

APA-1
6/93

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Department or Agency Alabama Department of Public Health

Rule Number 420-5-22-.03

Rule Title CODES AND STANDARDS

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? n/a

Are all facts of the rulemaking process designed solely for the purpose of and so they have as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of §41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of Certifying Officer Pamela Blue Date 5/17/2013

FORM APA2
11/96

STATE BOARD OF HEALTH
NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-5-22-.03 CODES AND STANDARDS

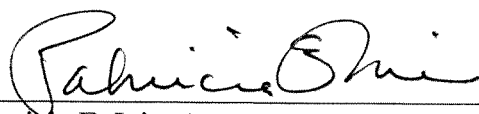
INTENDED ACTION: Amendment to Rule 420-5-22-.03

SUBSTANCE OF PROPOSED ACTION: The proposed amendments add a reference to proposed new Chapter 420-5-9, "Freestanding Emergency Departments," on the list of facility types that are required to comply with the *Guidelines for Design and Construction of Health Care Facilities*.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held on June 11, 2013 at 3:00 pm in Room 1586 (Board Room), 201 Monroe Street, The RSA Tower, Montgomery, Alabama.

FINAL DATE FOR COMMENTS AND COMPLETION OF NOTICE: Written or oral comments will be received until the close of the record at 5:00 pm on July 5, 2013. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Victor Hunt, Director, Office of Facilities Management, Alabama Department of Public Health, 201 Monroe Street, Suite 1550, Montgomery, Alabama. Mailing address is PO Box 303017, Montgomery, AL 36130-3017. Telephone (334) 206-5218.



Patricia E. Ivie, Agency Secretary

420-5-22-.03 CODES AND STANDARDS. The following codes and standards are hereby adopted by the State Board of Health, and are applicable to all health care facility projects submitted to the Alabama Department of Public Health for review.

(1) *Guidelines for Design and Construction of Health Care Facilities*, 2006 Edition. This standard is adopted only for the following Alabama Administrative Code, ~~Chapter 420-5-2, “Ambulatory Surgical Treatment Facilities,” and Chapter 420-5-7, “Hospitals.”~~ chapters:

- (a) Chapter 420-5-2, “Ambulatory Surgical Treatment Facilities”
- (b) Chapter 420-5-7, “Hospitals”
- (c) Chapter 420-5-9, “Freestanding Emergency Departments”

(2) *International Building Code*, 2009 Edition, as indicated below:

(a) Owners and designers of projects are responsible for complying with the requirements of the entire building code.

(b) Technical Reviews performed by the Alabama Department of Public Health will generally focus on the requirements of building code Chapters 2 through 7, 9, 10, 11, 28 through 31, and 35.

(c) Where references to “*ICC Electrical Code*” occur, substitute the appropriate standards or requirements of the NFPA 70 *National Electrical Code*, as adopted by the State Board of Health.

(d) Where references to “*International Fire Code*” occur, substitute the appropriate standards or requirements of the NFPA, as adopted by the State Board of Health.

(3) NFPA 101, *Life Safety Code*, 2000 Edition, except Chapter 5.

(4) 2000 NFPA *National Fire Codes*, including, but not limited to, the following:

(a) NFPA 10: *Portable Fire Extinguishers*, 1998 Edition.

(b) NFPA 13: *Installation of Sprinkler Systems*, 1999 Edition.

(c) NFPA 13D: *Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes*, 1999 Edition.

(d) NFPA 13R: *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, 1999 Edition.

- (e) NFPA 14: *Installation of Standpipe, Private Hydrant, and Hose Systems*, 2000 Edition.
- (f) NFPA 17A: *Wet Chemical Extinguishing Systems*, 1998 Edition.
- (g) NFPA 20: *Installation of Stationary Pumps for Fire Protection*, 1999 Edition.
- (h) NFPA 24: *Installation of Private Fire Service Mains and Their Appurtenances*, 1995 Edition.
- (i) NFPA 25: *Inspection, Testing and Maintenance of Water-Based Fire Protection Systems*, 1998 Edition.
- (j) NFPA 50: *Bulk Oxygen Systems at Consumer Sites*, 1996 Edition.
- (k) NFPA 70: *National Electrical Code*, 1999 Edition.
- (l) NFPA 72: *National Fire Alarm Code*, 1999 Edition.
- (m) NFPA 90A: *Installation of Air-Conditioning and Ventilating Systems*, 1999 Edition.
- (n) NFPA 90B: *Installation of Warm Air Heating and Air-Conditioning Systems*, 1999 Edition.
- (o) NFPA 96: *Ventilation Control and Fire Protection of Commercial Cooking Operations*, 1998 Edition.
- (p) NFPA 99: *Health Care Facilities*, 1999 Edition.
- (q) NFPA 110: *Emergency and Standby Power Systems*, 1999 Edition.
- (r) NFPA 220: *Types of Building Construction*, 1999 Edition.

Author: Victor C. Hunt

Statutory Authority: Code of Alabama, 1975, 22-21-20, et. seq.

History: Original Rule: Effective July 15, 2002. **Amended:** Effective October 23, 2003. **Amended:** Effective July 28, 2004. **Amended:** Effective July 25, 2005.

Amended: June 24, 2009; effective July 31, 2009. **Amended:** Filed July 23, 2012; effective August 27, 2012.