



California State Fire Marshal **CODE INTERPRETATION**

Date Issued	October 3, 2007	Interpretation	07-152
Topic	Bedridden Residents in Residential Care Facilities for the Elderly (RCFE) Group R-2.1 Occupancies		
Code Section(s)	2001 California Building Code Section 310		
Requested by	State Fire Marshal Residential Care Facilities Advisory Committee		

Health and Safety Code, Section 1569.72 (c) allows bedridden persons to be admitted to and remain in RCFE that maintain a fire clearance. Furthermore, it states that a fire clearance shall be issued to an RCFE, in which a bedridden person as determined by the Department of Social Services (DSS) resides if either of the following conditions are met:

- 1. The fire safety requirements are met.**
- 2. Alternative methods of protection are approved.**

Health and Safety Code, Section 13131.5 (b) prescribes the minimum building standards for non ambulatory occupancy in two story RCFEs:

Health and Safety Code, Section 13131.5 (b) All of the following building standards shall apply to any two-story building housing nonambulatory persons on a second floor, which is operated as a residential care facility for the elderly and licensed to care for more than six persons:

- (1) The entire building shall have installed a State Fire Marshal approved fully automatic fire extinguishing system, designed and installed in accordance with Section 2-3801 (d) of Chapter 2-38 Part of Title 24 of the California Code of Regulations (Title 24, Part 2 2001 California Building Code).*
- (2) The entire building shall have installed a State Fire Marshal approved and listed automatic fire alarm system.*
- (3) The entire building shall be of at least Type V one-hour fire resistive construction, as described in Chapter 2-22 of Part 2 of Title 24*

of the California Code of Regulations (Title 24 Part 2001 California Building Code).

(4) A building with individual floor areas over 6,000 square feet per floor shall have an approved smoke barrier dividing the floor approximately in half, without regard to whether direct exiting is available from each dwelling unit.

(5) The entire building shall have at least two sets of enclosed stairways.

RCFEs, as described in the Health and Safety Code, have been defined in the 2001 edition of the California Building Code (CBC), as R-2.1, R-2.1.1, R-2.2 and R-2.2.1 Occupancies. The requirements are codified in the 2001 CBC, Section 310 – Group R Occupancies. However, the requirements for the R-2.1 Occupancy Group (RCFE), specifically addresses non-ambulatory residents and are silent in regard to the pertinent building standards allowing bedridden residents in an RCFE, R-2.1 Occupancy, which leads to the following question:

- **Can bedridden residents be housed in an R-2.1 Occupancy Groups (RCFEs)?**

Yes. Provided the minimum standards for R-2.1 Occupancies are met, fire clearance shall be granted to all applicants seeking to house and/or serve nonambulatory and/or bedridden residents in an RCFE. CBC Section 310.1 Group R Occupancies defined, Division 2.1 to include, among other things, Residential Care Facilities for the Elderly and Residential Care Facilities for the Chronically Ill.

Furthermore, CBC Section 310.2.2 allows bedridden residents in similar R occupancies (R2.3 and R2.3.1) to be housed above the first floor provided there is construction of not less than one hour fire resistive construction throughout.

The forthcoming 2007 California Building Code based on the 2006 edition of the International Building Code with amendments reconciles the requirements of the Health and Safety Code, as well as, the 2001 CBC. R-2.1 and R-2.3 Occupancies are combined under a single I-1 Occupancy.

Section 308.2 of the 2007 California Building Code, (Effective January 2008) as follows:

Group I-1. This occupancy shall include buildings, structures or parts thereof housing clients on a 24 hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services.

This occupancy may contain more than six non-ambulatory and/or bedridden clients. ... This group shall include but not be limited to, the following:

Assisted living facilities such as: Residential Care Facilities, Residential Care Facilities for the Elderly (RCFEs), Congregate Living Health Facilities, Group homes, Residential Care Facilities for the Chronically Ill, and Congregate Living Health Facilities for the Terminally Ill.