



CAN 1-7-153
Amended Construction Documents
(Non-Materially Altered)

May 17, 2023

A composite image featuring a circular inset of blueprints, a portrait of Richard Tannahill, and a wireframe architectural rendering of a building.

Richard Tannahill, Architect
Health Care Access and Information
Deputy Division Chief

2

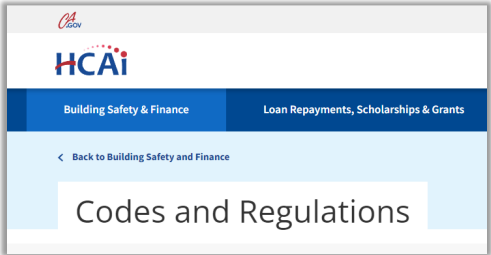


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CAN 1-7-153 Materially Alter



2019 CALIFORNIA ADMINISTRATIVE CODE
Part 1, Title 24, California Code of Regulations

[CAN 1-7-133\(k\)](#) (Formerly [CAN 1-7-133](#)) – Review of Design and Construction by Seismic Examination – 06/22/2020
Action/Comment: N/A



[CAN 1-7-153](#) – Amended Construction Documents – 03/03/2022
Action/Comment: N/A

- [Non-Material Altered \(NMA\) Change Form – Word Format](#)
- [Non-Material Altered \(NMA\) Change Log – Excel Format](#)

[Codes and Regulations – HCAI](https://hcai.ca.gov/construction-finance/codes-and-regulations/) – hcai.ca.gov/construction-finance/codes-and-regulations/

4

CAN 1-7-153 Materially Alter

 <p style="font-size: 8px; margin: 0;">Office of Statewide Hospital Planning and Development Department of Health Care Access and Information 2020 W. El Camino Ave., Suite 900 • Sacramento, CA 95833 • (916) 440-8300 355 South Grand Ave., Suite 1900 • Los Angeles, CA 90071 • (213) 897-0166</p>	<p style="margin: 0;">CODE APPLICATION NOTICE (CAN) H&S Code §129851</p>
<p>SUBJECT Non-Materially Alterations (NMA) (Changes that do not materially alter the approved work)</p>	<p>CAN: 1-7-153(b) Effective: X/XX/2023</p> 
<p>CODE SECTIONS</p> <p>Sections 7-111 and 7-153 California Administrative Code (CAC)</p> <p>7-111. Definitions.</p> <p>MATERIALLY ALTER as applied to construction projects or approved construction documents means any change, alteration, or modification, as determined by the Office, that alters the scope of a project, could cause the project to be in noncompliance with the <i>California Building Standards Code</i>, or causes an unreasonable risk to the health and safety of patients, staff, or the public.</p> <p>7-153. Changes to the approved work.</p> <p>(a) Changes in the work. Work shall be executed in substantial conformance with</p>	

This will be posted to our website soon!

5

CAN 1-7-153 Materially Alter

7-111. Definitions.

MATERIALLY ALTER as applied to construction projects or approved construction documents means any change, alteration or modification, as determined by the Office, that :

- alters the scope of a project,
- could cause the project to be in noncompliance with the *California Building Standards Code*,
- or causes an unreasonable risk to the health and safety of patients, staff or the public.

7-153. Changes to the approved work.

(a) Changes in the work. Work shall be executed in substantial conformance with the construction documents approved by the Office. Changes in the work shall be made by amended construction documents approved by the Office. Changes in the work include, but are not limited to, the following: Correction of errors in design and/or construction to bring the construction documents and/or construction into compliance with applicable codes; change(s) in the scope of the work; and additional work required because of discovered conditions.

Only changes that materially alter the work shall be submitted to the Office for review and approval as amended construction documents.

6

CAN 1-7-153 Materially Alter

7-153. Changes to the approved work.

(b) **Changes that do not materially alter the work.** The following types of changes in the work do not materially alter the work and do not require the submission of amended construction documents to the Office:

1. Clarification and interpretation of plans and specifications by the responsible design professional.
Note: If calculations by the structural engineer in responsible charge, or by the delegated structural engineer, are necessary to determine structural or nonstructural adequacy, an amended construction document submittal must be made to the Office for review.
2. Construction means and methods, such as construction sequencing, coordination of the work, and methods of assembly/construction. Construction means and methods do not include work that would require Alternate Method of Compliance or an Alternate Means of Protection.
Note: Temporary construction, such as temporary exiting, temporary air handlers, temporary bulk oxygen tanks, or temporary shoring supporting an occupied building under Office jurisdiction are not considered means and methods and thus would require a separate permit or the submittal of an amended construction document to the Office for review.

7

CAN 1-7-153 Materially Alter

3. Substitution of equipment, products, or materials. The equipment, product or material substituted must be code compliant; perform the same function as the equipment, product, or material that it is replacing; must not increase the mechanical or electrical loads to the building systems; must not increase loads to lateral or gravity load-bearing structural frame members; and must meet the design requirements for the project.
Note: Changing from one kind of equipment, product or material to another, such as changing from drilled-in concrete anchors to concrete screw anchors or changing the top-of-wall fire-resistive material/design are not considered substitutions and require the submittal of an amended construction document to the Office for review. If calculations by a structural engineer are necessary to determine structural or nonstructural adequacy, an amended construction document must be submitted to the Office for review.
4. New details that are based on other approved details, in whole or in part, including referenced standards or preapproved details. Reference to the approved details must be shown.
5. Final routing configurations of ducts, conduits, pipes, etc., where these are shown diagrammatically on the approved plans.
Note: Submittal of an amended construction document will be required when additional fire/smoke dampers, non pre-approved seismic fittings, or specially engineered braces or hangers are necessary to accommodate the final configuration or routing.

8

CAN 1-7-153 Materially Alter

6. Dimensional changes to rooms that do not affect code required minimum dimensions, fixed dimensions, minimum room or space requirements and required clearances.

Note: Applicable code sections and minimum dimension and space requirements must be shown on plans for confirmation by Office field staff.

7. Relocation of doors, windows, electrical switches and outlets, plumbing fixtures, etc., that do not require additional changes to the work to make the relocation code compliant.

8. Relocation or reconfiguration of cabinetry that does not affect code required minimum dimensions and clearances, minimum room or space requirements, or minimum storage requirements. Such cabinetry reconfiguration shall not increase loads to supporting members, such as wall studs and ceiling framing.

Note: Applicable code sections and minimum dimensions and space requirements must be shown on plans for confirmation by Office field staff.

9

CAN 1-7-153 Materially Alter

7-153. Changes to the approved work...

If the architect or engineer in responsible charge of a project determines that changes to the approved construction documents are necessary that do not materially alter the work, all such changes shall be stamped and signed by the appropriate design professional(s) pursuant to Section 7-115. All changes in the work are to concurrence of the Office field staff as to whether or not the change materially alters the work.

(e) **Documentation of changes.** The architect or engineer in responsible charge shall maintain a log of all changes to the work of construction. The log shall indicate whether the Office has made a determination as to whether each change materially alters the work, the date such determination was made, and the name of the Office staff who made the determination. The log shall be maintained on the project site as part of the inspector's field records.

10

Change Form – Appendix B

**APPENDIX B
Non-Material Altered (NMA) Change Form**

NMA #	Facility ID #	Issue Date:
Client Document Name:	Facility Name and Address:	HCAI Project Name and Number:
		HCAI Concurrence/Date:
Issued by:	<input type="checkbox"/> Contractor REI <input type="checkbox"/> Field Condition <input type="checkbox"/> Owner Request <input type="checkbox"/> DPOR Revision	DPOR Stamp:
Subject of NMA:		
Description of NMA:		
Example		
List of Attached Drawing/Sketches:		
Check the type of Non-Materially Altered Change this NMA represents – Reference CAC 7-153(b):		
1. Clarification/interpretation of plans and specifications without structural calculations.		
2. Construction means and methods.		
3. Substitutions of equipment, products, or materials without increasing loads to MPE systems, or increasing lateral or gravity loads.		
4. New details based on other approved details in whole or part, including referenced standards.		
5. Final routing configurations of ducts, conduits, pipes, etc., where shown diagrammatically on the approved plans.		
6. Dimensional changes to rooms that do not affect code required minimums or space requirements.		
7. Relocation of doors, windows, switches, outlets, plumbing fixtures, etc., without code implications.		
8. Cabinetry relocation/reconfiguration without code implications.		
Signature of Submitter:		Date:

APPENDIX B Page 16 of 17 CAN 1-7-153

**APPENDIX C
Non-Material Altered (NMA) Change Log**

Non-Material Altered (NMA) Change Log								
Facility Name: Facility Address: Project Name:			Facility ID #:	HCAI Project #:			Date:	
Issue Date	Client Document Name	NMA #	Subject of Change	Description of Change	List of Drawings Affected	Type of Non-Materially Altered Change per CAC 7-153(b) (See list below)	HCAI Concurrence (Yes or No)	ACD #
Example								

- Type of Non-Materially Altered Change - Reference CAC 7-153(b):
1. Clarification/interpretation of plans and specifications without structural calculations.
 2. Construction means and methods.
 3. Substitutions of equipment, products, or materials without increasing loads to MPE systems, or increasing lateral or gravity loads.
 4. New details based on other approved details in whole or part, including referenced standards.
 5. Final routing configurations of ducts, conduits, pipes, etc., where shown diagrammatically on the approved plans.
 6. Dimensional changes to rooms that do not affect code required minimums or space requirements.
 7. Relocation of doors, windows, switches, outlets, plumbing fixtures, etc., without code implications.
 8. Cabinetry relocation/reconfiguration without code implications.

CAN 1-7-153 Materially Alter

PURPOSE

The purpose of this Code Application Notice (CAN) is to clarify **materially altering changes** and **non-material altering changes** to the approved construction documents and to define the process for non-material alteration.

BACKGROUND

The California Administrative Code (CAC) and the California Building Code (CBC) state that all construction work must be executed in conformance with the construction documents approved by the Department of Health Care Access and Information / Office of Statewide Hospital Planning and Development (HCAI/OSHPD). Furthermore, the use of the term 'the Office' refers to HCAI/OSHPD. The CAC requires **changes that materially alter the work must be made by Amended Construction Documents (ACD)** approved by the Office. Materially alter is defined in the CAC Section 7-111 as any change, alteration, or modification, as determined by the Office, which does any of the following:

- Alters the scope of a project.
- Could cause the project to be in noncompliance with the California Building Standards Code (CBSC).
- Causes an unreasonable risk to the health and safety of patients, staff, or the public.

13

CAN 1-7-153 Materially Alter

PURPOSE (continued)

CAC 7-153 requires any changes made to the approved construction documents during construction be submitted to the Office for approval as either **NMA** or **ACD** prior to the installation of the work. The Office has determined that items that **do not affect code requirements may be considered an NMA and do not require an (ACD)** to be submitted. This CAN will help clarify that distinction and provide direction on both material and non-material changes.

INTERPRETATION

Non-Materially Altering (NMA) are changes that **do not materially alter the approved work**.

Amended Construction Documents (ACD) are **contractual documents** between owners, designers, and builders **that materially alter the work**.

Therefore, **the Office will only review changes** made after plan approval and during construction **that materially alter the work** (see *Appendix A* for guidelines). Changes of this nature shall be submitted for approval as an ACD.

14

CAN 1-7-153 Materially Alter

Stamping and Signing by the architect or engineer: When the Design Professional of Record (DPOR) has determined the proposed change does not materially alter the approved work, an NMA is required to be issued. Stamping and signing the NMA documents by the architect or engineer **represents they are accepting responsibility that the NMA will not cause the project to be in non-compliance** with the California Building Standards Code (CBSC) or cause an unreasonable risk to the health and safety of patients, staff, or the public.

The Change Log and The Change Form (OSH-FD-103) along with any issued narratives or other associated documents such as Request for Information (RFI), Architect Supplemental Instruction (ASI), Supplemental Instruction (SI), Construction Change Directive (CCD), etc. shall be maintained on the project site as part of the inspector's field records (7-145, item 6).

All changes in the work are subject to the concurrence of HCAI/OSHPD field staff as to whether the change materially alters the work. The architect or engineer in responsible charge shall maintain a Change Log (see sample in Appendix C) in which all changes in the work are clearly recorded and identified as either materially altering the work or non-materially altering the work.

15

CAN 1-7-153 Materially Alter

This concurrence shall be determined by a **review of the required Change Form (Appendix B)** submitted with each NMA request. The Change Form shall have details such as references to narratives and/or drawings or sketches that offer enough definition to the Office field staff that their concurrence may be obtained within the time limitations noted on page 5.

The **Change Log (Appendix C) shall be maintained by the DPOR and accompany the Change Form** for the observation of the NMA request(s) assigned to the project.

Rejection or non-concurrence of an NMA requires the proposed revision to be submitted to the Office for **review as an ACD**.

The Office does not perform a "Plan Review" or "Code Analysis" of NMA documents and concurrence is **determined by the field staff based on the information provided by the DPOR**.

This concurrence will only be noted on the NMA Change Form

The Change Log is for observation ONLY of the quantity of NMA changes assigned to the project.

16

CAN 1-7-153 Materially Alter

When submitting documents for NMA Concurrence from the Office, include the following on a required Change Form:

- HCAI/OSHPD Project Number **and unique NMA identification number.**
- **Stamp and signature from architect or engineer in responsible charge** (DPOR) of the project, (CAC Section 7-153(a)(b) and CAC Section 7-115). See next slide
- **Adequate description** of the proposed NMA
- All referenced documents shall be listed on the Change Form and made available **as required to make a determination**, i.e., additional structural support, updated air balance/electrical calculations, etc.
- Reference to at least one of specific section(s) of CAC Section 7-153(b) that you believe qualifies the revision as an NMA.

Note: *The Change Form shall have **no more than one change** and shall identify what section of the CAC Section 7-153(b) it meets. e.g. Moving a cabinet may include power outlet, light fixture, etc. **All associated components of the individual proposed change can be included in a single NMA submittal.***

17

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Stamping and Signing

Drawings:

- Signature from architect or engineer that is in responsible charge of the project - CAC Section 7-115(a)
- Stamp and signature from architect or engineer for changes prepared under their charge of the project - CAC Section 7-115(b)

Form:

- Stamp and Signature from architect or engineer that is in responsible charge of the project - CAC Section 7-115(a)
- NMA Form is an "instrument of service"

18

CAN 1-7-153 Materially Alter

The Concurrence will generally be no more than a five-minute observation for each NMA. Each NMA evaluation shall be an accepted or denied decision by the Office field staff that does not involve iterations of back-and-forth interaction between the field staff and the DPOR.

If it is debated, it is an ACD.

19

CAN 1-7-153 Materially Alter

Reference to at least one of the eight items defining an NMA is required.

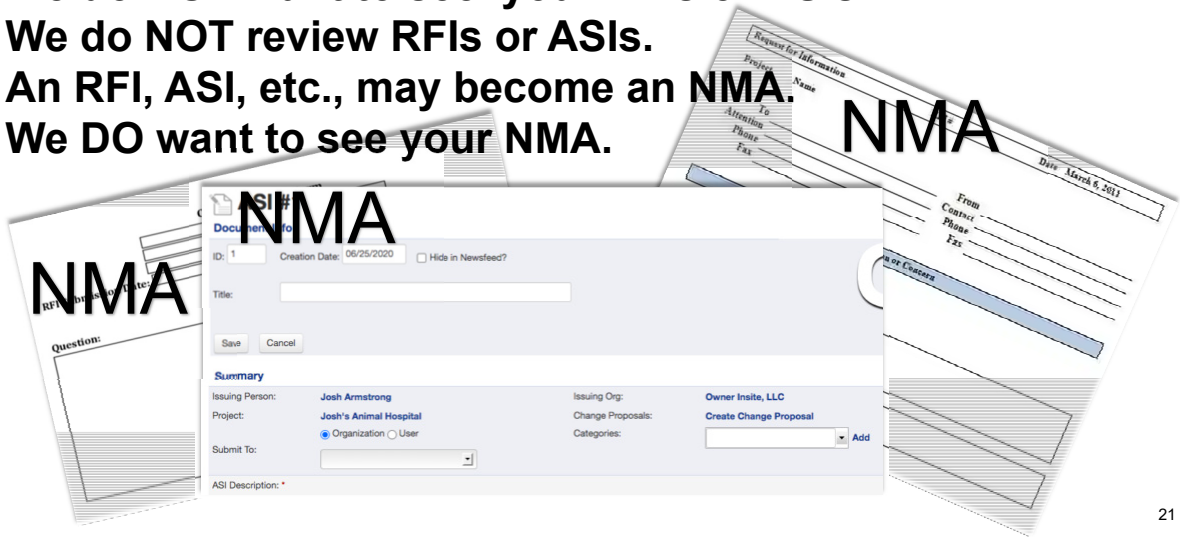
NMA may be submitted in many formats including, but not limited to: Request for Information (RFI).

	List of Attached Drawing/Sketches:	
	Check the type of Non-Materially Altered Change this NMA represents – Reference CAC 7-153(b):	n
	1. Clarification/interpretation of plans and specifications without structural calculations.	
	2. Construction means and methods.	
	3. Substitutions of equipment, products, or materials without increasing loads to MPE systems, or increasing lateral or gravity loads.	
	4. New details based on other approved details in whole or part, including referenced standards.	
	5. Final routing configurations of ducts, conduits, pipes, etc., where shown diagrammatically on the approved plans.	it
	6. Dimensional changes to rooms that do not affect code required minimums or space requirements.	
	7. Relocation of doors, windows, switches, outlets, plumbing fixtures, etc., without code implications.	
	8. Cabinetry relocation/reconfiguration without code implications.	

20

CAN 1-7-153 Materially Alter

**We do NOT want to see your RFIs or ASIs.
 We do NOT review RFIs or ASIs.
 An RFI, ASI, etc., may become an NMA.
 We DO want to see your NMA.**



CAN 1-7-153 Materially Alter

APPENDIX A
 The examples in this Appendix are provided for general guidance and are subject to the requirements of CAN 1-7-153 Amended Construction Documents. Non-Material Alterations do not require HCAI plan review but are subject to the concurrence of HCAI field staff. Material Alterations do require an ACD to be submitted to HCAI for plan review and approval prior to the installation of the work.

Example Pages

CIVIL

Non-Material Alterations

- Modification of existing conditions
- Addition of new conditions
- Addition of new equipment
- Addition of new materials
- Addition of new finishes
- Addition of new lighting
- Addition of new signage
- Addition of new furniture
- Addition of new fixtures
- Addition of new accessories
- Addition of new hardware
- Addition of new trim
- Addition of new moldings
- Addition of new baseboards
- Addition of new wainscoting
- Addition of new paneling
- Addition of new wallpaper
- Addition of new paint
- Addition of new stains
- Addition of new sealers
- Addition of new finishes
- Addition of new treatments
- Addition of new coatings
- Addition of new treatments
- Addition of new treatments
- Addition of new treatments

ARCHITECTURAL

Non-Material Alterations

- Lowering ceiling heights
- Dimensional changes that affect code requirements and minimum clearances
- Project phases that are subject to office review
- Relocating or adding illumination in original approved drawings

FIRE AND LIFE SAFETY

Non-Material Alterations

- Minor sprinkler heads that do not affect hydraulic calculations
- Installation/relocation of fire extinguishers
- Relocating fire alarm pull stations
- Substitutions of fire alarm devices (must comply with NFPA 72)
- Substitutions of fire alarm control panels

STRUCTURAL

Non-Material Alterations

- Dimensional clarifications
- Detail clarifications
- Modifications to structural engineering
- Substituting equipment
- Clarifications that do not affect structural integrity
- Interim, mobile, or temporary structures
- Relocating or deleting partitions and cubicle walls

MECHANICAL

Non-Material Alterations

- Dimensional clarifications
- Relocating registers, grilles, or diffusers, provided that the code requirements (for example, fire ratings) are maintained
- Changes to duct sizes or aggregate size of duct, air handling equipment, or other mechanical equipment
- Minor rerouting of piping or ductwork
- Clarifications that resolve conflicts with approved plans, without changing the design intent

ELECTRICAL

Non-Material Alterations

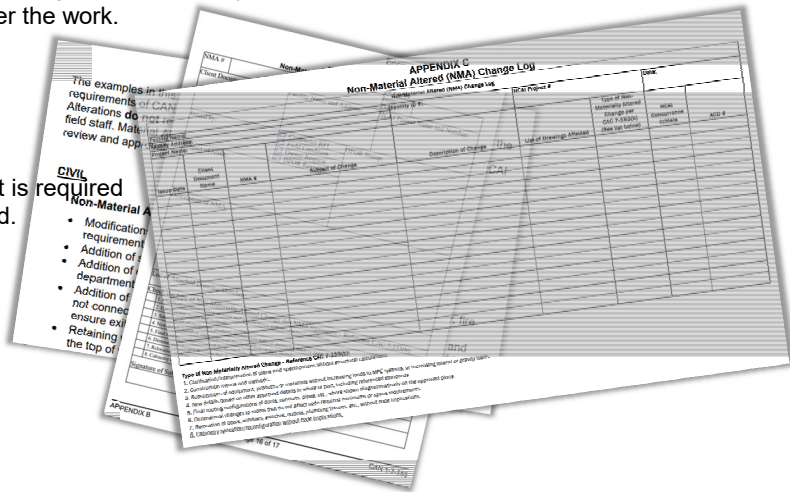
- Clarifications on single line drawings, without altering the original approved drawings
- Added notes or details that do not change the ratings of the electrical equipment on the approved drawings
- Clarifications to resolve missing or conflicting information on the original approved electrical plans without changing the design intent
- Clarification of means-and-methods where drawings and/or specifications have conflicting requirements
- Added procedures that do not result in a code violation. Relocating general purpose receptacles, without causing non-conformance with the California Electrical Code (CEC)
- Deleting non-code required general purpose receptacles
- Relocating general-use switches, without causing non-conformance with the CEC and/or California Energy Code Section 130.1.

CAN 1-7-153 Materially Alter

Appendix A contains examples of changes that materially alter the work and do not materially alter the work.

Appendix B is an example of what is required on a Change Form. A form is required.

Appendix C is an example of what is required on a Change Log. A log is required.



23

CAN 1-7-153 Materially Alter

Tips for NMAs

1. Determine NMA or ACD status. If NMA, proceed to item 2.
2. Prepare log and forms – **the log and an NMA Form are required!**
 - a. Provide a description so that a decision can be made based on it – avoid use of “miscellaneous”
3. An **NMA number must be assigned** regardless of what design team calls it (RFI, ASI, etc.)
4. Use proper industry terminology! These are Non-Materially Altered changes, **not RFIs**. See item above.
5. **Only one item per NMA!**
 - a. No more than 5-minutes to review each item
 - b. May be multiple disciplines if related to the single item
6. Must be a binary decision. If not, it is an ACD
7. NMAs will be looked at when staff are on site unless other arrangements are made in advance
 - a. Present to HCAI field staff
 - b. Emailing NMAs
 - 1) Have NMA Change Log available at all sessions
8. **Do not convert NMAs into ACDs after concurrence**
9. If there is a question to whether or not it is NMA, **ASK!**
10. Do not abuse the use of NMAs or be pressured into making an ACD an NMA. There are consequences.

24

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Thank you!

25



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