

OSHPD  
REVISED. 7/17/2012

**45-DAY EXPRESS TERMS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT (OSHPD)  
REGARDING PROPOSED CHANGES TO  
  
THE CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2**

**LEGEND FOR EXPRESS TERMS**

1. Code language being modified: All such language appears in *italics and underlined*.

Modifications to Originally Proposed Expressed Terms:

2. Amendments to the originally proposed text appear in double underline.
3. Originally proposed text that is repealed appears in ~~double-strikeout~~.

**CHAPTER 34A  
EXISTING STRUCTURES**

**SECTION 3418A  
REMOVAL OF HOSPITAL BUILDINGS FROM GENERAL ACUTE CARE SERVICES**

**3418A.1 General.** *The requirements of this section shall apply when general acute care services are completely removed from hospital buildings or when hospital buildings are removed from OSHPD jurisdiction. All buildings that remain under the OSHPD jurisdiction, after one or more hospital buildings are removed, shall satisfy the requirements of the California Building Standards Code. Approval of construction documents and a building permit are required for removal of hospital buildings from general acute care services or OSHPD jurisdiction.*

**3418A.2 Establishing eligibility for removal from acute care hospital service.** *In order to establish that one or more buildings are eligible for removal from acute care hospital service, the hospital owner shall submit construction documents showing that after the buildings are removed from acute care hospital service:*

- a. *All acute basic services or supplemental services on the hospital's license are provided in buildings satisfying the requirements for either SPC-2, SPC-3, SPC-4, or SPC-5.*
- b. *All acute basic services or supplemental services on the hospital's license are provided in buildings satisfying the requirements for NPC-3, NPC-4, or NPC-5.*

**Exception:** *Services shall be permitted to be located in buildings satisfying the requirements of NPC-2 if the building has approved extension to NPC-3 deadline.*

- c. *The hospital complies with all egress requirements, including occupant load, number of required exits and travel distance to exits, and provides evidence that no egress from any acute care hospital building passes through the buildings removed from general acute care service, SPC-1 buildings, or through buildings not under OSHPD jurisdiction.*

**Exception:** If the building has an approved extension to the SPC-2 deadline, existing egress through the SPC-1 building shall be permitted for the duration of the extension.

- (d) No building removed from acute care hospital service is used as a smoke compartment for any acute care hospital building. Buildings not under OSHPD jurisdiction shall not be used as a smoke compartment for any acute care hospital building.
- e. Building separation, fire barrier and fire walls satisfy the requirements of the California Building Standards Code.

Exceptions: Building separation in accordance with the California Administrative Code Chapter 6 Section 3.4, but not less than a minimum separation of 2 inches times the number of stories below the level in consideration, shall be deemed to satisfy the building structural/seismic separation requirement in this section.

- (f) If the building removed from acute care hospital service shares a common fire alarm system with the acute care hospital, the main fire alarm control panel shall be located in an acute care hospital building. The building removed from acute care hospital service shall be in a separate zone monitored by the main fire alarm control panel. Flexible connections shall be provided for conduits/conductors crossing seismic separation joints.
- (g) If the building removed from acute care service shares the fire sprinkler system with the acute care hospital, an isolation valve with a tamper switch shall be provided to isolate the portion of the system serving the hospital building removed from acute care service. Flexible connections shall be provided in pipe crossing seismic separation joints. The fire sprinkler system shall not originate in the building removed from acute care service.
- (h) Required Patient access as required by Section 1224.4.7.5 does not pass through a building removed from acute care hospital service or through buildings that are not under the jurisdiction of OSHPD.
- (i) The primary accessible entrance to the hospital is not through a building removed from acute care hospital service or through buildings that are not under the jurisdiction of OSHPD.
- (j) No utilities servicing acute care hospital buildings originate in or pass through, over, or under, a building removed from acute care hospital service or a building not under OSHPD jurisdiction.
- (k) If utilities originating in an acute care hospital building feed a building removed from acute care hospital service, fail safe shut-off valves and/or disconnects shall be provided that permit isolation of the building removed from acute care hospital service from the hospital utilities. Flexible connections shall be provided for all utilities crossing seismic separation joints.

### **3418A.3 Buildings intended to remain under OSHPD jurisdiction.**

**3418A.3.1 Maintaining existing non-acute services under existing license.** Existing approved non-acute care occupancies, or services, existing in the building at the time it is removed from acute care hospital service shall be permitted to remain, and removal of the building from acute care hospital service is not considered a change in occupancy. The enforcement agency shall be permitted to require evidence that the existing occupancies and services were in compliance at the time they were located in the building.

**3418A.3.2 Change of licensed services under existing license.** A change of service or function for all, or a portion, of the building removed from acute care hospital service requires compliance with the current requirements for that service, including accessibility requirements in accordance with Chapter 11B.

**3418A.3.2.1 Skilled nursing or acute psychiatric services.** When acute care services are removed from a building which is intended to be used for skilled nursing or acute psychiatric services, and the new services will be licensed under the existing license of the general acute care hospital these new services shall comply with Section 3416A.1.1.1.5 for a non-conforming hospital building.

**3418A.3.2.2 Outpatient clinical services.** When acute care services are removed from a building which is intended to be used for outpatient clinical services under the existing acute care hospital license, the building is required to comply with the current OSHPD 3 code requirements for the new service.

**3418A.3.3 Buildings removed from acute care hospital service with new license.** When acute care services are removed from a building, and the new services provided in the building are issued an initial license as a skilled nursing facility or acute psychiatric hospital, the building shall comply with the new building code requirements or equivalent provisions of the California Building Standards code at the time of application.

**3418A.3.4 Change of building occupancy or division.** When a building is removed from acute care hospital service with or without change of license, the new occupancy group and division of the building, and/or new service or function, shall be established. A new certificate of occupancy shall be required for the building removed from acute care hospital service.

**3418A.4 Change in jurisdiction for buildings removed from acute care hospital service.** At the hospitals discretion, a building removed from acute care hospital service shall be permitted to be placed under the jurisdiction of the local enforcement agency, except as noted in Section 3418A.4.3. To be eligible for a change in jurisdiction, the building removed from acute care hospital service shall meet the requirements of Section 3418A.4.1.

**3418A.4.1 Eligibility for change in jurisdiction.** For a building removed from acute care hospital service to be eligible for a change in jurisdiction to the local enforcing agency, all the following criteria shall be met.

- a. The building removed from acute care hospital service shall be freestanding, as defined in the California Administrative Code Section 7-111.
- b. Any hospital support services located in the building removed from acute care hospital service, including administrative services, central sterile supply, storage, morgue and autopsy, employee dressing rooms and lockers, janitorial and housekeeping service, and laundry, shall be in excess of the minimum requirements for licensure and operation.

**3418A.4.2 Modification of buildings removed from acute care hospital service.** The owner of the building shall be responsible for bringing the building into compliance with all requirements of the new authority having jurisdiction. If a building requires modification to become eligible for removal from OSHPD jurisdiction, the construction project shall be closed with compliance by OSHPD prior to the change in jurisdiction. All occupancy separation, set-back, and allowable area requirements shall be enforced. Fire alarm and fire sprinkler systems for the building to be removed from OSHPD jurisdiction shall be completely independent of the systems in the acute care hospital, or any other building under OSHPD jurisdiction.

**3418A.4.3 Buildings not eligible for change in jurisdiction.** The following freestanding buildings shall remain under OSHPD jurisdiction:

- a. Any building in which basic and/or supplementary services are provided for a general acute care hospital, acute psychiatric hospital, and general acute care hospital providing only acute medical rehabilitation center services.
- b. Any building which provides required patient access, egress, or smoke compartment for a building under OSHPD's jurisdiction.
- c. Any building in which services under OSHPD jurisdiction are provided, including skilled nursing services, intermediate care services, and distinct part skilled nursing or intermediate care services.
- d. Any building providing central plant or utility services to a building under OSHPD jurisdiction.
- e. Any building through which utilities pass through, over or under, to serve a building under OSHPD jurisdiction.

**3418A.5 Vacant space.** With the removal of acute care services, the vacated space must be re-classified with an intended occupancy as required under Section 302. If the hospital determines that the building or space in the building removed from acute care hospital service will be vacant, the hospital shall demonstrate that unsafe conditions as described in Section 116.1 are not created.

**3418A.6 Demolition:** Demolition of hospital buildings to be removed from general acute care services shall be permitted when buildings remaining under OSHPD's jurisdiction, after demolition, satisfy the requirements of the California Building Standards Code and demolition activity does not impair the operation and/or safety of any buildings that remain under the OSHPD's jurisdiction.

~~(All existing amendments that are not revised above shall continue without any change)~~

**NOTATION:**

Authority: Health and Safety Code Section 130005(g) & 130021

Reference: Health and Safety Code Section 1275, 129790, 129850 & 130005(g)