

OSHPD Office of Statewide Health Planning and Development**Facilities Development Division**

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March 18, 2019

Mia Marvelli, Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Dear Mia Marvelli:

RE: 90-day Readoption of Emergency Regulations (OSHPD EF 01/18)

The Office of Statewide Health Planning and Development (OSHPD) is requesting to be added to the California Building Standards Commission (CBSC) April 17, 2019 regular business meeting.

OSHPD will be requesting a 90-day readoption of emergency regulations filed as OSHPD EF 01/18, which amended the 2016 California Administrative Code (CAC; Part 1, Title 24, California Code of Regulations). These emergency building standards were approved by the CBSC at the January 16, 2019, Commission Meeting and became effective on January 18, 2019. These emergency building standards will expire in 180 days (July 17, 2019) from the effective date and on the same date as the July 17, 2019, CBSC meeting. Therefore, pursuant to Government Code Section 11346.1(h), it is necessary for OSHPD to readopt these regulations for a 90-day period. Because the current emergency regulations remain in effect until July 17, 2019, OSHPD is also requesting that the readoption date be specified as July 17, 2019. This will extend the expiration date for these emergency regulations to October 15, 2019, providing sufficient time for all potential public comment periods.

The emergency regulations consist of modifications to Part 1, Chapter 6, *Seismic Evaluation Procedures for Hospital Buildings*, to incorporate seismic extension provisions specified in Assembly Bill (AB) 2190, Chaptered as 673 adding *Health and Safety Code* sections 130062 and 130066. AB 2190 permits all hospitals with buildings subject to the January 1, 2020, deadline that are seeking an additional extension for their buildings to submit an application to OSHPD by April 1, 2019, that specifies the seismic compliance method each building will use. Additional information and ongoing reporting will then be required of hospitals to maintain their approved extension. Because of the continuing

Mia Marvelli, Executive Director

Page 2

actions specified in this bill, the emergency building standards must remain in effect until they are made permanent through the certifying rulemaking process.

OSHPD had made submission to the CBSC for the certifying rulemaking process on February 11, 2019. No changes were made to the *Finding of Emergency or Express Terms* from the initial emergency building standards submittal. A 45-day public comment period has been scheduled from March 1 through April 15, 2019. Dependent upon the length and amount of subsequent public comment period(s) OSHPD will seek approval of the certifying rulemaking submittal by the Commission at either the July 17, 2019 or October 17, 2019 business meeting.

In the event that extended public comment periods are required, OSHPD will submit for a second readoption request at the July 17, 2019 CBSC business meeting with a readoption date of October 15, 2019, thereby allowing the emergency regulations to remain in effect until conclusion of the certifying rulemaking process.

If you have any questions please contact Diana Scaturro, Building Standards Supervisor, at (916) 440-8300 or Diana.Scaturro@oshpd.ca.gov.

Sincerely,



Paul Coleman, Architect
Deputy Director, OSHPD Facilities Development Division

Cc: Michael Nearman, Deputy Executive Director
California Building Standards Commission