

**FINAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE STATEWIDE HEALTH PLANNING AND DEVELOPMENT  
REGARDING THE 2022 CALIFORNIA ELECTRICAL CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3  
(OSHPD 01/20)**

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:**

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Office of Statewide Health Planning and Development (OSHPD) is making the following changes to the Initial Statement of Reasons for the proposed actions associated with this rulemaking.

**Item 98**

**Chapter 5 Special Occupancies**

**ARTICLE 517 Health Care Facilities**

Adopt entire 2020 National Electric Code (NEC) Article, carry forward existing amendments of the 2019 California Electrical Code (CEC) for OSHPD 1, 1R, 2, 3, 4 & 5, and make the following amendments in Items 98 – 110:

**Section 517.22(B)**

OSHPD proposes to amend the OSHPD amendments in 517.22(B)(1) and 517.22(B)(2) to update the titles of the Illumination Engineering Society (IES) nationally published standards.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

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).**

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an

explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

**Item 8**  
**Chapter 2 Wiring Protection**  
**Article 210**

Item 8 adopts the entire 2020 NEC Article 210 without OSHPD amendments.

**Commenter(s) and Recommendation (if applicable):**

Robert S. Glass, Goodman Manufacturing Company, L.P.  
Delete 210.8(F) or at least modify it, Section 210.8(F) Outdoor Outlets was added to model code. It requires all outdoor outlets for dwelling units supplied by single-phase branch circuit rated 50 amperes or less to be provided with ground fault circuit-interrupter (GFCI) protection. The requirement applies to power connection to most residential HVAC units. According to Mr. Glass, the new GFCI requirement is causing nuisance trips of some residential HVAC units. His letter indicates that 9 out of 22 states have either deleted 210.8(F) or modified it so that it does not apply to HVAC equipment. Furthermore, two Temporary Interim Amendment (TIA No. 1589 and TIA No. 1593), which will delay the implementation of 210.8(F) until January 1, 2023, have been submitted to NFPA. He recommends deleting 210.8(F) or at least modifying 210.8(F). His proposed code language changes 210.8(F) from a GFCI requirement for outdoor outlets in dwelling units to a GFCI requirement for outdoor receptacles in other than dwelling units.

**Agency Response:**

California Health and Safety Code § 1275 states "Office of Statewide Health Planning and Development shall adopt and enforce regulations prescribing building standards for the adequacy and safety of health facility physical plants." OSHPD does not take a position on the request by Robert Glass of Goodman Manufacturing Company, L.P to delete 210.8(F) because 210.8(F) applies to dwellings, and OSHPD does not have statutory authority on building standard and regulations for dwelling units. OSHPD rejects Mr. Glass proposed modification to 210.8(F). His proposed code language changes 210.8(F) from a GFCI requirement for outdoor outlets in dwelling units to a GFCI requirement for outdoor receptacles in other than dwelling units. 210.8(B)(4) already requires GFCI protection for outdoor receptacles in other than dwelling units so his proposed code language is redundant and not required. Therefore, OSHPD will not be modifying 210.8(F).

**Item 98**  
**Chapter 5 Special Occupancies**  
**Article 517 Health Care Facilities**

Item 98 updates ANSI/IES RP 29 in Section 517.21(B)(1) and ANSI/IES RP-28 lighting standard title in Section 517.22(B)(2) to match their current titles.

**Commenter(s) and Recommendation (if applicable):**

William Gow, OSHPD, Accept in Principle

The ANSI/IES standards in Sections 517.22(B)(1) and 517.22(B)(2) are outdated and do not match the current (2020) ANSI/IES standards titles. Mr. Gow recommends that the ANSI/IES standard in 517.22(B)(1) be changed to “ANSI/IES RP-29, Recommended Practice: Lighting Hospital and Healthcare Facilities” and the ANSI/IES standard in 517.22(B)(2) be changed to “ANSI/IES RP-28, Recommend Practice: Lighting and the Visual Environment for Older Adults and the Visually Impaired.”

**Agency Response:**

OSHPD accepts the recommendation.

**DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered 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, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

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:**

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

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.