

DHCD, DBFR 2009 Code Change Process

Summary of May 6, 2009 Workgroup 3 Sub-Workgroup Meeting

Healthcare Facilities

LAWS, CODES, STANDARDS AND REGULATIONS TO CONSIDER:

1. 2006 IBC/USBC Classification requirements (Page 4)
2. 2009 IBC Classification requirements (Page 10)
3. State Law definitions of ambulatory and non-ambulatory and statutory requirements for construction (Page 14)

Summary of Items 1, 2 and 3 combined: Reviewed I-1 and R-4 classifications, and residential care/assisted living facilities.

There was discussion regarding the term “ambulatory”, which includes individuals requiring prosthetic devices, canes, walkers, wheelchairs, and limited verbal commands or prompts, and the phrase “shall evacuate without physical assistance”. The law also defines assisted living care as providing moderate assistance in daily living. There was a change to the law (63.2-1705) in 2002 that refers to the requirements for no assistance and capable to exit outside or to a place of refuge.

Actually, five residents who require assistance may be permitted in I-1 facilities. Operators pointed out that, in the real world, residents exist in I-1 facilities in numbers greater than the five non-ambulatory residents allowable that may need some level of assistance beyond that permitted in accordance with the defined terms “ambulatory” and “without physical assistance”.

There was discussion on how this comports with the annual DSS Uniform Assessment Instrument (UAI). Should and would the law need revisions to reflect changes made to R-4 and I-1 classifications and/or other possible changes, and how the DSS UAI assesses residents’ conditions both currently and prior to transfer to I-2 facilities? Should there be an allowance for others needing minimal or moderate assistance, particularly if additional life safety and/or building construction code requirements are increased? Could those include requirements that all residents needing assistance be located on grade floors, rated floors between levels, smoke partitions or smoke barriers based on the floor area, and CO alarms? Could the definitions reflect that residents whom comply with the DSS UAI, which determines annually whether residents’ conditions warrant transfer to I-2 facilities, shall be permitted? If the definitions are changed, should such additional life safety or building construction requirements be imposed? Fire Services felt the IBC definitions should remain as is.

DSS provided data on the numbers of R, I-1, and I-2 licensed facilities. Of those facilities, approximately 45% are I-2 classifications as operators opt for business

and operational plans that allow aging in-place, transitioning from ambulatory to non-ambulatory. Newly constructed R and I facilities must be sprinkled, including R-4 facilities having 9 or more residents. The exception applies to licensed group homes having 8 or less residents, excluding resident counselors, and constructed as single family dwellings and classified as R-5 under the IRC. The SFMO indicated there are a number of unsprinkled I-2 facilities. Operators, DSS, and DHCD will attempt to determine the number of I-1 and I-2 unsprinkled facilities in existence. Fire record data on these facilities are needed (appears to be good to date). There is need to monitor the trends of the baby boomers as they relocate to facilities and may prefer residential care/environments and/or those offering aging-in-place.

Arc-fault devices are being required for the R classifications, providing greater life safety and property protection.

John Catlett also raised concerns about existing licensed facilities and whether the USBC might encourage upgrades, especially related to fire drills. The current USBC requires attic sprinklers and the new IBC code requires bathroom and closet doors to remain unlocked and floor coverings to have flame spread ratings.

Issue will be kept on table for June 11th and parking lot issue for final regulations.

4. Excerpts from DSS ALF regulations (Page 15)

Issue was discussed. No action necessary.

5. Life Safety Code definitions (Page 25)

Issue was discussed. No action necessary

ISSUES FOR DISCUSSION:

1. Differences between the 2006 IBC/USBC and 2009 IBC

- Group I-2 requirements (five versus one) (Page 27)

Discussed that I-2 classification decreased from allowing five residents to only one resident who are unable to evacuate. Operators felt this would be onerous and possibly impact the USBC, which currently and for some time has allowed five or less residents unable to evacuate in R licensed facilities, which has demonstrated good fire records to date.

Staff will prepare code changes to retain five residents and coordinate I and R classifications for June 11th and to be in the proposed regulations if approved on June 22nd by the Codes and Standards committee.

- Groups A-3, E and I-4 (Page 28)

Issue was discussed. No action taken.

- IBC corridor provisions (Page 31)

Issue was discussed. No action taken.

- Sprinkler thresholds (Page 32)

Discussed sprinkler thresholds for R classifications. The USBC allows one to five residents in R-3 and six to sixteen residents in R-4 facilities. The USBC requires sprinklers for R-2, R-3, and R-4 facilities and state licensed ALFs, unless those R-4 facilities are constructed under the exception for R-5 facilities having 8 or less residents. There needs to be correlation between the IBC and IRC for number of residents and sprinkler thresholds for all types of care facilities. Does this need clarification in the USBC? Should this be considered for all R-4 facilities relative to any change in the definitions? Should Section 903.2.8 link to the current USBC thresholds?

On agenda to review June 11th and staff will prepare draft code change for proposed regulations June 22nd.

2. Differences between the USBC and healthcare regulations

- Ambulatory/non-ambulatory versus without physical assistance from staff (Page 34)

Issue was discussed. No action taken.

- Construction requirements in ALF regulations (Page 35)

Issue was discussed. No action taken.

- Fire drills and State Regulated Care Facilities (SRCFs) (Page 43)

Discussed fire drills. Some issues are having residents exit outside, number and timing of drills, and uniformity.

On agenda to review June 11th and parking lot issue for final regulations.

- Hospice facilities (Page 57)

Discussed retaining I-1 classification allowance for five non-ambulatory residents versus one non-ambulatory resident without requiring I-2 classification.

On agenda to review June 11th and staff will possibly prepare draft code change for proposed regulations June 22nd and July 27th.

- Toilet facilities/privacy/dignity (Page 58)

Discussed toilet requirements for clearances and grab bar requirements, including alternative installations such as removable or fold-up grab bars.

On agenda to review June 11th, June 22nd, and July 27th for proposed USBC accessible requirements.

3. Additional considerations

- Carbon monoxide alarms (Page 66)

Issue was discussed briefly. No action at this time.

- Arc-fault circuits (no handout)

Issue was discussed briefly. No action at this time.

- Fire-proof cigarettes (no handout)

Issue was discussed briefly. No action at this time.

- Sprinklers in attics (no handout)

Issue was discussed briefly. No action at this time.

- Lightweight or passive construction (trusses, floor and wall materials, fire-stopping, smoke partitions, rated doors) (no handout)

Issue was discussed briefly. No action at this time.

- Elevators (no handout)

Issue was discussed briefly. No action at this time.

- Fire data (no handout)

Issue was discussed briefly. No action at this time.

4. Other issues, next meeting and assignments

There was discussion regarding trends in demographics and how ALFs might operate over the next decade, with more residents relocating to residential facilities or more licensed facilities constructed as I-2 facilities or other alternatives offering options between these two.

VDH wanted to be added in the SRCFs facilities. No objections so would do in proposed regulations.

Next meeting June 11th at the DHCD board room at 9:30.

