

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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MINUTES
Residential Care Facility Advisory Committee
Wednesday August 13, 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 (*teleconference*)
George Miller, CRCAC
Joe Garcia, Tulare County Fire
Edward J. Garza, Small Provider Alliance
Bob Gebel, LAAFMA (*teleconference*)
Doug Pancake, Irwin Pancake Architects
Sally Michael, CALA (substitute)
Steve April, Contra County Fire Department
Denise Johnson, CRCAC
Thomas Stahl, Department of Social Services (DSS)
Richard Friend, Friend's Home Care (*teleconference*)
Charles Skoien, CRCAC (*teleconference*)

PARTICIPANT:

Edward Dilkes, CRC Health
John Peloquin, CRC Health
Daisy Braxton, DSS/CCL
Christina Hadley DSS/CCL

ABSENT:

Ken Rohde, Erickson Retirement Community
Rocque Yballa, California Fire Chiefs Association
Eric Dowdy, Aging Services of California
Kent Miller, NorCal Fire Prevention Officers (FPO)
Diane Arend, Office of the State Fire Marshal (SFM)
Steve Guarino, Office of the State Fire Marshal (SFM)
John Avis, Department of Social Services (DSS-CCL)
Cristina Flores, Cristina's Care Homes
Heather Harrison, California Assisted Living
Joe Rodrigues, Department of Aging (CDA)
Tricia Nishio, Department of Social Services (DSS-CCL)

STAFF: Kevin Reinertson, Office of the State Fire Marshal (SFM)
Vickie Sakamoto, Office of the State Fire Marshal (SFM)

I. CALL TO ORDER

Ernie Paez, Chair, called the meeting to order at **1008** 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

April 2, 2008

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

IV. GENERAL DISCUSSION:

1) Joe Garcia gave a briefing on the July 15, 2008 Ad-Hoc Committee that gathered to discuss and provide a recommendation to the Advisory Committee on California Building Code Chapter 1, Section 111.5.1. The two items listed below are the items that were discussed and voted on by the Ad-hoc committee to bring forward to the advisory committee.

1. All existing facilities can remain under the 2001 CBC as long as there are no changes to their license relative to non-ambulatory or bedridden.
2. All existing facilities adding non-ambulatory and/or bedridden shall meet the requirements of the 2007 California Building Code.

Ernie Paez provided the document to all committee members to read and opened the floor for comment. Steve Hart commented that it appeared that the recommendations are consistent with what has been done in the past. Richard Friend commented that the ad-hoc committee had discussed more than what had been stated. He felt that number one was not clear enough because if there were a change in ownership than the fire inspector could require the facility to meet all the requirements in the 2007 code. Joe stated that due to the amount of discussion that had taken place that it would require a large summary by him which he felt was not necessary because the ad-hoc committee was only tasked to provide the advisory committee with a recommendation for the application of the new code relevant to existing facilities which they did. Greg Lake commented that the issue with the change of ownership does have its discrepancies and it should be brought up later with Community Care Licensing. Some discussion took place in regards to new ownership; further discussion will take place on a later date.

Ernie Paez asked for further comment, there was none; Ernie Paez advised the committee that the recommendations that were made and voted on by the ad-committee would be voted on by the advisory committee to be approved. Once approved it would be placed on our web-site as a code interpretation and would be binding state-wide. Some discussion took place as to the retroactivity of the code interpretation. The committee agreed that the code interpretation would be effective the date of posting. A motion was made by Joe Garcia to resolve this issue as a State Fire Marshal code interpretation and that a statement be placed on the interpretation that it would be effective the date of the posting rather than retroactive to January 2008, Greg Lake second that motion. By show of hands and verbally for those on the phone; **there was a majority vote. POSTED on SFM web-site as 08-060**

2) Edward Dilkes CRC Healthcare was given the floor to begin discussion on the R-4 occupancy drug and alcohol rehab facilities statewide. Mr Dilkes reviewed with the group Health and Safety Code 11834.23. Mr. Dilkes stated there are many differences in the application of California Building Code from jurisdiction to jurisdiction statewide. Mr. Dilkes also talked about change of ownership, and the two year re-licensing requirement. Steve Hart suggested after much discussion about the R-4 occupancy that a work group be formed to look at the licensing criteria, current laws and regulations, building code as pertains to 6 or less facilities, operational issues to define some of the problems that are occurring statewide. Steve Hart then motioned to form the work group which would be called the "Group Home Work Group"; Joe Garcia second that motion, **all were in favor.**

John Peliquen CRC Health Group agreed to chair that workgroup. Other participants:

- Greg Lake
- Steve Guarino
- Tom Stahl
- Ed Dilkes
- Steve Hart

John Peliquen stated that he would reach out to other groups or personnel that might be interested in participating.

3) Jim Pettigrew was given the floor to speak on 13D and 13R sprinkler omissions and coverage as they pertain to R3.1 facilities. After some discussion the committee felt that this topic should go the NFPA 13 Comparison Committee. All agreed.

4) Ernie Paez presented the committee with code interpretation 08-050 Residential Care Facility Group I-1 2007 CBC section 308.2. The interpretation was approved by the committee and will be forwarded to the SFM Code Interpretation Committee for review and approval. **POSTED on SFM web-site**

5) Steve Hart brought up a question to the committee in regards to non-ambulatory and bedridden. Question: Are non-ambulatory and bedridden one in the same in regards to definition and as it relates to fire & life safety? This will be on placed on our next meeting (October 8, 2008) agenda.

6) Kevin Reinertson gave the group an update on regulations affecting residential care facilities. Section 903.2.7 has been amended to allow one bedridden client in a non-sprinklered facility. An information bulletin will be put out by Kevin in the near future.
ACTION ITEM: Ernie will work with Kevin in regards to the code revisions made by the AD-HOC Committee.

V. ROUNDTABLE:

Doug Pancake asked that two topics of discussion be placed on the October 8, 2008 agenda 1) 3 story Type V 1 hr. RCFE's; 2) 2007 CBC Section 707.2 exception #7 as it pertains to lobby design.

Bob Gebel commented that AB 759 has passed the senate appropriations committee. The bill was simplified to require the local inspecting agency to inspect **6 or less R3.1** residential care facilities on an annual basis. **UPDATE: 9/29/08 BILL HAS BEEN VETOED BY GOVERNOR**

Steve Hart stated that the 10yr.requirement for smoke detector replacement that's in NFPA 72 should be addressed by the SFM office. It will be discussed further in-house by SFM staff.

VI. SET MEETING DATE(S)

Next meeting **October 8, 2008** 1000 at the Office of the State Fire Marshal located at 1131 S Street, Sacramento Ca.

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VII. MEETING ADJOURNMENT

Meeting adjourned at 1505 hours.

Meeting Minutes Developed by:

Ernie Paez, Chief

Fire & Life Safety Division - South

CAL FIRE/OFFICE OF THE STATE FIRE MARSHAL

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