

Assembly Bill No. 2632

CHAPTER 453

An act to add Section 129875.1 to the Health and Safety Code, relating to health facilities.

[Approved by Governor September 10, 2004. Filed with Secretary of State September 10, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2632, Bogh. Health facilities: construction plans: expedited approval.

The existing Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 requires design and construction standards for hospital buildings that house patients who have less than the capacity of normally healthy persons to protect themselves, and that must be reasonably capable of providing services to the public after a disaster. The act requires the Office of Statewide Health Planning and Development (OSHPD) to approve or reject all plans for the construction or alteration of a hospital building, but authorizes OSHPD to exempt from that review or expedite the review for projects that the office determines do not materially alter the mechanical, architectural, or structural integrity of the facility, based on criteria that OSHPD is required to implement. The act requires the construction or alteration of certain skilled nursing and intermediate care facilities to conform to the latest edition of the California Building Standards Code.

This bill would require projects for the construction or alteration of hospital buildings and skilled nursing and intermediate care facilities that are single-story, wood-frame or light steel frame construction to be exempt from plan review and inspection by OSHPD prior to construction if the facility demonstrates to OSHPD by written description of the project that specified conditions are met.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The physical infrastructure and related systems of single-story, wood-frame, and light steel frame construction for skilled nursing and intermediate care facilities and hospitals are governed by the Office of Statewide Health Planning and Development (OSHPD).

(b) Under condition of new construction or alteration of an existing structure, these facilities must conform to the latest edition of the



California Building Standards Code, and are required to go through a building application and plan check process under the jurisdiction of OSHPD.

(c) The Legislature intends that these types of buildings conform to the latest California Building Standards Code when they are newly constructed, or when alterations are undertaken voluntarily, in order to expand or to upgrade the facility.

(d) The Legislature intends for these types of buildings to conform to the latest California Building Standards Code when alterations must be undertaken to repair existing systems or to keep up the course of normal or routine maintenance.

(e) The Legislature intends that implementation of the act adding this section not conflict or interfere with the implementation of any provision of the Labor Code.

(f) The Legislature intends that the exemption authority provided under the act adding this section shall extend only to alterations that are designed to restore health facilities to normal operational status, that are necessary to repair systems or equipment, or that are undertaken for routine maintenance purposes.

SEC. 2. Section 129875.1 is added to the Health and Safety Code, to read:

129875.1. (a) Notwithstanding Section 129875, projects for the construction or alterations of buildings specified in paragraph (1) of subdivision (a) of Section 129725 that are single-story, wood-frame or light steel frame construction and buildings specified in paragraphs (2) and (3) of subdivision (b) of Section 129725 shall be exempt from plan review and inspection by the office prior to construction if the facility demonstrates to the office, by written description of the project, that all of the following conditions are met:

(1) The construction or alteration is undertaken to repair existing systems or to keep up the course of normal or routine maintenance.

(2) The construction or alteration either restores the facility to the same operational status, or improves operational status from its operating condition immediately prior to the event, occurrence, or condition that necessitated the alteration.

(3) The scope of the construction or alteration is not ordinarily within the standard of practice of a licensed architect or registered engineer.

(4) The construction or alteration does not degrade the status or condition of the fire and life safety system from the status of the system immediately prior to the event, occurrence, or condition that necessitated the alteration.

(b) Upon completion of construction or alteration of any building subject to this section, and prior to use of the repaired system or other



subject of the construction or alteration, the office shall inspect and approve the work. The office may require an interim inspection for code compliance when walls, ceilings, or other materials or finishes will cover the final work.

(c) Upon compliance with subdivision (a), the office shall issue a building permit.

