INITIAL EXPRESS TERMS
FOR PROPOSED BUILDING STANDARDS
OF THE STATEWIDE HEALTH PLANNING AND DEVELOPMENT
REGARDING THE 2019 CALIFORNIA ADMINISTRATIVE CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1

# (OSHPD 01/19)

The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific (Government Code Section 11346.2(a)(1)).

## LEGEND FOR EXPRESS TERMS (California only codes - Parts 1, 6, 8, 11, 12)

1. Existing California amendments appear upright.
2. Amended or new California amendments appear underlined.
3. Repealed California language appears ~~upright and in strikeout~~.
4. Ellipsis (. . .) indicate existing text remains unchanged.

## INITIAL EXPRESS TERMS

ITEM 1

OSHPD proposes to repeal the deadline for application for extensions as the date has passed. Text had been amended to refer to projects that were previously submitted.

**CHAPTER 6**

**SEISMIC EVALUATION PROCEDURES FOR HOSPITAL BUILDINGS**

…

**ARTICLE 1**

**DEFINITIONS AND REQUIREMENTS**

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**1.5.2 Delay in compliance.**

…

**2. Requirements for SPC.**

…

2. Additional extension beyond January 1, 2020.

…

2.1.4. Extension where Construction has Started. For a hospital building ~~that has previously submitted to the Office a retrofit, replace or rebuild project~~ for which a retrofit, replace or rebuild project was previously submitted to the Office and is under construction, the application for an extension ~~request~~ shall contain all the following:

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 2

OSHPD proposes to add new definitions for emergency repair, maintenance and substantial compliance and amend the existing definition of hospital building to clarify freestanding buildings.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

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**ARTICLE 2**

**DEFINITIONS**

…

**7-111. Definitions.**

…

**EMERGENCY REPAIR. [OSHPD 1, 2, 3 & 5]** Repair to, or replacement of, an element of a building, structure, utility system, or equipment that is essential to the continued safe occupation and operation of a facility. May include repairs needed after a disaster.

*…*

**HEALTH FACILITY**

…

(b) **HOSPITAL BUILDING** does not include any of the following:

1. Any building in which outpatient clinical services of a health facility licensed pursuant to Section 1250 are provided that is ~~separated~~ freestanding from a building in which hospital services are provided. If any one or more outpatient clinical services in the building provide services to inpatients, the building shall not be included as a “hospital building” if those services provided to inpatients represent no more than 25 percent of the total outpatient visits provided at the building. Hospitals shall maintain on an ongoing basis, data on the patients receiving services in these buildings, including the number of patients seen, categorized by their inpatient or outpatient status. Hospitals shall submit this data annually to the Department of Public Health.

*…*

**MAINTENANCE. [OSHPD 1, 2, 3 & 5]** The routinely recurring work required to keep a facility (plant, building, structure, utility system, etc.) in such condition that it may be continuously utilized, at its original or designed capacity and efficiency, for its intended purpose. Actions necessary for retaining or restoring an existing element or component of a building, piece of equipment, machine, or system to the specified operable condition to achieve its maximum useful life, including corrective maintenance and preventative maintenance and preventative maintenance.

…

**SUBSTANTIAL COMPLIANCE.** A stage of a construction or building project, or a designated portion of the project, that is sufficiently complete in accordance with the approved construction plans and the California Building Standards Code such that the owner may use or occupy the building project, or designated portion thereof, for the intended purpose.

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 3

OSHPD proposes to amend section to include provisions for electronic plan submittals.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

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**ARTICLE 3**

**APPROVAL OF CONSTRUCTION DOCUMENTS**

…

**7-113. Application for plan, report or seismic compliance extension review.**

…

2. Submission of documents to the Office may be in three consecutive stages:

1. Geotechnical Review: One application for plan review and, when applicable, three copies of the site data must be attached. Plans may be submitted electronically in a format acceptable to the Office.
2. Preliminary Review: Two copies of reports or preliminary plans and outline Specifications. Plans/ drawings size shall not exceed 36 × 48 inches, and bundled sets of plans/drawings shall not exceed 40 lbs in weight. Plans may be submitted electronically in a format acceptable to the Office.
3. Final Review: Two copies of final construction documents and reports. Plans/drawings size shall not exceed 36 × 48 inches, and bundled sets of plans/ drawings shall not exceed 40 lbs. in weight. Plans may be submitted electronically in a format acceptable to the Office.

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 1298500

ITEM 4

OSHPD proposes to amend existing language to provide a pointer to the California Energy Commission requirements.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

…

**ARTICLE 3**

**APPROVAL OF CONSTRUCTION DOCUMENTS**

…

**7-118. Building Energy Efficiency Program.**

Healthcare facility projects ~~Projects~~ that consist of a newly constructed building or an addition that increases floor area and conditioned volume requires compliance with Title 24, Part 6 California Energy Code. ~~any new elements related to A through D below shall include a Building Energy Efficiency Program with the submittal.~~ ~~The Program shall describe how the design of the building systems meets the owner’s project requirements and include the associated Basis of Design (BOD) document required under Title 24, Part 6. The BOD shall describe the building systems to be commissioned, outline design assumptions, describe how the building systems design meets the owner’s project requirements, and why the systems were selected. The BOD shall cover the following systems and components as described in the Building Energy Efficiency Standards, Nonresidential Compliance Manual:~~

1. ~~HVAC systems efficiencies.~~
2. ~~Indoor lighting systems efficiencies.~~
3. ~~Water heating systems efficiencies.~~
4. ~~Building envelope considerations.~~

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 5

OSHPD proposes to add section 7-125(e) to define a change in scope during plan review and an exception to provide an option to submit as an Amended Construction Document as an examination.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

…

**ARTICLE 3**

**APPROVAL OF CONSTRUCTION DOCUMENTS**

…

**7-125. Final review of construction documents.**

…

**(e) Changes in scope.** Changes to the scope of the original project shall be required to be submitted as a separate project.

**Exception:** At the discretion of the Office, changes in scope may be allowed in the original project. The Office may require the documents to be reviewed as an examination subject to fees required by Section 7-133 (q)(3).

…

**ASSOCIATED SECTIONS TO ITEM 5:**

Represents section that may be impacted by this proposed code change item – Refer to those items in parentheses for related changes.

**(ITEM 8)** Chapter 7, SAFETY STANDARDS FOR HEALTH FACILITIES, *Section 7-153*

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 6

OSHPD proposes to amend section 7-133 (d) & (h) to indicate that fees for preliminary reviews are non-refundable.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

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**ARTICLE 3**

**APPROVAL OF CONSTRUCTION DOCUMENTS**

…

**7-133. Fees.**

…

(d) **Preliminary review.** The fee for review of preliminary plans and outline specifications pursuant to Section 7-121 is 10 percent of the fee indicated in Section 7-133(a) and shall be due upon the submission of preliminary plans and outline specifications. The preliminary review fee is non-refundable andshall be deducted from the application fee specified in Section 7-133(a).

…

(h) **Phased submittal review and collaborative review.**

1. The fee for phased submittal, review and approval pursuant to Section 7-130 shall be in accordance with Section 7-133(a) 1 through 7. A non-refundable fee of 10% of the fee indicated in Section 7-133(a) shall be due upon approval of the written agreement and shall be deducted from the application fee specified in Section 7-133(a) or fees pursuant to Section 7-133(e) for incremental phased reviews~~based on the written agreement, which shall include a schedule for payment. The phased review fee shall not exceed the fee required by Section 7-133(a)~~.
2. The fee for collaborative review shall be 1.95 percent of the estimated construction cost as calculated in accordance with Section 7-133(a) 4 through 7. A non-refundable fee of 10% of the fee indicated in Section 7-133(a) shall be due upon approval of the written agreement and shall be deducted from the application fee specified in Section 7-133(a) or for incremental collaborate reviews Section 7-133(e).

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 7

OSHPD proposes to amend section 7-134 (a)1(a) to clarify date requirements for written refund requests providing for a faster refund process.

**7-134. Fee refund**

(a) Upon written request from the applicant, a fee refund may be issued pursuant to this section.

1. The written refund request must be submitted to the Office within:

1. One year ~~of the date that a project is closed~~ from the date that a Certificate of Occupancy or a Certificate of Substantial Compliance is issued by the office,
2. One year of the date the project is withdrawn by the applicant, or
3. One year of the date when an application may become void, based on the requirements of Section 7-129, Time Limitations for Approval.

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 8

OSHPD proposes to add section 7-153 to define a change in scope during construction and an exception to provide an option to submit as an Amended Construction Document as an examination.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

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**ARTICLE 4**

**CONSTRUCTION**

…

**7-153.** **Changes to the approved work.**

…

(d) **Changes in scope.** ~~At the discretion of the Office, amended~~ Amended construction documents that change the scope of the original project ~~may~~ shall be required to be submitted as a separate project.

**Exception**: At the discretion of the Office, changes in scope may be submitted as amended construction documents. The ~~documents shall be reviewed by~~ Office may require the documents to be reviewed as an examination ~~and~~ subject to fees required by Section 7-133 (q)(3).

…

**ASSOCIATED SECTIONS TO ITEM 8:**

Represents section that may be impacted by this proposed code change item – Refer to those items in parentheses for related changes.

**(ITEM 5)** Chapter 7, SAFETY STANDARDS FOR HEALTH FACILITIES, *Section 7-*125(e)

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850

ITEM 9

OSHPD proposes to add section 7-204(b) to define minimum qualifications for Class “B” Hospital Inspector Exam.

**CHAPTER 7**

**SAFETY STANDARDS FOR HEALTH FACILITIES**

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**ARTICLE 19**

**CERTIFICATION AND APPROVAL OF HOSPITAL INSPECTORS**

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**7-204. Minimum qualification for examination.**

…

 **(b) Minimum qualifications for Class ‘‘B” Hospital Inspector Exam:**

 …

4. High school graduation or the equivalent, two years experience involving building projects of Type I or II construction as an architect’s, engineer’s, owner’s, local building official’s or general contractor’s representative in technical inspection of major structural and non-structural systems and components of buildings, and p~~P~~ossession of valid certification in all of the following four categories:

…

**Notation:**

Authority: Health and Safety Code, Sections 1275, 18928, 129790, and 129850

Reference: Health and Safety Code, Section 129850