

**FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT**

**REGARDING THE CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS

The Office of Statewide Health Planning and Development is proposing editorial and minor technical amendments to the California Electrical Code (CEC) that will provide clarification and consistency within the code as identified below:

Article 517.18 (B) Patient Bed Location Receptacles (General Care Areas). Adds exception No. 4 to allow electrical receptacles to be omitted from psychiatric patient bedrooms.

Rationale: General requirements specific to acute psychiatric nursing services have been added in Title 24, Part 2, California Building Code (CBC). This coordinates the electrical requirements with *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (FGI Guidelines)* (2014 edition).

Article 517.22 (D) Special Locations (artificial lighting). Adds paragraph 4 to require tamper-resistant lighting in psychiatric areas where indicated in the risk assessment. Adds paragraph 5 to require a night light fixture and to require control of all lighting at the room entrance. Adds paragraph 6 to require provisions to reduce corridor lighting at night.

Rationale: General requirements specific to acute psychiatric nursing services have been added in Title 24, Part 2, California Building Code. This coordinates the electrical requirements with *FGI Guidelines*.

Article 517.30 Essential Electrical Systems for Hospitals. Amends the application phrase to show that the section applies only to surgical clinics, rather than all OSHPD 3 clinic facilities. Amends paragraph 5 to remove the prohibition of placing certain transfer switches in the same room as normal service equipment.

Rationale: Clarification of the scope of the application to OSHPD 3 facilities. The location of transfer switches is specified in NFPA 110 7.2, which was previously adopted. This change removes the duplicate requirement in 517.30(B)(5).

Article 517.33 (A)(8) Task Illumination and Selected Receptacles (Critical Branch). Removes amendment a.1. Move OSHPD 1 designation from the end of paragraph i to a new line above paragraph j.

Rationale: Amendment (a.1) was carried over from an earlier edition where paragraph (a) was "Acute Care Beds". The amendment now duplicates model code language. The OSHPD 1 designation is being moved for clarity.

Article 517.34 (A) Equipment for Delayed Automatic Connection. Adds paragraph 10 requiring UPS systems serving telephone, data, technology closets and equipment rooms to be supplied by the equipment branch.

Rationale: Article 517.34(A)(8) requires that the HVAC systems serving these areas be supplied by the equipment branch with automatic connection. Article 517.33(A)(7) requires that lights and receptacles be supplied by the Critical Branch. There is no specific requirement for the source of power for the UPSs. UPSs are consistent with the other loads that are required to be supplied by the equipment branch.

Article 517.124 Technology and Telecommunications Rooms. Adds electrical requirements for technology and telecommunications rooms.

Rationale: Coordinates electrical requirements with CBC Section 1224 and the *FGI Guidelines*.

Article 700.3 (A) Conduct or Witness Test (Tests and Maintenance. Removed references to and excerpts from NFPA 99 and 110.

Rationale: NFPA 99 and NFPA 110 are now adopted, making the removed text duplicative and not necessary.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Office of Statewide Health Planning and Development has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S)

- ***OSHPD RECEIVED THE FOLLOWING COMMENTS DURING THE 45-DAY PUBLIC COMMENT PERIOD OF MARCH 17, 2017 TO MAY 1, 2017***

Comment #1 Commenter: Regina Boyle, generally submitted on behalf of nonprofit, primary care clinics

Comment #1 regarding Article 517.22 Artificial Lighting – (D) Special Locations: The commenter expresses general dissatisfaction with the rule-making process and the evolution of the California Building Standards Codes since 1991. The recommendation is to pull the proposed language for further study identifying non-compliance with no specific criterion under Health and Safety Code Section 18930(a). The commenter requests that primary care clinics be specifically excluded from the application of the proposed language due to related cost impacts.

OSHPD Response to Comment #1: The proposed language adds requirements for tamper-resistant fixtures, night light fixtures, and reduced corridor lighting at night, specific to acute psychiatric nursing services. The proposed language is not relative to the clinic type identified.

Comment #2 Commenter: Regina Boyle, generally submitted on behalf of nonprofit, primary care clinics

Comment #2 regarding Article 700.3 (A) Conduct or Witness Test: The commenter expresses general dissatisfaction with the rule-making process and the evolution of the California Building Standards Codes since 1991. The recommendation is to pull the proposed language for further study identifying non-compliance with no specific criterion under Health and Safety Code Section 18930(a). The commenter requests that primary care clinics be specifically excluded from the application of the proposed language due to related cost impacts.

OSHPD Response to Comment #2: The proposal is to repeal existing language referencing excerpts from NFPA 99 and 110. These national standards are the standards adopted by the California Office of the State Fire Marshal, applicable to health facility emergency power systems and standby power systems, making the repealed text duplicative and unnecessary. The CEC article is related to generator sets to provide Essential Power. Primary care clinics do not have a requirement to provide essential power. The proposed language is not relative to the clinic type identified.

Comment #3 Commenter: Cheri Hummel, California Hospital Association (CHA)

Comment #3 regarding Psychiatric Hospital Services code changes for Title 24, Parts 1, 2, 3, 4 & 5: Ms. Cheri Hummel, representing the CHA, writes in support of OSHPD's proposed building standards (i.e. for the California Administrative Code, California Building Code, California Electrical Code, California Mechanical Code and California Plumbing Code) applicable to psychiatric hospital services space. The commenter maintains that the proposed standards are in conformance with the national standards and the Facilities Guidelines Institute and if adopted, will provide safe and protective environments for patients and staff and result in reduced healthcare costs. CHA recommends that the California Building Standards Commission adopt these standards.

OSHPD Response to Comment #3: OSHPD appreciates the expressed interest and support of the CHA for adoption of OSHPD's proposed code changes to Title 24, Parts 1, 2, 3, 4 & 5 as they apply to psychiatric hospital services space.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

OSHPD has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation. The proposed regulations are technical modifications that will provide clarification and consistency within the code.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES

OSHPD has determined that the proposed regulations will not have an adverse economic impact on small businesses. The proposed regulations are minor technical modifications that will provide clarification and consistency within the code.