October 30, 2013

State of California
State and Consumer Services Agency
California Building Standards Commission
2525 Natomas Park Dr., Suite 130
Sacramento, CA 95833
Email: cbsc@dgs.ca.gov

**Re: *Agenda Items 5,* 7, and 8- REJECT THIS PROPOSAL**

Dear Madam Chair and Members of the Commission,

On behalf of **North County Health Services** serving **57,000** patients annually we are writing to alert you to our grave concerns with the revised OSHPD proposal to eliminate the OSHPD 3SE plumbing standards that were adopted in April by the Building Standards Commission. We are requesting the Commission reject this proposal.

Our association and membership participated in months of stakeholder meetings and worked with OSHPD staff to develop a new category of plumbing requirements for licensed community clinics that reflect the need for differing construction standards for hospitals versus community clinics and health centers (CCHCs).

We were deeply disappointed and surprised to learn that as a result of a lawsuit these codified common sense buildings standards are at risk. The commission met in April, applied the criteria set forth by your mandate and ruled that these standards are appropriate. This decision should be allowed to stand.

Private physician offices and county clinics currently operate outside of the hospital-based construction requirements without any documented risk to public health and safety or environmental protections.

On average, CCHCs operate on a 2 to 3 percent financial margin. The financial impact on CCHCs, if they are forced to adhere to the previous plumbing standards, will range from $50,000 to upwards of $250,000 for new construction and/or renovations that do not improve the quality of care to our patients and that other similarly situated providers are not subject to. These costly and unnecessary changes effectively result in barriers to access for patient care because we are required to utilize our funds for unnecessary construction costs rather than opening additional sites in underserved areas.

We applaud the leadership of Governor Jerry Brown to prioritize streamlining overly burdensome regulations. OSHPD 3SE plumbing standards are the perfect response to Governor Brown's commitment to reducing unnecessary regulatory burdens on Californians. Equally important, we applaud the Governor's commitment to the Affordable Care Act to meet the needs of California to provide quality medical care to the millions of uninsured Californians and addressing the basic health care needs of the thousands of Californians who have lost jobs or cannot afford insurance coverage.
From their inception in the 1960s, CCHCs have worked to provide high quality medical and behavioral health services, reduce health disparities, improve patient safety, coordinate care; and ultimately through this work have improved population health. CCHCs have become the medical home for the majority of low-income, uninsured and medically underserved individuals in California. Our health center is a non-profit corporation and provides services to patients regardless of their ability to pay.

At a time when we collectively stand ready to serve millions of new patients in just a few short months, these onerous regulations will significantly impede our ability to meet the needs of California uninsured and underinsured communities.

***The commission met in April, applied the criteria set forth by your mandate and ruled that these standards are appropriate. This decision should be allowed to stand. We therefore respectfully urge the Building Standards Commission to reject this proposal.***

Sincerely,

Christina Schmidt, MPH
Director of WHS Operations