

**STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION
OFFICE OF PLANS AND CONSTRUCTION**

<http://www.fdhc.state.fl.us/MCHQ/Plans/>

ALTERNATIVE APPROACHES TO LIFE SAFETY - NFPA-101A

INTRODUCTION

All existing health care facilities that are designated as health care occupancies and are regulated by federal and/or state agencies must comply with the minimum fire safety requirements as described in Chapter 19 of NFPA 101, Life Safety Code, 2000 edition (federal) and Chapter 19 of NFPA 101, Life Safety Code, 2012 edition (state).

For some existing facilities, compliance with these requirements may require significant and costly improvements to the physical plant of the facility. Therefore, the Fire Safety Evaluation System (FSES) as described in NFPA-101A, *Alternative Approaches to Life Safety*, has been accepted by the both the federal and state agencies as an acceptable and cost effective alternative method of establishing compliance through equivalency.

This system may only be applied to existing facilities and will not be accepted in relation to any new construction projects. All new construction of facilities and all renovations and modifications to existing facilities must be designed and constructed to meet all codes and standards for new construction even if the facility has been deemed in compliance as an existing health care facility through NFPA-101A.

It should be understood that this alternative method of establishing compliance will remain in effect as long as the Occupancy Risk Parameters do not change and all applicable safety parameters are maintained to meet the requirements of the original FSES.

For the facility to maintain the FSES and remain in compliance with Chapter 19 of NFPA 101, Life Safety Code, the FSES must be reviewed, and corrected as necessary annually. It will then be reviewed for approval by the federal and/or state surveyor during the annual fire safety survey of the facility.

To submit a project to the Office of Plans and Construction for review and approval utilizing NFPA 101A, *Alternative Approaches to Life Safety*, the procedures as detailed in *Information for Project Review, Alternative Approaches to Life Safety* must be followed.

INFORMATION FOR PROJECT REVIEW

The following information has been prepared to aid in submitting a Fire Safety Evaluation System (FSES) study as described in NFPA-101A, *Alternative Approaches to Life Safety*, and in the recording of on-site information required to complete the FSES submittal.

Plan Review Fee

A fee is charged by the State of Florida for the review of plans and construction. The Agency is authorized to charge an initial fee of \$2,000 for the review of plans and construction on all projects, no part of which is refundable. The initial fee payment must accompany the initial submission.

Further, the Agency is authorized to charge a fee not to exceed one (1) percent of the estimated construction cost or the actual cost of review, whichever is less, for a portion of the review, up through the first revised construction document review. All fees for subsequent portions of the review, including construction surveys, will be based upon the actual cost of review (including travel expense) for the remaining portions of the plan reviews and construction surveys. Any subsequent fee payment that is due is payable upon receipt of an invoice or notification in writing from the Agency.

Checks must be submitted by the provider and shall be made payable to "Treasurer, State of Florida" and should be noted "for Deposit to the Office of Plans and Construction Plan Review Trust Fund". The Agency can only accept a review fee from the licensee or potential licensee.

Plan Review Application (PRA)

This application shall be completed in its entirety at the time the review is scheduled. If all information is not complete, accurate and current, the plans may not be able to be processed and review may not commence.

The Plan Review Application form is available from this office upon request and from the Agency's web site: <http://www.fdhc.state.fl.us/MCHQ/Plans/>.

Certificate of Need (CON) Requirements

No letter of determination from the Office of Certificate of Need is required.

Code Requirements

The FSES study shall be based on both of the following editions of NFPA 101-A:

1. For certification purposes by the Center for Medicare/Medicaid Services (CMS), NFPA 101-A, 2001 edition, (based on the 2000 edition of NFPA 101 Life Safety Code) shall be used.
2. For state licensure purposes by the Agency, NFPA 101- A, 2010 edition, (based on the 2009 edition of NFPA 101 Life Safety Code) shall be used.

3. Requirements from both of these editions must be met.

Additional Submission Requirements

To facilitate the FSES review, a current and accurate **Life Safety Plan** for the entire facility shall be submitted with the FSES worksheets found in NFPA 101A.

The FSES study shall include the zone-by-zone tables for health care occupancy for each zone of the entire facility. Each zone shall be analyzed indicating a pass or fail result. If the zone fails, additional corrective work as required to pass each zone shall be separately indicated as part of the study.

Worksheet 4.7.10, *Facility Fire Safety Requirements Worksheet*, is required per facility, not per zone. A detailed and thorough survey of the existing facility must be made by the fire safety consultant(s) to ascertain if all items listed in Worksheet 4.7.10 can be checked as met. Equivalency is achieved if the fire/smoke zone evaluations show equivalency or better in each and every fire zone and all items listed on the *Facility Fire Safety Requirements Worksheet* (Worksheet 4.7.10) are met.

If items are checked “not met” on Facility Fire Safety Requirements Worksheet 4.7.10, they must be corrected as part of the FSES project before the facility can achieve equivalency.

Each fire safety consultant must sign the statement (see attached) attesting to compliance with Worksheet 4.7.10 and include this statement as part of the FSES submittal.

It will be necessary to retain the services of a qualified fire safety consultant or architect and engineer to prepare the FSES submittal, survey the facility, and attest to compliance with the requirements of NFPA-101A.

Project Review Process

No Construction Required:

If the FSES submittal as reviewed is disapproved by the Office of Plans and Construction, a letter listing the deficiencies will be sent to the owner of the facility and resubmission of the FSES study will have to be made.

If the FSES submittal as reviewed is approved by the Office of Plans and Construction, and indicates compliance will not require any construction work, a field survey of the facility shall be scheduled to confirm the information provided in the FSES submittal is correct and accurate.

If the field survey indicates the submittal is incorrect, the FSES study will have to be corrected and resubmitted to the Office of Plans and Construction for further review.

Once the field survey(s) indicates the FSES submittal is correct and accurate, the facility will be deemed in substantial compliance with NFPA-101, Chapter 19 (2000 and 2012 editions), Existing Health Care Occupancy and the project will be deemed complete.

Construction Work Required

If the FSES submittal as reviewed is disapproved, a letter listing the deficiencies will be sent to the owner of the facility and resubmission of the FSES study will have to be made.

If the FSES submittal, as reviewed is approved by the Office of Plans and Construction, and indicates compliance will require construction work or the addition of fire safety elements, a field survey of the facility will be scheduled to confirm the information provided in the FSES submittal is correct and accurate.

If the field survey indicates the submittal is incorrect, the FSES study will have to be corrected and resubmitted to the Office of Plans and Construction for further review.

Once the field survey(s) indicates the submittal is correct and accurate, the owner of the facility shall provide a set of relevant construction documents prepared by a Florida registered architect and/or engineer or shall provide information regarding the additional fire safety elements to be installed in the facility to the Office of Plans and Construction for review and to the local permitting authority as required.

Following the review and approval of the construction documents, the FSES project will be completed as any other construction project submitted to the Office of Plans and Construction.

After the construction work has been completed, surveyed and approved by the Office of Plans and Construction, the facility will be deemed in compliance with the minimum requirements of NFPA 101, Chapter 19 (2000 and 2012 editions), Existing Health Care Occupancy and the project will be deemed complete.

The FSES study will be placed in the permanent general file of the facility at the Office of Plans and Construction and a copy of the FSES study will be forwarded to the Agency's field office.

The FSES is only used to achieve compliance for an existing facility. Any future additions, renovations or modernizations in the facility must be designed and constructed to meet all current codes and standards at the time of the renovation or modernization.

As stated in the Introduction, this alternative method of establishing compliance will remain in effect as long as the Occupancy Risk Parameters do not change and all applicable safety parameters are maintained to meet the requirements of the original FSES.

For the facility to maintain the FSES and remain in compliance with Chapter 19 of NFPA 101, Life Safety Code, the FSES must be reviewed, and corrected as necessary annually. It will then be reviewed for approval by the federal and/or state surveyor during the annual fire safety survey of the facility.

CERTIFICATION OF COMPLIANCE STATEMENT

For the facility to be able to use NFPA 101A to achieve compliance with Chapter 19 of the Life Safety Code, all items listed in Worksheet 4.7.10 must be surveyed and identified as being “met” or “not met”.

To assure all FSES studies are conducted to a minimum standard and to assure the facility has been physically surveyed by the FSES consultant(s) to ascertain if it meets the requirements as listed on Worksheet 4.7.10, the FSES consultant(s) must sign the following statements and file this Certification of Compliance with the FSES study when it is submitted to the Office of Plans and Construction for Review.

CERTIFICATION OF FIRE SAFETY COMPLIANCE - The facility has been physically surveyed for compliance with the Fire Safety Evaluation System and Worksheet 4.7.10 *Facility Fire Safety Requirements Worksheet*.

Signature of Surveyor

CERTIFICATION OF MECHANICAL COMPLIANCE - The facility has been physically surveyed for compliance with the Fire Safety Evaluation System and Worksheet 4.7.10 *Facility Fire Safety Requirements Worksheet*.

Signature of Surveyor

CERTIFICATION OF ELECTRICAL COMPLIANCE - The facility has been physically surveyed for compliance with the Fire Safety Evaluation System and Worksheet 4.7.10 *Facility Fire Safety Requirements Worksheet*.

Signature of Surveyor