

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)  
(916) 445-8200



**MINUTES**  
**Residential Care Facility Advisory Committee**  
**Tuesday January 29, 2008**  
**Office of the State Fire Marshal, Sacramento, California**

**PRESENT:**

Ernie Paez, Chair, Office of the State Fire Marshal (SFM)  
Stephen Hart, Co-Chair, Office of the State Fire Marshal (SFM)  
Greg Lake, Sacramento Metropolitan Fire Department  
Jim Pettigrew, SoCal Fire Prevention Officers Association  
Rocque Yballa, California Fire Chiefs Association  
John Avis, Department of Social Services (DSS-CCL)  
Cristina Flores, Cristina's Care Homes  
Richard Friend, Friend's Home Care  
Heather Harrison, California Assisted Living  
Denise Johnson, CRCAC  
Joe Garcia, Tulare County Fire  
Edward J. Garza, Small Provider Alliance  
Bob Gebel, LAAFMA  
Tricia Nishio, Department of Social Services (DSS-CCL)  
Doug Pancake, Irwin Pancake Architects  
Walter Brandes, Riverside County F.D. (Public)

**ABSENT:**

Ken Rohde, Erickson Retirement Community  
Charles Skoien, CRCAC  
George Miller, CRCAC  
Eric Dowdy, Aging Services of California  
Kent Miller, NorCal Fire Prevention Officers (FPO)  
Thomas Stahl, Department of Social Services (DSS)  
Vickie Sakamoto, Office of the State Fire Marshal (SFM)  
Diane Arend, Office of the State Fire Marshal (SFM)  
Joe Rodrigues, Department of Aging (CDA)

**STAFF:** Kevin Reinertson, Office of the State Fire Marshal (SFM)  
Steve Guarino, Office of the State Fire Marshal (SFM)

**I. CALL TO ORDER**

Ernie Paez, Chair, called the meeting to order at **1000** hours at the Office of the State Fire Marshal (OSFM) Headquarters, 1131 S Street, Sacramento, California.

**II. INTRODUCTIONS**

Each attendee gave a brief description of their background and the organization they represent.

**III. APPROVAL OF MINUTES**

August 21, 2007 meeting

**Action:** Greg Lake made a motion to approve; Joe Garcia second that motion; all in favor, none opposed; motion carried.

**IV. GENERAL DISCUSSION:**

1. **1007** – Kevin Reinertson, SFM Regulations Coordinator – Codes update Kevin stated that the Codes Advisory Committee met on January 18<sup>th</sup>, 90% of the CBC was heard by the committee. All the provisions that were presented to the committee on RCFEs were given an approval recommendation. One of the packages will address the exception that would allow 1 bedridden client to remain in an RCFE 6 or less facility without having to install fire sprinklers. Next step is a 45 day public comment period beginning in late February or March and could go to Building Standards Commission in July or August for action. The supplements that come out of this cycle will possibly become effective in the spring or summer of 2009.
2. **1030** – Joe Garcia, Chair of the Sub-Committee to look at the 2007 CBC regulations for Residential Care Facilities. Joe gave the advisory committee the goals and objectives of the sub-committee.

**Goals**

Review and evaluate current regulations pertaining to residential care facilities. Validate those that must remain, and identify those that need revision, amendment or deletion and present findings to SFM RCF Committee for their consideration.

**Objectives**

1. Identify those regulations that derive from statutory language and those that while having statutory roots, are regulatory in nature
2. Review and discuss the Group I-1 occupancies first, Group R-4 second and Group R3.1 occupancies last.  
***It was strongly suggested by the committee that the sub-committee review the regulations for the R3.1 occupancies first.***
3. Internally evaluate each section that requires further consideration.
4. Make decision on each section discussed and create intent and resolution (i.e., leave it alone, create proposed revision, formulate valid reason for deletion of section from code, or bring it up to SFM RCF Committee for further guidance).
5. Present findings to RCF Committee.

**The sub-committee will meet once a month. First meeting will be February 15, 2008 at SFM Headquarters, 1131 S Street, Sacramento at 1000 hrs.**

3. **1100** – Cristina Flores provided the committee with hospice waiver training.
4. **1220** – Richard Friend gave the committee a presentation on concerns that he and the association that he represents with exiting through corridors/hallways and through a common area within Group R, Division 2.1.1 occupancies.

Regulations sub-committee Chair Joe Garcia suggested that the sub-committee take up Richard Friends issue for further discussion and recommendation at the February 15<sup>th</sup> meeting. Mr. Friend agreed.

5. **1252** – Rocque Yballa motioned that the SFM Advisory committee submit a code interpretation request to the SFM Code Interpretation code interpretation committee that would define, explain, or clarify what is meant by “immediate area” as utilized in the 2001 CBC Section 1007.6.3.2.2. Joe Garcia seconded that motion.
6. **1320** – Joe Garcia motioned that the State Fire Marshal put out an informational bulletin that clarifies that a 6 bed facility that has one bedridden client must meet the provisions outlined in 415A (2001) or 425.8.3.3 (2007) and that if the provider chooses to have more than one bedridden client that the facility must sprinkler the entire facility and not have to meet those additional requirements set in the CBC; whether it be the 2001 or the 2007 CBC. Motion was seconded by Mr. Friend.
7. **1325**- Rocque Yballa gave a short presentation on a statewide issue that designers are having with I-1s. As designers are submitting their for I-1's (formerly R2.1) they have been getting ADA application for access compliance from HCD to go access compliant throughout since it is no longer considered a residence and is now going to be treated as a business since it falls under the Group I occupancy. He stated that the committee through the SFM should produce an information bulletin that will go out statewide to building officials, Cal Bo, etc. that states the intent of the legislature that these facilities are in fact to remain residential in nature. Rocque Yballa, Doug Pancake, and Kevin Reinertson will work together to produce the language for that information bulletin to present that to the SFM for approval. Request for a shared interpretation or at least a concurred interpretation of the application of access compliance requirements as it relates to I-1 facilities.

#### **ROUNDTABLE DISCUSSION:**

1. Ernie Paez SFM suggested that the advisory committee consider forming a sub-committee to look at education material that is being presented to providers and fire departments. And that the committee takes a look at possibly putting out education material that is consistent statewide on RCF facilities.
2. Walter Brandes reminded the committee that committee meetings are “neutral ground” and those individuals and individual departments should not be singled out. Issues and problems are typically statewide and should be treated that way. Everyone agreed.
3. It was suggested that the committee discuss annual inspection requirements for residential care facilities (presently not required).(6 or less)

#### **ACTION TO BE CARRIED OVER TO NEXT MEETING**

- Borders residing within residential care facilities (6 or less)

**V. SET MEETING DATE(S)**

Next meeting Wednesday April 2<sup>nd</sup> 1000 at the Office of the State Fire Marshal located at 1131 S Street, Sacramento Ca.

**VI. MEETING ADJOURNMENT**

Meeting adjourned at 1400 hours.

**Meeting Minutes Developed by:  
Ernie Paez, Chief  
Fire & Life Safety Division - South  
CAL FIRE/OFFICE OF THE STATE FIRE MARSHAL  
602 E. Huntington Dr. Suite A  
Monrovia CA, 91016**