

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

REGARDING THE CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

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 AND RATIONALE:

The Office of Statewide Health Planning and Development (OSHPD) is mandated to adopt 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 2012 International Building Code published by the International Code Council carrying forward existing California amendments in the 2013 California Building Code. It was also necessary to propose editorial and minor technical modifications to the existing requirements for clarification and consistency within the code as identified below.

Additionally, newly organized and modified Clinic provisions are being proposed for adoption. These provisions were developed by OSHPD in conjunction with the Clinic stakeholders committee comprised of members of the Primary Care Association and numerous groups under the PCA's association and the California Hospital Association. The committee's recommendation was to provide the regulations in a "checklist" format to clarify the regulations for enforcement by local jurisdictions and understanding by the designers.

Specific amendments are as follows:

Section 1.10 "Office of Statewide Health Planning and Development." This section has been amended to correct the listing of the adoption of specific sections for OSHPD 1, 2, 3, & 4.

Section 308 "Institutional Group I Occupancy." This section has been amended to reflect the International Building Code (IBC) addition of "*Ambulatory care facilities*" to Business Group "B" occupancies, resulting in the deletion of California's Group "I-2.1" occupancy. OSHPD's exception relative to structural considerations under Group I-2.1 is no longer needed and has been deleted.

Section 1208.2 "Minimum ceiling heights" This sub-section under Section 1208 "Interior Space Dimensions" provides exceptions for OSHPD 1, 2, 3 & 4. Specific clinic regulations under 1226.4.6 now refer to general construction requirements under Section 1224.4.10. The exceptions have been modified accordingly.

Section 1224.3 "Definitions." The definition of "gooseneck spout" has been deleted and the definition of "handwashing fixture" has been amended due to redundancy with amendments in the California Mechanical Code. Additional terms have been defined for clarity and consistency.

Section 1224.4.4 “Support areas for patients.” Sections under 1224.4 “General Construction” have been amended to provide a grouping of the requirements for “Support areas for patients.” This will facilitate the presentation of “general construction” requirements intended for all health facilities, that are in addition to the specific requirements under the various types of health facilities in subsequent sections. This proposal is intended to provide additional consistency and clarity.

Section 1224.4.4.1.1 “Airborne infection isolation exam/treatment room,” and sub-section 1224.4.4.1.1.1 “Airborne infection isolation exam/treatment anteroom” have been added to provide general requirements for such rooms common to all types of health facilities when provided.

Section 1224.4.4.2 “Specimen and blood collection facilities.” This section has been added to provide general requirements for such rooms common to all types of health facilities, when provided.

Section 1224.4.6.1 “Station outlets.” Table 1224.4.6.1 has been corrected to read “medical/surgical” in describing the patient rooms, examination or treatment rooms, airborne infection isolation or protective environment rooms, and seclusion room.

Section 1224.4.6.2 “Gas and vacuum systems.” This section has been amended to include reference to Table 1224.4.6.1.

Section 1224.4.10.2 “Minimum height with fixed ceiling equipment.” This section has been amended to include clearance requirements under suspended tracks, rails and pipes located in the traffic path for patients in beds and/or stretchers.

Section 1224.4.11 “Interior finishes.” This section has been amended to provide general requirements common to all types of health facilities and to provide consistency with the nationally recognized standards “*Guidelines for Design and Construction of Health Care Facilities*”, 2010 edition, by the Facility Guidelines Institute with assistance from the U.S. Department of Health and Human Services. Table 1224.4.11 includes amendments to provide consistency between requirements for General Acute Care Hospitals, those for Skilled Nursing Facilities, and those for Clinics.

Section 1224.4.18 “Grab bars.” This section has been amended to clarify the placement of grab bars.

Section 1224.14 “Nursing service space.” This section has been amended to clarify where bedpan-washing fixtures may be located, and the requirement for room identification has been added.

Section 1224.15 “Surgical service space.” This section has been amended to eliminate the numbering of the single paragraph left under sub-section 1224.15.3.8, after the second paragraph had been removed under the July 2012 amendments.

Section 1224.16 “Anesthesia service space.” This section has been amended to provide clarification of the minimum clear dimensions associated with access to patients.

Section 1224.18 “Radiological/Imaging Service Space.” This section has been amended to include specific requirements for ultrasound and mammography rooms common to all health facilities, when provided.

Section 1224.19.1.1 “Handwashing fixture.” This section, under licensed pharmacy, has been amended to include locations in an anteroom or immediately outside the room where open medication is handled. An exception has also been added in reference to sterile preparation areas such as chemotherapy and intravenous solutions.

Section 1224.20 “Dietetic service space.” The section has been amended to respond to the standards provided in the “*Guidelines for Design and Construction of Health Care Facilities,*”

Section 1224.20.2.3 “Storage.” This sub-section has been amended to include a requirement of (2) days supply of frozen foods, storage space for supplies, sanitizing facilities, and separate storage for waste and recycling. A schedule has been added to provide the minimum amount of storage required for various licensed bed capacities.

Section 1224.20.2.7 “Food service carts.” This sub-section has been amended to include the requirement to eliminate cross-circulation between outgoing food carts and incoming soiled carts.

Section 1224.20.2.10 “Ware washing facilities.” This sub-section has been amended to separate ware-washing from food preparation and serving areas. The requirement for commercial-type equipment, space for receiving, scraping, sorting and stacking soiled tableware, and that convenient handwashing stations be provided has been added as well.

Section 1224.20.2.15 “Toilet room(s) and locker spaces.” This sub-section has been amended to require that a separate locker area be provided for dietetic service employee’s clothing and belongings.

Section 1224.20.3 “Outside service.” This sub-section has been amended to clarify the provision of patient food service in the event that outside food service is interrupted.

Section 1224.29 “Intensive care units.” This section has been amended to provide clarification of the minimum clear dimensions associated with access to patients; to clarify the allowances provided to facilities approved under the 2001 or prior *California Building Code*; to prohibit the inclusion of a bedpan washing attachment in modular toilets; and to include new sub-section 1224.29.2.10 “Infant formula facilities” under NICU’s to provide specific requirements for these facilities, when provided.

Section 1224.33 “Emergency service.” This section has been amended to provide clarification of the minimum clear dimensions associated with access to patients, and to clarify the allowances provided to facilities approved under the 2001 or prior *California Building Code*.

Section 1224.35.4 “Speech pathology and/or audiology service space.” This section has been amended to reference current standards.

Section 1225.4.1.3 “Utility rooms.” This section, under Nursing Service Space in Section 1225 [OSHPD 2] Skilled Nursing and Intermediate-care Facilities, has been revised to provide comparable requirements to those provided in sections 1224.14.2.6 and 7 for utility rooms in nursing units in hospitals under Section 1224 [OSHPD] Hospitals.

Section 1226.1 “Scope.” This section under “Clinics” is amended to clarify that this section’s requirements also apply to outpatient clinical services of a hospital when provided in a free standing building. These OSHPD 3 Clinic regulations apply to all clinic types and are provided in a check-list format for ease of use.

Section 1226.2 “Application.” This subsection has minor modifications to the language for clarity.

Section 1226.4 “General Construction.” This section adds clinic specific amendments, and adds amendments that reference section 1224.4, General Construction. The following sub-sections have amendments:

Section 1226.4.1 “Examination and Treatment areas.” The items in this sub-section have been relocated to 1224 and apply to all healthcare facilities. The 1226 subsection numbers refer to the reference numbers in 1224. This amendment will provide clarification and coordination.

Section 1226.4.2 through 1226.4.6 These sub-sections have been amended to relocate these items to 1224 that apply to all healthcare facilities. The 1226 subsection numbers point to the reference numbers in 1224. The areas covered include: miscellaneous requirements, corridors, door and door openings, windows, and ceiling heights. This amendment will provide clarification and coordination.

Section 1226.4.7 “Interior finishes.” This sub-section has been amended to relocate these items to 1224 common to all healthcare facilities. The 1226 subsection numbers point to the reference numbers in 1224. This amendment will provide clarification and coordination.

Section 1226.4.9 “Garbage, solid waste, medical waste, and trash storage.” This sub-section has been amended to provide an alternative for the handling of medical waste and garbage in clinics.

Section 1226.4.11 “Housekeeping room.” This sub-section has been amended to refer to the 1224 requirement for all health care facilities to provide a required housekeeping room for the facility.

Section 1226.4.13 “Support areas for examination and treatment rooms.” This sub-section is amended to reorganize and consolidate space requirements for clarification in a checklist format. The term “administrative center” is added to “nurse station” for use in clinics so that the requirement is equivalent to Section 1224, requirements common to all healthcare facilities. The amended “medication station” language, and the “clean utility room” and “soiled workroom/soiled holding room” requirements are amended for consistency with the *Guidelines for Design and Construction of Health Care Facilities*. For primary care clinics, this section is amended to provide a utility sink or patient toilet room with a bedpan flushing device as an exception for the clinic sink requirement.

Section 1226.4.13.5 “Sterile and pharmaceutical supply storage.” This sub-section is amended to provide clarification and is based on the *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.4.13.6 “Sterilization facilities.” This sub-section is amended to provide clarification and is based on the *Guidelines for Design and Construction of Health Care Facilities*. When provided, these requirements are specific to clinics.

Section 1226.4.13.7 “Nourishment room.” This sub-section is amended to provide clarification and is based on the *Guidelines for Design and Construction of Health Care Facilities*. When provided, these requirements are specific to clinics.

Section 1226.4.14 “Support areas for patients.” This sub-section is amended to provide clarification and is based on the *Guidelines for Design and Construction of Health Care Facilities*. This sub-section is also amended to provide an exception, for smaller primary care clinics (3 exam/treatment rooms or less), to allow the patient toilet room to serve the outpatient waiting room.

Section 1226.4.15 “General support services and facilities.” This sub-section is amended to provide clarification and is based on the *Guidelines for Design and Construction of Health Care Facilities*. These requirements are specific to clinics.

Section 1226.4.16 “Public and administrative areas.” This sub-section is amended to clarify public area requirements for all clinics. It is based on the *Guidelines for Design and Construction of Health Care Facilities*. “Outpatient waiting room(s)” refers to the 1224 requirement for consistency.

Section 1226.4.17 “Support areas for staff.” This sub-section is added to clarify staff area requirements for all clinics. It is based on the *Guidelines for Design and Construction of Health Care Facilities*. The staff toilet requirement refers to the *California Plumbing Code*, Table 4-2.

Section 1226.5 “Outpatient Clinical Services of a Hospital.” This sectional grouping has been added to clarify previous provisions under 1226.2.1. Additional language has been added to increase consistency with *Health & Safety Code* Section 1250. Sub-sections are provided as a check-list format of references to common general construction requirements found under Section 1226.4 “General Construction” requirements for clinics. Where “Clinic” general construction requirements under Section 1226.4 refer back to the general construction requirements in Section 1224.4, intended for all health facilities, the general support areas for outpatient clinical services refer directly to the relevant sections under Section 1224.4. Outpatient services of a hospital not addressed in the provisions of Section 1226 shall continue to comply with applicable provisions of Section 1224. Common outpatient clinical service types, of a hospital in a freestanding outpatient clinical services building, have been added for convenience.

Section 1226.5.5 “Radiological/Imaging service space.” This section is added to clarify requirements for outpatient clinical services commonly provided. “X-ray examination services,” “Computerized tomography (CT) scanning,” “Magnetic resonance imaging (MRI),” “Ultrasound,” and “Mammography” have been added as common radiological/imaging service types. Requirements have been tailored as appropriate for a freestanding outpatient clinical services building with references back to Section 1224 when relevant for consistency with those services when provided in a hospital setting.

Section 1226.5.11 “Gastrointestinal endoscopy.” This section has been added as a common outpatient clinical service type. A check-list format of references to relevant requirements under Section 1224 has been provided for convenience. This proposal is intended to provide consistency and clarity.

Section 1226.5.12 “Nuclear Medicine.” This section has been added as a common outpatient clinical service type. A check-list format of references to relevant requirements under Section 1224 has been provided for convenience. This proposal is intended to provide consistency and clarity.

Section 1226.5.13 “Cancer treatment/infusion therapy service space.” This section has been added as a common outpatient clinical service type. A check-list format of references to relevant requirements under Section 1224 has been provided for convenience. This proposal is intended to provide consistency and clarity.

Section 1226.6 “Primary Care Clinics.” This section replaces Section 1226.15 and is intended for the convenience of local jurisdictions and design professionals and to clarify the existing requirements by reorganizing them into a “checklist” format. Reference is made to the “general construction” requirements in Section 1226.4 and specific requirements for primary care clinics are added as sub-sections. These amendments also clarify that outpatient clinical services of a hospital providing services equivalent to a primary care clinic shall comply with this section. The *California Mechanical Code* provides additional amendments and revisions for primary care clinics.

Section 1226.6.1.1 “Examination room(s).” This sub-section refers to examination rooms described in the “general construction” section of 1224.4, intended for all health facilities. The minimal area of 70 square feet and minimum dimension of 7 feet previously afforded primary care clinics were not compliant with accessibility standards and have been replaced with the universal examination room minimums of 80 square feet, and 8 feet clear, necessary to comply with accessibility requirements, and provide consistency with other sections in the *California Building Code* and with the *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.6.2.2 “Medication station.” This sub-section refers to amended section 1226.4, adding the provision of an allowance for a self-contained medicine-dispensing unit in lieu of a medicine preparation room.

Section 1226.6.2.3 & 4 “Clean utility room” & “Soiled utility room.” These sub-sections refer to amended section 1226.4, requiring separate rooms where separate areas had previously been allowed for clinics. This

amendment is intended to provide consistency with other sections and with the *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.6.3.1 “Patient toilet room(s).” This sub-section refers to amended section 1226.4, adding the provision of an allowance for the patient toilet room to serve the waiting room for clinics with no more than 3 exam rooms.

Section 1226.6.5.2.1 “Medical records storage.” This sub-section refers to amended section 1226.4, providing for the storage of electronic media in lieu of paper charts.

Section 1226.7 “Primary care clinics providing abortion services.” This section replaces Section 1226.14. Clarification of treatment rooms is provided, and sub-section 1226.7.2 is added to provide requirements associated with recovery areas based on Phase II recovery presented in *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.8 “Surgical Clinics.” This section replaces Section 1226.17 and is intended to clarify the existing requirements by reorganizing them into a “checklist” format. Reference is made to the “general construction” requirements in Section 1226.4 and specific requirements for surgical clinics are added as sub-sections. This section provides consistency between the requirements for surgical service space in hospitals with those for free-standing clinical settings, while addressing specific requirements associated with clinics, as required by *Health & Safety Code* Section 1275.

Section 1226.9 “Chronic Dialysis Clinics.” This section replaces Section 1226.18 and is amended and updated to clarify existing requirements by use of a “checklist” format. Individual patient treatment areas have been clarified, and revised from 100 square feet, inclusive of aisles, to 80 square feet exclusive of circulation; the blood-borne isolation area has increased from 100 square feet to 120 square feet, and the home training area has increased from 100 square feet to 120 square feet to provide equivalence with those spaces provided in hospitals and to address accessibility requirements. These amendments also clarify that outpatient clinical services of a hospital providing services equivalent to a chronic dialysis clinic shall comply with this section, as required by *Health & Safety Code* Section 1275.

Section 1226.10 “Rehabilitation Clinics.” This section replaces Section 1226.19 and is intended to clarify the existing requirements by reorganizing them into a “checklist” format. Reference is made to the “general construction” requirements in Section 1226.4 and specific requirements for rehabilitation clinics are added as sub-sections. This section provides consistency between the requirements for rehabilitative therapy space in hospitals with those for free-standing clinical settings, while addressing specific requirements associated with clinics.

Section 1226.11 “Alternative Birthing Clinics.” This section replaces Section 1226.16 and is amended to clarify existing requirements by use of a “checklist” format, and updated to accommodate the clinical needs of the patient. This provides installation requirements consistent with the *Guidelines for Design and Construction of Health Care Facilities*. These amendments also clarify that outpatient clinical services of a hospital providing services equivalent to an alternative birthing clinic shall comply with this section.

Section 1226.11.1.1 “Birthing room.” This sub-section increases the 156 square foot area to 200 square feet as required in the *Guidelines for Design and Construction of Health Care Facilities*.

Sections 1226.11.1.6 & 7 “Window” & “Privacy.” These sub-sections provide an outside window requirement and the provision for privacy for mother and newborn as required in the *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.11.2.7 & 8 “Ice-making equipment” & “Nourishment room or area.” These sub-sections provide a requirement for ice-making equipment and for a nourishment room or area as required in *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.11.6 “Support areas for staff.” This sub-section provides requirements for staff toilets, lounge and storage for employees, as commonly required for all clinic types under section 1226.4.17, and adds a requirement for a staff changing room with a shower as required in the *Guidelines for Design and Construction of Health Care Facilities*.

Section 1226.12 “Psychology Clinics.” This section replaces Section 1226.20 and is intended to clarify the existing requirements by reorganizing them into a “checklist” format. Reference is made to the “general construction” requirements in Section 1226.4. These amendments also clarify that outpatient clinical services of a hospital providing services equivalent to a primary care clinic shall comply with this section.

Section 1226.12.1 “Public and administrative area.” This sub-section provides requirements for public and administration area, as commonly required for all clinic types under section 1226.4.4.

Section 1604 “General Design Requirements.” This section has been amended to reflect the *International Building Code*’s inclusion of “*Ambulatory care facilities*” in Business Group “B” occupancies, resulting in the “deletion of Group I-2.1 occupancies. OSHPD’s reference to Section 308, under Risk Category IV in Table 1604.5, is no longer relevant and has been deleted.

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 Care Facilities*, 2010 Edition” by the Facility Guidelines Institute with assistance from the U.S. Department of Health and Human Services.

CONSIDERATION OF REASONABLE ALTERNATIVES

There are no alternatives for consideration.

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

There are no adverse impacts on small business.

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

There are no adverse impacts on business.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Not Applicable