

ISSUED: 07-10-03

Visit our website: <http://osfm.fire.ca.gov>



California State Fire Marshal Informational Bulletin

HEALTH CARE FACILITY INSPECTIONS

Since 1974, the State Fire Marshal (SFM) has maintained an interagency agreement with the California Department of Health Services (DHS) whereby SFM agreed to apply NFPA *Life Safety Code 101* and associated standards in fire and life safety inspections for health care facilities that participate in the federal Medicare program. Specifically, SFM inspected skilled nursing and intermediate care facilities, acute care hospitals, and ambulatory surgical centers.

Federal Medicare regulations require that these health care facilities must meet both federal and state fire and life safety standards. Under the terms of the DHS contract, SFM applied federal rules (e.g., NFPA 101) while local fire authorities enforced state fire and life safety requirements (e.g., Title 19, California Code of Regulations; the California Building Code [CBC] and the California Fire Code [CFC]). However, Deputy State Fire Marshals also recorded Title 19, CBC, and CFC deficiencies noted during the course of their inspections. This practice led many to conclude that SFM was responsible for conducting both federal (NFPA 101) and state fire and life safety inspections (Title 19, CBC, and CFC) for all health care facilities in California. Regardless, by law, ***enforcement of state fire and life safety standards for California health care facilities remains the responsibility of the local fire authority.***

On July 1, 2003, SFM terminated our contractual relationship with DHS. DHS staff now conduct NFPA 101 inspections of health care facilities. *DHS will not identify nor record deficiencies of state fire and life safety requirements during their inspections.* Thus, it is important that local fire officials be aware that the enforcement of state fire and life safety requirements for health care facilities will only occur upon their own inspection.

Questions regarding this issue should be directed to the SFM Code Enforcement office in your area:

Northern California: (916) 445-8550

Southern California: (626) 305-1908