

**FINAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT  
REGARDING THE 2019 CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2, VOLUME 1**

**(OSHPD 02/19)**

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 (OSHPD) finds that no revisions have been made which would warrant a change to the initial statement of reasons for the proposed actions associated with this rulemaking.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

OSHPD 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 a comment from the State Fire Marshal Review and two recommendations for the proposed actions as noticed during the 45-Day Comment Period of April 3, 2020 through May 18, 2020 and no comments for the 15-Day Comment Period of May 28, 2020 through June 11, 2020. A summary of the comments, objections, recommendations, and OSHPD responses are as follows:

**Regarding Item 2, Section 1.10.4.**

OSHPD 4.

**Commenter(s):** Greg Andersen, The Office of the State Fire Marshal

**Commenter(s) Recommendation:** Please withdraw the OSHPD 4. It is still in error. CDCR does not have the authority to adopt regulations. Also, CDCR does not have the authority to enforce. They have to comply to your regulations. They are self-monitored, but not an enforcing agency.

**Agency Response:** OSHPD accepts the recommendation and has withdrawn this amendment.

**Regarding Item 4, Chapter 2 Definitions**

[A] CHANGE OF OCCUPANCY

**Commenter(s):** Code Advisory Committee for Part 10

**Commenter(s) Recommendation:** This item was repeated in Part 10 and the CAC for Part 10 recommended Withdrawal. Part 2, Volume 1 was already submitted for 45 Public Comment.

**Agency Response:** OSHPD accepts the recommendation and has withdrawn this amendment.

#### **Regarding Item 4, Chapter 2 Definitions** CHANGE OF USE

**Commenter(s):** Code Advisory Committee for Part 10

**Commenter(s) Recommendation:** This item was repeated in Part 10 and the CAC for Part 10 recommended Withdrawal. Part 2, Volume 1 was already submitted for 45 Public Comment.

**Agency Response:** OSHPD accepts the recommendation and has withdrawn this amendment.

#### **Regarding Item 9, Section 1224.4.7.3 of Final Express Terms.** Outpatient corridors serving gurney traffic.

**Commenter(s):** John Woestman, Builders Hardware Manufacturers Association

**Commenter(s) Recommendation:** Proposed revision to the following text: Corridors serving gurney or stretcher traffic shall comply with the minimum width requirements of Section 1020.2.

**Agency Response:** OSHPD accepts the recommendation and has amended text accordingly. This amendment went out for 15-day public comment and no further comments were received. OSHPD is proposing our original text as modified by the recognition of the 45-day comment.

#### **Regarding Item 9, Section 1224.4.8.** Doors and door openings.

**Commenter(s):** John Woestman, Builders Hardware Manufacturers Association

**Commenter(s) Recommendation:** BHMA recommends withdrawing the proposed revision in Section 1224.4.8. Reasoning:

1. The intent, from the ISOR, states language has been added to Section 1224.4.8 to consolidate various regulations associated with doors and door openings to a single location to facilitate code use. We interpret this to imply no technical changes are intended.

2. The goal to consolidate various regulations pertaining to doors in acute care hospitals into one section, while commendable, is replete with pitfalls. An attempt to consolidate current requirements for doors to 1224.4.8 begs the questions of “what requirements to include in 1224.4.8?” and “what not to include in 1224.4.8?” One risk of attempting to consolidate current requirements is provisions elsewhere in the CBC Part 2 not specifically included in 1224.4.8 may be perceived as not required. Also, a risk is requirements in 1224.4.8 may be unintentionally restrictive.
3. The 2019 California Building Code, Part 2, includes requirements for doors applicable to acute care hospital buildings in several areas of the code. Sections 1010.1.2 Door Swing (and the very important list of exceptions), 407.3.1 Corridor Doors, and 407.4.4.4 Doors Within Care Suites are a few.
4. In conflict with the proposed revision to Section 1224.4.8, the 2019 California Building Code Part 2 currently:
  - a. Does not require sliding doors to not have floor tracks, with two exceptions.
    - i. Section 1224.29.1.3 Private rooms of Intensive Care Units requires sliding doors not have floor tracks.
    - ii. Section 1225.5.2.3.7 Resident toilet or bath rooms of resident rooms of the Household Model requires sliding doors not have floor tracks.
  - b. Does not require sliding doors to have breakaway features, with one exception:
    - i. Power-operated sliding doors per Section 1010.1.4.2, requires the door to be capable of being opened manually.
  - c. Does not require doors to be swinging doors or sliding doors.
    - i. Note: Section 1010.1.2 requires all egress doors to be pivoted or side-hinged swinging type – but includes 10 exceptions.

**Agency Response:** OSHPD accepts the recommendation and has withdrawn this amendment.

## **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 will not have a cost impact to private persons.

## **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 technical modifications that will provide clarification and consistency within the code.