~1226.5.11.6.5 Anesthesia workroom. Refer to Section 1224.15.3.9.~~
- ~~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.~~
- ~~1226.5.11.6.9 Cleanup room. Refer to Section 1224.39.2, Item 4.~~
- ~~1226.5.11.6.10 Sterile and pharmaceutical supply storage. Refer to Section 1226.4.13.5.~~
- ~~1226.5.11.7 Additional Support areas for patients.~~
- ~~1226.5.11.7.1 Outpatient change area. A separate space shall be provided where patients change out of their street clothing and are prepared for the procedure. This space shall include provisions for clothing storage, toilet room(s), sink, space for clothing change and gowning area.~~

**Reason:**

- (1) The proposed building standards conflict with, overlap, or duplicate other building standards.
- (4) The proposed building standard is unreasonable, arbitrary, unfair, or capricious, in whole or in part.

The proposed additions below the initial passage are unnecessarily complicated, and either duplicate or conflict with parallel provisions in section 1224, particularly 1224.39 – which is *not* being changed in concert with these additions. 1226.5.11.1 through 1226.5.11.5, 1226.5.11.6.8, and 1224.5.11.6.9 are duplicative and unnecessary. The others are not present in 1224, and create different standards for exactly the same services, licensed identically, when provided in buildings in different jurisdictions. This situation is illogical, creates possible regulatory confusion, and the more restrictive provisions in the outpatient setting impose unnecessary cost on the owners of the respective type of building. These requirements are therefore unfair and unreasonable.

**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.