

HEALTHCARE INTERPRETATIONS TASK FORCE AGENDA

DECEMBER 5, 2007
Greenberg Traurig Law Firm
800 Connecticut Avenue N.W., Suite 500,
Washington, DC 20006
Tel: 202.331.3100 Fax: 202.331.3101
8:30 A.M. – 5:00 P.M.

1. Call to order 8:30 A.M.
2. Introduction of Members and Guests.
3. Review / Approval of June 2007 Minutes (See Enclosure A – Page 1)
4. Review of Questions (See Enclosure B – Page 11-15)
 - A. Items in the Corridor **TJC** (Unresolved/Continuation from June 2007 meeting) (See ITEM B-1 – Page 11)
 - B. Fire Damper Testing **TJC** (See ITEM B-2 – Page 14)
 - C. Power Strips in Sleeping Rooms **AHCA** (See ITEM B-3 – Page 14)
 - D. Green House Projects-Cooking Equipment **AHCA** (See ITEM B-4 – Page 14)
 - E. Emergency Power/Diesel Generators **AHCA** (See ITEM B-5 – Page 15)
5. New Business
6. Old Business
 - Alternative Method of Managing Maintenance-related Issues (See Minute Item 4D from the June 2007 Meeting – Page 3)
7. Date / Location for Next Meeting
8. Adjournment (by 5:00 P.M.)

ENCLOSURE A

MINUTES HEALTHCARE INTERPRETATIONS TASK FORCE

Tuesday, June 5, 2007 – 2:00 PM – 6:00 PM

Boston Convention & Exhibition Center,

Room 103

415 Summer Street

Boston, MA

1. The meeting was called to order at 2:05 PM.
2. Introduction of members and guests present was completed. Those in attendance included:

MEMBER

Joe Bermes*

Ken Bush*

Eugene Cable*

Doug Erickson

Greg Harrington

Philip Hoge*

Tomas Jaeger

David Klein* (ALT)

Jim Merrill*(ALT)

George Mills*

Robert Solomon

Dick Strub

Mayer Zimmerman*

* Voting AHJ Member

REPRESENTING

Indian Health Services

International Fire Marshals Association

Veterans Affairs

American Society for Healthcare Eng.

National Fire Protection Association

DOD/US Army Corps of Engineers

Jaeger Associates/American Healthcare Association

Veterans Affairs

Centers for Medicare/Medicaid Services

The Joint Commission

National Fire Protection Association

AHCA

Centers for Medicare/Medicaid Services

GUESTS

Robert Arnold

Joseph Beadle

Chad Beebe

Jeff Belczak

Mike Daniel

Josh Elvove

Nicholas Gabriele

Virgil Hall

David Hood

REPRESENTING

Medical Center of Louisiana

Russell Phillips & Assoc.

WA State Dept. of Health

Dept. of Veterans Affairs

Daniel Consulting, LTD.

General Services Administration

Russell Phillips & Assoc.

Dept. of Veterans Affairs

Russell Phillips & Assoc.

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George Johnston
Susan McLaughlin
Nancy McNabb
Dave Soens
Phil Thomas
Frank Van Overmeiren

Loma Linda University Medical Center
SBM Consulting/ASHE
National Fire Protection Association
WI Dept. of Health
Golden Ventures
FP&C Consultants, Inc.

3. The minutes of the December 8, 2006 meeting (CMS Headquarters, Baltimore, MD) were approved with two corrections:

- A. **P. 4/21.** Under Item 4B, Line 6 – Change “requiem” to “require”.

- B. **P. 5/21.** Under Item 4E, Line 4 – Change “medial” to “medical”

4. Review of questions. Four questions were submitted as a part of the original agenda. Items reviewed included:

- A. **Joint Commission. Items in the Corridor. (See Enclosure A.)** This subject centers on the presence of various types of equipment, components and gear that is found in the healthcare environment. Computers on Wheels (COWs) are a concern due to the number of devices that may be present, how and where the devices are charged and how and where the devices are stored when not in use. Similar discussions in the past have centered on equipment such as linen carts and food carts. In addition to this equipment, other portable devices are becoming more prevalent, such as crash carts, isolation carts, medication carts as well as other types of mobile diagnostic equipment. Based on the 50 square foot limit contained in NFPA 101: Table 18.3.2.1 for the special protection features for storage rooms, the HITF selected that as the maximum value for the spaces under consideration.

The seven questions related to this request were modified by the HITF and a response to each one, with a qualifying statement were prepared. The questions centered on; attempting to determine the elapsed time for a piece of equipment to be considered inactive; clarification of equipment being stored in various corridor configurations including sprinklered, unsprinklered and dead end; conditions under which the equipment could be charged; and the extent that other types of equipment could be included in this allowance.

The Task Force had general verbal agreement on the recommended changes to the questions and the proposed responses. Due to the revisions to the questions, it was agreed to submit the set of revised questions to a letter ballot of the HITF AHJ members.

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Editors Note: The revised questions did not receive the necessary two-thirds majority to be issued. The issue will be discussed again at some future meeting.

- B. VA. Corridor Width in Suites. (See Enclosure B.)** This subject addresses the applicability of the minimum corridor widths (6 feet, 8 feet) within suites. The HITF affirmed the intent of NFPA 101 that the width criteria for corridors does not apply to the area within a suite. The question in the request was accepted by the HITF AHJ voting members 6-0 and issued as shown.
- C. VA. Fire Drills.** This subject was brought up to try and provide further clarification on the HITF position issued in June 2006, (See HITF INTERPRETATION JUNE 2006, NO. 3) concerning staff participation in drills. The HITF members did not arrive at a position to change anything from their June 2006 interpretation. The submitter of the question agreed to look at alternative scenarios and bring those back for discussion at a future meeting.
- D. Joint Commission. Maintenance Issues.** This subject discussed what, if any, credit a pro-active building maintenance program (BMP) should be given to offset certain deficiencies. This question listed 14 features that, if considered in a BMP, could be given “equivalent” credit to the continuous compliance provision that is the normal standard that is applied to maintenance. Use of the BMP to satisfy the criteria for NFPA 101 (2006 ed.). Sections 1.4, 4.5.7 and 4.6.12 was put forth as an option to show that the facility has a proactive process that is in place to proactively manage any ongoing inspection, testing and maintenance (ITM) issues and that deficiencies are being corrected in a timely manner. If this process could be formalized, the thought is that certain deficiencies could either not be counted against the facility or alternatively, the deficiencies could be “weighted” in some manner based on the BMP. The HITF did not take a position on the process but did agree to look at the issue again. The Joint Commission will work to provide some additional background on their intent with the question and bring it back to the next HITF meeting.

5. New Business.

- A. By-laws Issues.** A discussion on the by-laws and procedures that the HITF has been using since 1998 was initiated. A suggestion was made that instead of a 2/3^{rds} favorable vote from the AHJ members to issue a position, that the margin be changed to a “unanimous vote.” At present, that would mean that all 6 AHJ members would have to be in agreement. Unanimous agreement for any committee or body is not a normal measure of consensus. It was noted that NFPA Technical Committees use a 2/3^{rds} margin to finalize action on a

ENCLOSURE A

proposal or comment and a 3/4th margin to issue a Formal Interpretation. The HITF agreed to continue with the 2/3rd margin – that is 4 of the 6 AHJ members must agree with the proposed responses. A second issue dealt with renaming the HITF to the AHJ Committee. Historically, the leadership of the organizations that created the HITF was actually referred to as the Authority Having Jurisdiction Committee. There was no support to rename the Task Force.

Related discussions concerned the obligation of all members to abide by a position or interpretation that comes from the HITF. Although this has been the intent since this process was put in place in 1998, the reality is that an agency or AHJ may have a specific policy or even an amendment to the code issue being evaluated. The HITF is not a regulatory authority thus it can not force compliance with any position it establishes. A final point concerning the need to report dissenting votes on HITF questions was not supported.

The HITF website will be updated to reflect the changes to membership in the last few years.

6. **Old Business.** It was reported that the concepts discussed by the Door Locking Task Group were included as a committee proposal to the 2009 Editions of NFPA 101 and NFPA 5000.
7. **Next Meeting.** The next meeting has been tentatively scheduled to be held on December 5, 2007. Arrangements to hold the meeting at AHCA headquarters will be pursued.
8. **Adjournment.** The meeting adjourned at 5:20 PM.

ENCLOSURE A

**Enclosure A
Joint Commission Items in the Corridor**

ENCLOSURE A

Subject: Placement of Equipment in Corridors

Code: *NFPA 101 (2006 edition), Sections 18.2.3.4 / 19.2.3.4*

Background: Healthcare occupancies are prone to having more and different types of equipment in them. While *NFPA 101: Sections 18.2.3.4 and 19.2.3.4* work to address the importance of maintaining minimum corridor widths, portable and mobile equipment invariably find its way into these corridor spaces. Computers on wheels (COWs) are a particular concern.

Questions: Q1. How long should a COW be permitted to be in the corridor if it is inactive? In this context, inactive is the amount of time that passes between the staff accessing the equipment.

A1. 30 Minutes.

Note: This limitation should not be applied to crash carts or isolations carts.

Q2. Can COWs be stored in corridor alcoves that are less than 50 square feet in an un-sprinklered compartment? In some cases, these areas might have originally been designed as linen storage areas.

A2. YES. The storage is permissible provided the minimum required egress is not impeded.

Q2A. Building on the scenario of Q2, if the answer is YES, can the COWs be charging?

A2A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazard by product should not be charged within this environment.

Q3. Can COWs be stored in corridor alcoves that are less than 50 square feet in a sprinklered compartment? In some cases, these areas might have originally been designed as linen storage areas.

A3. YES. The storage is permissible provided the minimum required egress is not impeded.

Q3A. Building on the scenario of Q3, if the answer is YES, can the COWs be charging?

A3A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazard by product should not be charged within this environment.

Q3B. Is there a limit of the total number of alcoves per smoke compartment?

A3B. The codes establish no limit at this point.

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Q4. Can COWs be stored in a dead-end corridor in an unsprinklered compartment?

A4. YES. The storage would be permitted provided the footprint of the storage is less than 50 square feet and provided the minimum required egress width is not impeded.

Q4A. Building on the scenario of Q4, if the answer is YES, can the COWs be charging?

A4A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazard by product should not be charged within this environment.

Q5. Can COWs be stored in a dead-end corridor in a sprinklered compartment?

A5. YES. The storage would be permitted provided the footprint of the storage is less than 50 square feet and provided the minimum required egress width is not impeded.

Q5A. Building on the scenario of Q5, if the answer is YES, can the COWs be charging?

A5A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazard by product should not be charged within this environment.

Q6. If COWs cannot be charged in the alcove or dead-end corridor, where should they be charged?

A6. The previous responses allow the COWs to be charged under select circumstances and conditions.

Q7. Based on the previous questions, how would this affect the following portable devices?

- A. Portable x-ray machines (i.e. C-arms)
- B. EKG / EEG or other diagnostic equipment
- C. Beds
- D. Other Equipment with electrical connections

A7. In general terms, items A, B, and D should not pose a problem provided the area occupied by the equipment is less than 50 square feet; the equipment does not impede the egress from any point; the presence of the equipment does not reduce the required corridor width.

ENCLOSURE A

Item C, (Beds) is a concern and cannot be fully judged. The size, geometry, combustibility of mattresses and bed furnishings and the possibility of other items being “stored” on the mattress surface would all have to be carefully considered.

ENCLOSURE A

Enclosure B
VA. Corridor Width in Suites.

ENCLOSURE A

HITF INTERPRETATION JUNE 2007 NO. 1

Document to be interpreted: NFPA 101 (2000) 19.2.5, 19.2.3.3 exception # 2

NFPA 101 (2006) 19.2.5.6, 19.2.3.4(4)

Edition: 2000 and 2006

Background Information (optional): Recently several surveyors have cited medical centers for not maintaining 6 and 8 foot corridor widths within suites, usually within emergency department suites.

The 2000 Code was quite clear on this issue where, under the corridor width requirements Section 19.2.3.3 had an exception stating “*Exception # 2 Exit access within a room or suite of rooms complying with the requirements of 19.2.5*”. We had the understanding that corridor width requirements do not apply within a suite. We would then default to Chapter 7 Section 7.3 and 7.3.4, which specifies a minimum width of 36 inches as the general rule and allows exceptions down to 28 inches. The 2006 Code has the same requirements.

Question: Within a space meeting the requirements for a suite, do the requirements for minimum corridor width apply?

Answer: NO

ENCLOSURE B

INTERPRETATION REQUESTS DECEMBER 2007

ITEM B-1

Subject: Placement of Equipment in Corridors

Code: *NFPA 101 (2006 edition), Sections 18.2.3.4 / 19.2.3.4*

Background: Healthcare occupancies are prone to having more and different types of equipment in them. While *NFPA 101: Sections 18.2.3.4 and 19.2.3.4* work to address the importance of maintaining minimum corridor widths, portable and mobile equipment invariably find its way into these corridor spaces. Computers on wheels (COWs) are a particular concern.

Questions: **Q1.** How long should a COW be permitted to be in the corridor if it is inactive? In this context, inactive is the amount of time that passes between the staff accessing the equipment.

A1. 30 Minutes.

Note: This limitation should not be applied to crash carts or isolations carts.

Q2. Can COWs be stored in corridor alcoves that are less than 50 square feet in an unsprinklered compartment? In some cases, these areas might have originally been designed as linen storage areas.

A2. YES. The storage is permissible provided the minimum required egress is not impeded.

Q2A. Building on the scenario of Q2, if the answer is YES, can the COWs be charging?

A2A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazardous product should not be charged within this environment.

Q3. Can COWs be stored in corridor alcoves that are less than 50 square feet in a sprinklered compartment? In some cases, these areas might have originally been designed as linen storage areas.

A3. YES. The storage is permissible provided the minimum required egress is not impeded.

Q3A. Building on the scenario of Q3, if the answer is YES, can the COWs be charging?

A3A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazardous product should not be charged within this environment.

Q3B. Is there a limit of the total number of alcoves per smoke compartment?

A3B. The codes establish no limit at this point.

ENCLOSURE B

Q4. Can COWs be stored in a dead-end corridor in an unsprinklered compartment?

A4. YES. The storage would be permitted provided the footprint of the storage is less than 50 square feet and provided the minimum required egress width is not impeded.

Q4A. Building on the scenario of Q4, if the answer is YES, can the COWs be charging?

A4A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazard by product should not be charged within this environment.

Q5. Can COWs be stored in a dead-end corridor in a sprinklered compartment?

A5. YES. The storage would be permitted provided the footprint of the storage is less than 50 square feet and provided the minimum required egress width is not impeded.

Q5A. Building on the scenario of Q5, if the answer is YES, can the COWs be charging?

A5A. YES. Ni-Cad battery systems would be safe to charge in such circumstances. Battery systems such as lead-acid that may generate a potentially hazard by product should not be charged within this environment.

Q6. If COWs cannot be charged in the alcove or dead-end corridor, where should they be charged?

A6. The previous responses allow the COWs to be charged under select circumstances and conditions.

Q7. Based on the previous questions, how would this affect the following portable devices?

- A. Portable x-ray machines (i.e. C-arms)
- B. EKG / EEG or other diagnostic equipment
- C. Beds
- D. Other Equipment with electrical connections

A7. In general terms, items A, B, and D should not pose a problem provided the area occupied by the equipment is less than 50 square feet; the equipment does not impede the egress from any point; the presence of the equipment does not reduce the required corridor width.

ENCLOSURE B

Item C, (Beds) is a concern and cannot be fully judged. The size, geometry, combustibility of mattresses and bed furnishings and the possibility of other items being “stored” on the mattress surface would all have to be carefully considered.

ENCLOSURE B

ITEM B-2

NFPA 90A: For the new damper testing requirement, it is noted that they apply only to hospitals. We had a client ask if the 6 year interval also applied to the (fully separated) business occupancies within a hospital. We know you all are not looking at these business occupancies but we thought we would ask for your opinion on the issue.

ITEM B-3

Issue: It is difficult to balance the safety of patients in long term facilities verses creating a residential environment. Patients want access to the internet from their sleeping rooms and if confined to their bed, from their bed. Patients also want use and access to other personal electrical appliances and devices in their sleeping rooms.

This has created the use of power strips in patient sleeping rooms, which has resulted in many facilities receiving deficiencies based on numerous and different interpretations by states.

Question No. 1: Are power strips permitted to be used in patient sleeping rooms in NFPA 101, NFPA 70 and NFPA 99?

Question No. 2: If the answer to Question No. 1 is yes, are their restrictions as to where the power strips can be used in patient sleeping rooms?

ITEM B-4

Issue: Typical to the past, the evolution of long term care facilities is ahead of the codes and standards. One real world significant change is what is referred to as the “greenhouse project”. Small (10-12 beds), long term care facilities are being built in a campus like setting. The proponents of the smaller facilities feel this provides a more residential environment for the patients and improves the program of care for patients.

As you know, the codes and standards define a health care occupancy if it has four or more beds and the requirements remain the same whether there are 4 beds or 400 beds. An example where this is problematic is that each of these small facilities has a kitchen. Only residential appliances are used in the kitchen. Kitchens may be used to cook or warm meals for patients or they may be for personal use by staff or patients. The real issue is that the cooking appliances are residential type appliances. Most states are requiring the facilities to install commercial range hood and duct systems in compliance with the 1998 NFPA 96.

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Currently, residential cooking equipment used for occupational therapy and in nourishment centers in health care facilities are generally not required to comply with NFPA 96.

Although both the 1998 and 2008 editions of NFPA 96 state that the standard applies to all cooking operations, except in single family homes, the 2008 NFPA 96 states in Section 1-1.4 the following:

Section 1-1.4 This Standard does not apply to facilities where all the following are met:

- (1) Only residential equipment is being used.
- (2) Fire extinguishers are located in all kitchen areas in accordance with *NFPA 10, Standard for Portable Fire Extinguishers*.
- (3) Facility is not assembly occupancy
- (4) The Authority Having Jurisdiction has approved the installation.

Question: Does the 1998 NFPA 96 require cooking operations in health care facilities that comply with the intent of Section 1-1.4 of the 2008 NFPA 96?

ITEM B-5

Issue: Many nursing homes have emergency generators that were approved and installed prior to the development of the first edition of NFPA 110 in 1985 and long before the 1998 NFPA 110 became an applicable standard with the adoption of the 2000 LSC by CMS in 2003. The issue is that nursing homes are being told that they must bring their diesel engines into compliance with the 1998 NFPA 110. For example, many of these older generators do not have remote annunciators or the ability to connect to an annunciator.

Question No. 1: Does the *2000 Life Safety Code* require previously approved diesel drivers to comply with the 1998 NFPA 110?

Question No. 2: If the answer is yes, must the new equipment, such as a remote annunciator, comply with any standards: be listed: or be approved by the engine manufacturer for compatibility with the engine?