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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Assisted Living Facility
Subgroup Participants

FROM: Emory Rodgers, Deputy Director 
Building and Fire Regulation

DATE: August 21, 2009

SUBJECT: Meeting Summary

COPY: Paula Eubank, DHCD
Vernon Hodge, DHCD

I'd like to thank those of you who were able to attend yesterday's subgroup meeting on Assisted Living Facilities. I've put together a general summary of the issues discussed for your information and for those who were unable to be here yesterday.

1. Reviewed the 2009 USBC/SFPC schedule: The proposed regulations should be published in September for a public comment period until January 25th, when the second public hearing will be held. Code changes can be submitted until March 1st, but staff encourages all code changes to be submitted by January, 2010. Work Group meetings will commence again in late November, 2009 and final work groups meetings, as necessary, will be in March and April, 2010.
2. DSS is commencing their regulatory process for the ALF's with a two year cycle anticipated. There would be some overlap with the USBC/SFPC so there can be some coordination occurring. The COV63.2-1705 may need to be changed depending on USBC/ICC-IBC changes on I-1 ALF's dealing with refuge area definitions and providing assistance to residents. ICC may have 2009 code changes that we can review this fall as they might relate to Jay Hall's proposed code change for evacuation of residents within 13 minutes.

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3. The 13 minute code change was discussed with many issues brought forward. Jay will revise for next meeting. SFPC will need correlating code change. Discussed some case histories where 13 minutes was met and several where residents took longer. Generally, operators indicated assistance was necessary for those in wheelchairs and walkers. Some local fire ordinances are having even I-2's evacuate with one requiring the evacuation to be completed in 9 minutes. Discussed potential IBC I-1 requirement for smoke compartments as refuge area and not the more and current two-hour horizontal exit used in I-3 and I-2 occupancies. Smoke was the real concern in these sprinkled I-1's.
4. Discussed a draft code change to state clearly that I-1's can have five non-ambulatory residents. A second code change for discussion was should these five residents be on a grade floor or only on other floors if there were smoke compartments. There was discussion as to whether the 2009 USBC should require smoke compartments and then the SFPC put the 13 minute requirement in along with deletion of the assistance language and also allow that evacuation could be to a tenable smoke compartment and then outside. A code change would need to be submitted by stakeholders in reference to the five non-ambulatory resident allowance.
5. There is a need for fire data on deaths and injuries in ALF's, both sprinkled and non-sprinkled.
6. Discussed CO alarms. As submitted by VFCAV it includes I occupancies that would, unless modified, cover ALF's, hospitals, nursing homes, jails and adult day care facilities. During the 2009 General Assembly session Beverly Soble spoke in opposition to the inclusion of I-2 facilities in a bill for residential occupancies only.
7. There was a discussion on hospice facilities with fewer than 16 residents allowed and licensed by VDH. There is a need to add into the USBC some construction requirements primarily along lines of R-4 (for example sprinklers, hard wired smoke detectors, co alarm, arc-fault protection, manual pull stations and residents being on grade access). Carrie Eddy noted convalescent homes, by state law are nursing home occupancies. A code change will be submitted to be deleted from I-1.

One again, thanks all the operators who attended. As we discussed, DHCD staff and code officials need to make sure we talk about all these code issues in language you understand so don't be bashful - call us if there was any discussion that we can clarify for you. Please feel free to contact me at 804-371-7151 or by email at Emory.Rodgers@DHCD.Virginia.gov.