

Engineering Services Codes Committee
Review Summary

- REFERENCE: NFPA Life Safety Code (LSC), 2000 Edition
Chapter 19 Existing Health Care Occupancy
Chapter 7 Means of Egress
- ISSUE: Building Separation and Exits
- LOCATION: Crow Northern Cheyenne Health Care Facility, Crow, MT [Billings Area Office]
- DISCUSSION: The facility was constructed in the early 1990s. During a recent CMS survey, the facility was advised that there is a CMS survey deficiency in the occupancy separation between the Health Care Occupancy on the Upper Level and the Business Occupancy on the Main level.
- INTERPRETATION: The 1 hour FRR rating of the stairs/exit enclosures complies with Chapter 19 (Existing Health Care Occupancy) of the 2000 LSC.

A Life Safety Code Interpretation request was made to IHS-Engineering Services Codes Committee on October 24, 2014 from the Director, Facilities Management Billings Area Office. The request was forwarded to the Chairman of the IHS Division of Engineering Services Codes Committee (Committee).

The Question in the request is: "Are the exit stairwells at the Crow Hospital permitted to have one-hour FRR or are they required to have a two-hour FRR?"

Supplemental Information provided for the request include two "Fire Plan Key" drawings, one for the Main Level and one for the Upper Level, each showing the intended fire rated separation of building occupancy, exits and other rated elements. Also provided was the DHHS Centers for Medicare & Medicaid Services Form CMS-2567 dated 8/20/2014, a Summary Statement of Deficiencies. Only two of the stairs are addressed in this request.

Based on provided information, the Codes Committee reviewed the information for compliance with the 2000 LSC. The Upper level is defined as a Hospital (Health Care occupancy) and the Main level is defined as a Business occupancy. As the facility was constructed to comply with an earlier edition of the Life Safety Code, the Billings Area's intent appears to be compliance with the Existing Construction Chapter of NFPA 101, specifically, Chapter 19 for Health Care Occupancy on the Upper level.

The specific noted deficiency of concerns by CMS is "ID K 011" in the Summary Statement. This deficiency is stated as "If the building has a common wall with a nonconforming building, the common wall is a fire barrier having at least a two-hour fire resistance rating constructed of materials as required for the addition. Communicating openings occur only in corridors and are protected by approved self-closing doors. 19.1.1.4.1, 19.1.1.4.2."

The IHS Division of Engineering Services Code Committee researched the request and held a conference call on Thursday, November 20, 2014.

The committee discussed several topics related to this request. They include:

- 1) The deficiency seems to reference a nonconforming building and the Code citation (19.1.1.4.1) refers to "Additions". As there is no evidence of any "Addition" to the existing building, the Committee interprets that this reference is not applicable and is not basis for a deficiency.
- 2) The deficiency references "..., the common wall with a least a two-hour fire resistance rating constructed of materials as required for the addition." As previously discussed, there is no known evidence of any additions that would make the building nonconforming. The committee interprets that this is again not a basis for a deficiency. The Committee does recognize that there is a 2 hour FRR construction between the Business Occupancy on the main level and the health care occupancy on the upper level. The construction of this horizontal FRR barrier does not appear to be a concern.
- 3) The deficiency indicates: "On 8/18/2014 the 2 hour fire resistance rated (FRR) construction required between health care occupancy and business occupancy was incomplete in the following areas. The business occupancy was on the first floor and the health care occupancy was on the second floor. Stairwells – 2 each, 1 hour fire resistance rating."

The Stairwell construction was probed and considered to be constructed with 1 hour FRR construction based on field observation at the time. The final note References 2000 NFPA 101 Section 19.1.2.1(2)

Section 19.1.2.1(2) of the 2000 LSC indicates that sections of other facilities shall be permitted to be classified as other occupancies provided that "They are separated from areas of health care occupancies by construction having a fire resistance rating of not less than 2 hours."

The Committee believes that the deficiency basis noted above fails to acknowledge that the stairs are an element of life safety (Means of Egress) and should have been surveyed in accordance with the requirements of Section 7.1.3.2 and 19.3.1.

- a. The stairs are a vertical opening and serve as an exit enclosure to provide a protected way of travel to the "Exit Discharge".
- b. Section 19.3.1 specifically requires that the exit enclosures have a minimum fire resistance rating of 1 hour.
- c. Section 7.1.3.2 8.6 identifies that where exits are required to be separated, "The separation shall have not less than 1-hour fire resistance rating where the exit connects three stories or less."
- d. Based on the above evaluation, the Committee interprets that the stairs (exit enclosure) is properly separated with 1 hour fire resistance rating from the health care occupancy (and by similar evaluation the Business Occupancy) in the building.

The Committee interprets that the construction of the stairs (exit enclosure) with a 1 hour FRR is in compliance with chapter 19 and chapter 7 of the 2000 LSC. Accordingly, the identification of the construction of a common wall between a conforming and nonconforming building is not applicable since the wall is actually part of the exit construction (exit enclosure) and complies with the requirements of the LSC.

INTERPRETATION: The 1 hour FRR rating of the stairs/exit enclosures complies with Chapter 19 (Existing Health Care Occupancy) of the 2000 LSC.

SIGNATURES:

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| <input checked="" type="checkbox"/> Concur | <input type="checkbox"/> Do Not Concur | DATE: <u>01/09/2015</u> | <u>/John Bausch/</u>
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