Q1 Can you remind us when the PIN will be formally released?
A1 PIN was released on 12/14/22.

Q2 To confirm, this is a retroactive requirement, so all SNF's need to comply, regardless if they are not doing any improvements?
A2 Yes, this new law requires all SNF's in the state to comply with new requirements by Jan 1, 2024.

Q3 For facilities planning replacement SNF facilities soon after the 1/1/2024 deadline, is there a process for requesting an exception/extension for the existing/planned-for-decommissioning SNF?
A3 We are not aware of any exceptions.

Q4 Current lead-time on larger generators are in the area of 55 weeks. Based on this it seems unfeasible that construction can be completed by 1.1.24. Has this been discussed with CDPH and will variances be granted in these scenarios?
A4 We have not heard of any planned variances. There are currently no exceptions to this law. We recommend that facilities start the assessments, and submit to HCAI as initial step.

Q5 At this time, there's a 6-12 month delay to obtain generators on a straightforward generator replacement project. Is it likely that a moratorium will be implemented?
A5 We have not heard of any moratoriums. We recommend that facilities proceed with their facility evaluations to determine if any deficiencies exist, and if so, propose the scope of work to bring the facility into compliance. There are currently no exceptions to this law.

Q6 If facilities undertake installation of new generators, will there expedited processes to obtain permits from HCAI, AQMD and CDPH?
A6 We understand the timeline is short. Completeness of plans that are code compliant and address the new AB 2511 requirements will affect review time. Complete code compliant plans can be reviewed and returned quickly. Remember that new above grade equipment added to sites will need local approval as well as HCAI approval. Construction cannot start until after plan approval and a building permit is issued. We recommend that you contact other agencies to discuss potential for expedited processes.

Q7 More of a comment than a question, but if a facility has to wait till the summer in order to measure actual loading, combine that with current delivery issues for HVAC, switchgear, and generators, and January 2024 is not a feasible deadline for this work in many cases.
A7 Understood. It would be acceptable to make prudent load assumptions now and validate with recordings later. There are currently no exceptions to this law, we recommend that you contact/work with CDPH if you feel you cannot meet the deadline. We recommend that facilities start the facility assessments, and submit to HCAI as initial step.

Q8 Assuming a SNF is timely with their Evaluation to HCAI, and assuming delays in going back and forth with HCAI with architectural, electrical, load testing, etc. there is no way SNF's in CA will be timely for full implementation by 1/1/24. Will a temporary solution satisfy the requirement while SNF's seek full compliance to replace temporary plan of compliance? If yes, how many extensions will be allowed?
A8 There are currently no exceptions to this law, we recommend that you contact/work with CDPH if you feel you cannot meet the deadline. We recommend that facilities start the facility assessments, and submit to HCAI as initial step.

Q9 Has HCAI considered Local City and or County regulations been considered. Height, Noise, Distance to existing schools?
A9 Design will need to meet current codes and this includes the requirement to obtain local/city/county approvals completed prior to issuance of an HCAI permit. See HCAI CAN 2-0.

Q10 How are all these SNFs being informed they have these deadlines? Is HCAi visiting them and making them aware or they at risk at missing some email or paper-mail sent to them?
A10 HCAI is in the process of informing SNF stakeholders with messages regarding new requirements thru various channels including sending e-mails and letters, giving presentations, etc. We have published PIN 74 which states the new requirements. The new requirements will also appear in the 2022 CEC intervening code updates which will come out July 1, 2026 .

Q11 Is HCAi involved with a Team of DPORs that will be attacking all this new scope of work that will be flooding the HCAi office to help simplify the processes so 1 phone call/meeting with a DPOR will attack multiple Facilities. And is there a way for IORs to throw their name in the hat for these DPORs to let them know they are interested in SNFs in a particular area/territory.
A11 The building standards unit has been involved with developing PIN 74 and will provide oversite and technical support of projects as they come in. HCAI staff from all regions will be reviewing projects as they come into our office. We do not intend to make special efforts to get word out to IOR's interested in projects designed to address the new law's requirements.

Q12 Will this apply to an acute care hospital that has a distinct part SNF ?
A12 Yes, if the SNF is in a free standing building separate from the hospital. No, if the SNF is inside a licensed hospital building.

Q13 Are there any known grants or other funding sources to assist facilities with paying for this?

A13 Not to our knowledge.

Q14 Is the code doc/section known at this time?

A14 PIN 74 was developed and issued on 12/14/22 to add policy for the implementation of the newly added Health and Safety Code Section 1418.22 which requires alternate sources of power to maintain safe temperatures, maintain availability of life-saving equipment, and maintain oxygen-generating devices for Skilled Nursing Facility (SNF) buildings. The CEC will be updated to include the new law's requirements at the next opportunity (2022 Intervening code update - currently scheduled to be effective 7-1-24).

Q15 Does HCAI know how many facilities do not meet these new standards and will need to upgrade the existing equipment?

A15 Our records show approximately 1208 SNF's in California. We do not know how many already meet the requirements of the new law.

Q16 Is life-saving equipment determined by a prescriptive list within the code or by facility clinical risk assessment?

A16 Life-saving equipment is a new term introduced by the bill and not addressed in code. PIN 74 provides a definition which states "Life-saving equipment may include but shall not be limited to ventilators, AEDs, crash carts with defibrillators, intravenous therapy equipment, feeding pumps, IV pumps, nebulizer machines, suction equipment and medication dispensing machines". A facility assessment will need to be performed to determine if the facility has life-saving equipment.

Q17 How would this apply to those facilities older then the October 1990? date, pertaining to maintaining safe temperatures?

A17 The new law does not allow deviations based on year built. The law requires compliance for all SNF's by Jan 1, 2024.

Q18 If a facility was certified prior to October 1, 1990, how will this be different for maintain temperatures of 71 -81 degrees?

A18 Previously code did not require cooling equipment to be backed up via onsite resources. The new law requires that the an alternate source of power be provided to ensure resident health and safety including maintaining a safe temperature for residents. So if the facility requires cooling or heating to keep within the specified temperatures of 71-81 degrees F, the cooling and/or heating equipment would need to be connected to an alternate source of power (existing generator or new onsite source).

Q19 What if a facility is in an area where average temps never go above 81 degrees and the facility doesn't currently have cooling - does cooling need to be added for rare heat wave days where temps go above 80 for a couple hours 2 to 3 times a year?

A19 Each facility will need to complete facility assessment, and state either compliance with new requirements of the law or identify deficiencies, and proposed remediation. Note: the requirement is for interior spaces to maintain a safe temperature for residents.

Q20 Are all areas required by CBC 1225 required to provide "safe temperatures" between 71 and 81 (e.g. salon, circulation, lobby, dining, activities, etc).

A20 The law requires "maintaining a safe temperature for residents". It will be up to the owner and/design team to propose which areas are required to maintain these temperatures to meet the requirements of the new law. We recommend that the proposed solution be included with the assessment , so our staff/CDPH can review.

Q21 The PIN talks about maintain 71-81 temperatures. It does not mention anything about ventilation air. Does this mean that you can close outside air to help make it easier to maintain those temperatures?

A21 The intent of maintaining the temperatures between 71-81°F is to reduce the risk to patients. Measures taken to comply with AB 2511 shall not unduly increase other risks to the patients. If the facility and its design professionals can demonstrate that reducing the outside air ventilation rate does not unduly increase the risk to the patients this would be considered.

Q22 Would like to confirm that existing HVAC equipment required to meet the 71-81 temperature does not need to be replaced with new OSP equipment?

A22 Existing HVAC equipment will not be evaluated for special seismic certification for AB 2511 driven upgrades.

Q23 Will 'NEW' HVAC equipment (for non-sub-acute) need to be seismically certified when upgraded or replaced? If not, it would appear that the required certified alternative power may not be effective in maintaining "safe temperature" under emergency conditions in conjunction with a seismic event.

A23 New HVAC equipment will need to have special seismic certification.

Q24 If adding HVAC to e-power, would also need to ensure BMS and controls added to e-power which would be distributed though out the building to ensure HVAC operates in loss of utility. Will this be identified in the assessment?

A24 Agreed. This should be picked up in design. The modifications will need to be commissioned, so if not addressed in design should be discovered during construction/commissioning. The completed project will need to show compliance with the new law.

Q25 96 hours of calculated load or rated load of equipment?
A25 Follow requirements of CEC 220 and PIN 38-Load Capacity Verification Guideline to determine loads. The fuel provided will need to support 96 hrs of operation of either calculated load or metered load taken at 125%

Q26 Most SNFs have a very small generator that backup only life safety equipment. Does the new law then require facilities to get a new generator to backup HVAC?
A26 We have presented 3 potential solutions. Any one of these approaches would be code compliant. We recommend that you proceed with the facility assessment, and if you would like to discuss a solution for a particular facility, have the assessment on hand that shows existing conditions and areas of noncompliance with the new law.

Q27 How does CEC 517.42 be applied? if more then 1 generator, and if the new generator is over 150kVA.
A27 517.42 would need to be complied with if the selected solution either utilizes the existing code mandated emergency generator and distribution system, or replaces the existing generator with a new generator and reconfigures the distribution system to pick up both CEC 517.43 & .44 loads and the new loads required to be backed up by this law. If the resultant load is above 150kVA you will need to comply with code requirement for segregated systems. Ie. connect added/transferred mechanical loads to the equipment branch or if not segregated add a new transfer switch for the new mechanical loads.

Q28 If the new generator is over 150kVA CEC 517.42(A) vs 517.42(B)
A28 If a new generator is provided to supply both the required loads of the new law (HVAC, life-saving equipment and oxygen-generating devices) and CEC 517 essential power loads, then the 150kV threshold for a segregated essential system (with multiple transfer switches) would need to be complied with. The new/transferred loads should be added to the equipment branch.

Q29 Many of the SNF's do not have segregated power at the site. Will implementing this bill require us to segregate power?
A29 If a new generator is provided to supply both the new law's required loads (HVAC, life-saving equipment and oxygen-generating devices) and CEC 517 essential power loads, then the 150kVA threshold for multiple segregated branches of the essential system would need to be complied with.

Q30 And what if the SNF does not currently have a segregated ESS
A30 Per CEC 517.42 one transfer switch shall be permitted to serve one or more branches of systems in a facility with a continuous load on the switch of 150kVA or less. If the existing installation only has 1 ATS and a new project adds load to the existing ESS, you will need to calculate the new continuous load. If the resultant load is above 150kVA you will need to comply with code and provide a dedicated ATS for the added equipment. If the sum of existing and newly transferred/new load does not exceed 150kVA you can add transferred/new load to the non-segregated system.

Q31 Is generator delivery only an option for a site with on-site renewable energy?
A31 The question is confusing, but microgrids or single onsite power producers (including generators) could be used to meet new PIN 74 requirements. All added sources required to meet PIN 74 will need to be meet California Title 24, NFPA and local jurisdiction requirements. The resources must be permanently installed on site, have special seismic certification and support operation of required loads for 96 hours. Facilities that that use batteries or a combination of batteries in tandem with a renewable electrical generation facility as their alternative source of power, shall have sufficient storage or generation capacity to maintain operation for no fewer than 96 hours (6 hrs on site with provisions for additional 90 hrs can be considered, but will need CDPH approval). Facilities shall also make arrangements for delivery of a generator and fuel in the event power is not restored within 96 hours and the generation capacity of the renewable electrical generation facility is unable to provide sufficient power to comply with state requirements for long-term care facilities. Note: provisions for a temporary generator will include work necessary at new or existing distribution equipment to allow a temporary generator to be connected without requiring modification of the permanent wiring system.

Q32 Slide 19 in the handout says 96 hrs for existing generator. the slide in the presentation says 6. Typo in handout?
A32 Thanks, this is a typo on slide, should be 96 hours in both documents. In general when resources are introduced to meet the new requirement for loads identified requiring alternate power source to be backed up for 96 hrs, the existing essential power sources will need to make provisions to operate for 96 hrs as well.

Q33 Can you reference the HCAi code for PV seismic and can you give us an idea out of 1100 SNF’s in CA how many have PV systems vs more traditional diesel/gas/natural gas generation?
A33 If new or existing PV systems are to be utilized as Emergency power Sources they will need to comply with the requirements for special seismic certification as identified in PIN 74. We are not aware of any facilities that do not utilize diesel generators as emergency power sources.

Q34 Hospitals require 72 hours which is increased to 96 hours due to the 133% increase; does the 96 hours require the 133% increase; or 128 hours?
A34 Good question we have added the following to the PIN to address: "Follow NFPA 110 for fuel tank sizing requirements". So yes the 133% requirement will apply.

Q35 NFPA 110. 96+33%?
A35 Good question we intend to add the following to the PIN to address: "Follow NFPA 110 for fuel tank sizing requirements". So yes the 133% requirement will apply.

Q36 LS/EM can remain 6 hrs?
A36 No, if compliance with PIN 74 requires loads to be backed up for 96 hrs, the existing essential system will need to make provisions for 96 hrs run time as well. In general the essential loads will be required to be in service at all times the building is occupied.

Q37 It mentions under applicable sections that 96 hours of on-site fuel storage (or an approved Emergency Preparedness plan). Does that mean that if you transfer patients during a outage that you do not need to comply with this PIN? for example remote SNFs
A37 No, the law requires all skilled nursing facilities to have an alternate source of power located onsite to protect resident health and safety. Per PIN 74, alternate sources will need to be provided to back-up identified loads (HVAC equipment, life saving equipment and oxygen generating devices) for 96 hrs. Fuel sufficient to back-up identified loads for at least 6 hours will be required to be onsite. It might be acceptable to arrange for delivery of a temp generator and/or fuel delivery to meet the remaining 90 hrs required. This would need to be evaluated by CDPH. Note: Provisions for a temporary generator will include work necessary at new or existing distribution equipment to allow a temporary generator to be connected without requiring modification of the permanent wiring system.

Q38 If unable to achieve a 96 hour period of run with the fuel availble to the generator can an MOU fuel supplier satisfy the necessary fuel to meet the 96 hour run time.
A38 No, the law requires all skilled nursing facilities to have an alternate source of power to protect resident health and safety. Per the PIN 74, alternate sources will need to be provided to back-up identified loads (HVAC equipment, life saving equipment and oxygen generating devices) for 96 hrs. Fuel sufficient to back-up identified loads for at least 6 hours will be required to be onsite. It might be acceptable to arrange for delivery of a temp generator and fuel delivery to meet the 96 hr requirement. This would need to be evaluated by CDPH.

Q39 Assuming a fuel delivery service is not provided, NFPA 110 requires an Emergency fuel tank supply be sized 133% of the required runtime in hours. Under PIN 74, will the tank need to be sized 133% of 96 hours?
A39 Good question we have added the following to the PIN to address "follow NFPA 110 for fuel tank sizing requirements". So yes the 133% requirement will apply.

Q40 Are there any special requirements for a SNF to store 96 hours of fuel on site?
A40 Fuel storage on site would need to meet all California Title 24 requirements, NFPA requirements, and local ordinances.

Q41 Can an alternate source of power (rented generator) with MOU in place suffice, versus a permanent generator. Due to real estate.
A41 The law requires all skilled nursing facilities to have an alternate source of power located onsite to protect resident health and safety. Per PIN 74, alternate sources will need to be provided to back-up identified loads (HVAC equipment, life saving equipment and oxygen generating devices) as required. Fuel sufficient to backup identified loads for at least 96 hours will be required to be on site. It might be acceptable to have 6 hours of fuel storage on site with arrangements made for a temp generator and/or fuel delivery to meet the 96 hour requirement. The proposed plan would need to be evaluated and approved by CDPH to show compliance.

Q42 Where do you get the calculation for propane generators to see if it would meet the 96 hour requirements?
A42 We recommend that you contact the generator manufacturer to obtain this information.

Q43 Above ground fuel storage for 250 gallons would be accepted?
A43 Sufficient fuel will be required to power new AB 2511 loads and existing essential loads for 96 hrs. Design will need to meet codes and obtain local approval. We are not aware of any global disallowance of above ground fuel storage tanks. All designs will need to meet California Title 24 requirements.