



## California State Fire Marshal Information Bulletin

# BEDRIDDEN CLIENTS IN RESIDENTIAL CARE FACILITIES

Current SFM regulations do not address the placement of bedridden clients in a residential setting. However, on January 1, 2001, a new California statute (SB 1896-Ortiz) became effective which amended existing sections of the California Health and Safety Code to allow the placement of bedridden persons in residential care facilities licensed by the California Department of Social Services. As provided by this new law, **this means that bedridden clients can now be placed in residential care facilities.**

The scope of the statute provides for the following:

1. Creation of a new definition for “bedridden”.
2. Provides the Department of Social Services with the authority to determine the bedridden status of persons (in consultation with the Director of Developmental Services).
3. Allows bedridden persons in residential care facilities if
  - (A) the facility receives a fire clearance by meeting applicable requirements; or,
  - (B) alternative methods of protection are approved by the AHJ.
4. Requires that the State Fire Marshal and the Department of Social Services adopt regulations to meet the mandate of the statute.
5. Requires that the State Fire Marshal identify procedures for requesting the approval of alternate means of providing equivalent levels of fire and life safety protection.

6. Requires that the State Fire Marshal provide a written response to a code interpretation of the new regulations within 45 days of request.

SFM is currently drafting the necessary regulations. In the interim, SFM recommends that fire officials work with any facility in their jurisdiction to achieve an acceptable alternate means of protection until the new regulations are in place.

Questions regarding this issue may be addressed to SFM Code Development & Analysis Division by telephoning Gini Krippner at (916) 327-7672