



2020 West El Camino Avenue, Suite 800  
 Sacramento, CA 95833  
[hcai.ca.gov](http://hcai.ca.gov)



**\*\*\* SPECIAL NOTICE \*\*\***

**This meeting will be held in-person at the location noted below, as well as by teleconference. Board members and members of the public may fully participate from their own locations.**

**NOTICE OF PUBLIC MEETING**

**HOSPITAL BUILDING SAFETY BOARD**  
**Full Board Meeting and Leadership**  
**Training for Board Members**

Appointed Members

Louise Belair, Chair  
 Scott Jackson, Vice Chair  
 Cody Bartley  
 David Bliss  
 Bruce Clark  
 Deepak Dandekar  
 Gary Dunger  
 Michael Foulkes  
 John Griffiths  
 Scott L. Jackson  
 David Khorram  
 Michele Lampshire  
 Marshall Lew  
 Scott Mackey  
 Jim O. Malley  
 Farzad Naeim

Director-Appointed

Ex-Officio Members  
 Bert Hurlbut  
 Michael O'Connor

**Date:**  
 Thursday, April 20, 2023  
 10:00 a.m. – 4:00 p.m.

**Location:**  
 Department of Health Care Access  
 and Information  
[2020 West El Camino Avenue, Suite 900](#)  
[Sacramento, CA 95833](#)

Department of Health Care Access  
 and Information  
[355 South Grand Avenue, Suite 2000](#)  
[Los Angeles, CA 90071](#)

**Teleconference Meeting Access:**  
[HBSB Teams Full Board Meeting](#)

Ex-Officio Members

Elizabeth Landsberg  
 HCAI Director  
 Daniel Berlant (Acting)  
 State Fire Marshal  
 VACANT  
 State Geologist  
 Jennifer Thornburg (Delegate)  
 Mia Marvelli  
 Building Standards Commission  
 Executive Director  
 Tomás J. Aragón, M.D., Dr. P.H.  
 Dept. of Public Health Director  
 Nathaniel Gilmore (Delegate)  
 Chris Tokas  
 Office of Statewide Hospital  
 Planning and Development  
 (OSHDP),  
 HCAI  
 Deputy Director  
Executive Director  
 Ken Yu

For more detailed instructions on joining or attending the meeting, see pages 4 – 5.

**AGENDA**

Item	Subject	Facilitator
1	Call to Order and Welcome	Louise Belair, Board Chair (or designee)

## **1. Call to Order**

Facilitator: Louise Belair, Board Chair (or designee)

## **2. Roll Call and Meeting Advisories/Expectations**

Facilitator: Ken Yu, HBSB Executive Director (or designee)

- Suspension of Bagley-Keene Open Meeting Act requirements per Government Code Section 11133
- Determination of Quorum
- Conduct of Meeting

### **3. Department of Health Care Access and Information (HCAI) Update**

Facilitator: Elizabeth Landsberg, OSHPD Director (or designee)

- Recognition of outgoing HBSB member:
  - Mike Hooper, Hospital Inspector of Record Representative
- HCAI Update
- Discussion and public input



*Presented to*

**Michael L. Hooper**



**Hospital Inspector of Record**  
**2015 – 2023**

#### **4. Bagley-Keene Open Meeting Act Requirements**

Facilitator: John Gray, HCAI Attorney (or designee)

- Discussion on meeting requirements beginning July 1, 2023
- Discussion and public input

# Item 4: Bagley-Keene Open Meeting Act after July 1, 2023

John Gray, Attorney, HCAI

# Gov. Code § 11123

Governs in-person meetings. Requires:

1. The meeting shall be audible to the public at all locations,
2. Each location shall be identified in the meeting notice,
3. An agenda shall be posted at each location,
4. Each location shall be accessible to the public,
5. All votes shall be by roll call,
6. Public report of all any action taken and vote, or abstention for each member,
7. At least one member of the state body shall be present at locations listed on the meeting notice, and
8. The public shall have the opportunity to address the meeting prior or during the discussion or consideration of an agenda item.

Locations that follow the above requirements can be connected via teleconference.



# Gov Code § 11133

- Established by SB 189 and expires July 1, 2023.
- Suspended the requirements of Section 11123 that require meeting locations be open to the public.
- Effectively allowed for meetings to be conducted under Section 11123 exclusively via teleconference.

# Gov Code § 11123.5

- Provides requirements for fully remote public meetings after July 1<sup>st</sup>, 2023.
- Applies only to advisory boards.
- Requires that if at any point remote connection is lost, the meeting must adjourn.

# SB 544

- Currently being considered by the Legislature.
- Would allow for fully teleconferenced public meetings under § 11123.
- Would not go into effect until 2024 at the earliest.

# Questions and Public Comment

**5. Overview and approval of the December 7 – 8, 2022, Full Board draft Meeting Report/Minutes**

Facilitator: Louise Belair, Board Chair (or designee)

- Discussion and public input



# Hospital Building Safety Board

by

Louise Belair, BOARD CHAIR and David Bliss, BOARD VICE CHAIR

## BOARD MEMBERS:

Cody Bartley, Bruce Clark, Deepak Dandekar, Gary Dunger, Michael Foulkes, John Griffiths, Mike Hooper, Scott L. Jackson, David Khorram, Michele Lampshire, Marshall Lew, Scott Mackey, James O. Malley, Farzad Naeim, Bruce Rainey

## DIRECTOR APPOINTED EX-OFFICIO MEMBERS:

Bert Hurlbut, Michael O'Connor

## STATUTORY EX-OFFICIO MEMBERS:

Elizabeth Landsberg, HCAI Director; Chris Tokas, OSHPD Deputy Director; Jennifer Thornburg (Delegate) State Geologist; Mia Marvelli, Building Standards Commission, Executive Director;

## HCAI STAFF:

Arash Altoonash, Deputy Division Chief, Richard Tannahill, Deputy Division Chief, Rob Fisher, Joe Labrie, Roy Lobo, Nanci Timmins, James Yi, HCAI Attorney

## HBSB STAFF:

Veronica Yuke, Evett Torres

# MEETING REPORT:

Meeting Date: December 7 & 8, 2022

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 1: Call to Order & Welcome
  - Louise Belair, Board Chair called the meeting to order.
- Topic 2: Roll Call and Meeting Advisories/Expectations
  - Quorum was established.
  - Veronica Yuke, Executive Director read the advisories.
- Topic 3: HCAI Update – Elizabeth Landsberg, HCAI Director
  - Swearing in new HBSB member:
    - Gary Dunger – Hospital Facilities Manager Representative
  - Recognition of outgoing HBSB members:
    - Bruce Rainey – Hospital Facilities Manager Representative



# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 3: HCAI Update – Elizabeth Landsberg, HCAI Director (Continued);
  - Updates:
    - HCAI will be launching the Office of Healthcare Affordability
    - HCAI will be overseeing CalRx Biosimilar Insulin initiative.
- Topic 4: Overview & Approval of August 11, 2022 FB draft Meeting Report/Minutes – Louise Belair, Board Chair
  - Highlights were:
    - Swearing in of 2 new Board Members: Cody Bartley & John Griffiths; Recognition of outgoing Board Members: Pete Kreuser & Roy Lopez
    - HBSB Chair and Vice Chair election
    - Committees Report Overview & Approval: Instrumentation, Code & Processes, Education and Outreach, Energy Conservation & Management Structural & Non – Structural Regulations
    - FDD, Inspection Services, Building Standard Unit, Structural Services, and Fire Prevention Unit Updates and highlights were reviewed.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 5: Instrumentation Committee – Marshall Lew, Committee Chair
  - Overview & Approval of July 5 and September 29, 2022 draft meeting report/minutes.
    - July 5: Discussion and editing of the White Paper
    - September 29: Gathering of comments from committee members and public participants on the draft White Paper to produce final draft.
  - Overview of October 27, 2022 Meeting:
    - Annual Update to the committee regarding California Strong Motion Instrumentation Program.
    - Review of FY – 2021-22 HCAI/CSMIP Hospital Instrumentation Annual Report.
    - Final draft of the White Paper was reviewed and edited.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 6: Technology and Research Committee – Michael Foulkes, Committee Chair
  - Overview & Approval of July 27 and November 1, 2022 draft meeting report/minutes.
    - July 27: 4 presentations:
      - Cyber security protection – CONCEAL
      - RIB iTwo 4.2 software
      - NPC-5 water and sewage holding tanks
      - Electricity – an all-electric campus case study
    - November 1: 4 topics were discussed
      - Inflation reduction Act
      - Decarbonization of power generation transportation
      - Microsoft HoloLens2
      - Committee goals for 2023

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 7: Education and Outreach Committee – Mike Hooper, Committee Chair
  - Overview and Approval of August 17, and October 19, 2022 draft Meeting Report/Minutes.
    - August 17: Topics discussed:
      - 8 Webinar topics
      - Discussion and planning of 2023 seminar
    - October 19: Topics discussed:
      - 8 Webinar topics
      - Discussion and planning of 2023 seminar
      - Committee goals for 2023

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 8: Energy Conservation and Management Committee – Scott Jackson, Committee Chair
  - Overview and Approval of October 4, 2022 draft Meeting Report/Minutes.
    - 7 Topics discussed:
      - Code updates for 2023 AB 2511, CEC 210, CEC 517.30 and CEC 517.42
      - Microgrid solutions
      - Opportunities for operational cost saving
      - Introduction to Innovus Power and Microgrid solution
      - Introduction to HOMER Energy
      - The unprecedented heatwave experienced in September 2022 at Kaiser Permanente
      - Topics for 2023

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 9: Joint Meeting of the Codes and Processes Committee, Energy Conservation and Management Committee, and Technology and Research Committee – Michael O’Connor, Code and Process Committee Chair
  - Overview and Approval of f the November 1, 2022, Joint Committee meeting draft Meeting Report/Minutes.
    - Topic Discussed:
      - Assembly Bill 2511, which required SNFs (Skilled Nursing Facilities) to have an alternative source of power located on site to provide for at least 96 hours of alternative power to maintain availability of life-saving equipment and maintain oxygen-generating devices in the event of a power outage.
      - Bill requires facilities to comply with the requirements by Jan 2024.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 10: Special Presentation: Healthcare Delivery Quadrangle - David Bliss, Board Vice Chair
  - Healthcare quadrangle: clinicians, payors, facilitators/systems, and regulation.
  - Without regulators, more preventable errors in hospitals would occur
  - Payors payment options presented
  - Payment model solutions could help reduce inflated cost of healthcare
  - Upward pressure on cost various causes may impact ability for hospitals to remain in operation
  - Healthcare work increase/ mounting pressure factors
- Topic 11: Bagley-Keene Open Meeting Act and its Requirements for the Board - James Yi, HCAI Attorney
  - Review of the Bagley – Keene Open Meeting Act.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 12: Review and Approve 2023 Committee Assignments, Goals and Meeting Calendar - Louise Belair, Board Chair
- Topic 13: OSHPD Update – Chris Tokas – OSHPD Deputy Director
  - FDD was elevated to an office with the enactment of the 2021-22 California Budget Act. .
  - Presented OSHPD top 3 objectives.
  - Recognition of Roy Lobo who was awarded the 2022 Frederick Panhorst Award.
  - Small Rural Hospital Relief program (SRHR) update
  - Highlighted AB2511 HCAI efforts for SNFs to comply successfully
  - OSHPD prepared PIN 75 for AB 1882, the proposed code change would be included in the intervening code cycle.
  - Public notices and annual status update report on seismic compliance programs
  - Report on fires and earthquake that occurred in the fall of 2022.
  - Blackberry AtHoc software report
  - OSHPD Objectives for 2023: Recruitment / Succession, Web Page Redesign, Develop and integrate iTIO in eServices Portal



# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 14: Electronic Services Update – Rob Fisher, OSHPD Compliance Officer
  - Report on the eServices accomplishments in 2022.
- Topic 15: Inspection Services Unit Update - Joe LaBrie, OSHPD Inspection Services Unit Supervisor
  - Review of the Inspection Services Unit activities
- Topic 16: Building Standards Unit Update - Richard Tannahill, OSHPD Deputy Division Chief
  - Update on Building Standards Unit coordination activities with:
    - CDPH
    - CAC (Clinic Advisory Committee)
    - CAF (California Association of Health Facilities)
  - Update on Building Standards Unit presentations at AIA chapters meeting, Webinars
  - Information about new PINs rolled-out in 2022

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 17: Structural Services Update – Roy Lobo – OSHPD Principal Structural Engineer
  - Mr. Ali Sumer gave a report on the Seismic Compliance Program.
  - Update on Structural Service Unit activities.
  - PIN 58 updated has been published on HCAI website.
- Topic 18: Fire Prevention Unit Update – Nanci Timmins – OSHPD Chief Fire Life Safety Officer
  - 2022 code changes have been submitted and already in print.
  - Review of Fire Prevention Unit various training activities participation in the industry.
  - Presentation of a list of committees that the unit participates in.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF TOPICS

- Topic 19: Comments from the public/board members not on this agenda – Louise Belair – Board Chair
  - None.
- Topic 20 : Adjournment – Louise Belair, Board Chair
  - Meeting adjourned on December 8, 2022 at approximately 2:42pm.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF MOTIONS

- Motion 1: The board unanimously voted to approve the August 11, 2022, Full Board meeting draft Report/Minutes with corrections.
- Motion 2: The board unanimously voted to approve the July 5th and September 29th, 2022, Instrumentation Committee draft Meeting Report/Minutes as presented.
- Motion 3: The Board unanimously voted to accept the final White Paper on the Benefits of Strong Motion Instrumentation.
- Motion 4: The board unanimously voted to approve the July 27 and November 1, 2022, Technology and Research Committee draft Meeting Reports/Minutes as presented.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF MOTIONS

- Motion 5: The board unanimously voted to approve the August 17, 2022, and October 19, 2022, Education and Outreach Committee draft meeting Report/Minutes with corrections noted.
- Motion 6: The board unanimously voted to approve the October 4, 2022, Energy Conservation and Management Committee draft meeting Report/Minutes as presented.
- Motion 7: The board unanimously voted to approve the November 1, 2022, Joint Committee meeting draft report/minutes as presented.

# Meeting Date: 12/07/2022 – 12/08/2022

## OVERVIEW OF MOTIONS

- Motion 8: The board unanimously voted to adopt and approve the committee goals, rosters, and meeting dates for 2023 as discussed.

## NEXT STEPS:

- None discussed

# Meeting Date: 12/07/2022 – 12/08/2022

## CONCLUSION

- Questions and Answers
- This report requires a MOTION by a Board Member and must be SECONDED by a Board Member for further ACTION.



## **6. Codes and Processes Committee**

Facilitator: Michael O'Connor, Committee Chair (or designee)

- Overview and approval of the October 13, 2022 draft Meeting Report/Minutes
- Discussion and public input



## Codes & Processes Committee

### CODES AND PROCESSES COMMITTEE MEMBERS

MICHAEL O'CONNOR, CHAIR  
JIM MALLEY, VICE CHAIR  
CODY BARTLEY  
LOUISE BELAIR  
MIKE HOOPER  
SCOTT MACKAY  
FARZAD NAEIM

### CODES AND PROCESSES CONSULTING MEMBERS

JOHN DONELAN  
GARY DUNGER

### CODES AND PROCESSES HCAI STAFF

ARASH ALTOONTASH  
RICHARD TANNAHILL  
BRETT BEEKMAN  
LARRY ENRIGHT  
ROY LOBO  
DIANA NAVARRO  
CARL SCHEUERMANN  
JAMIE SCHNICK  
NANCI TIMMINS  
JAMES YI

### CODES AND PROCESSES HBSB STAFF

VERONICA YUKE  
EVETT TORRES

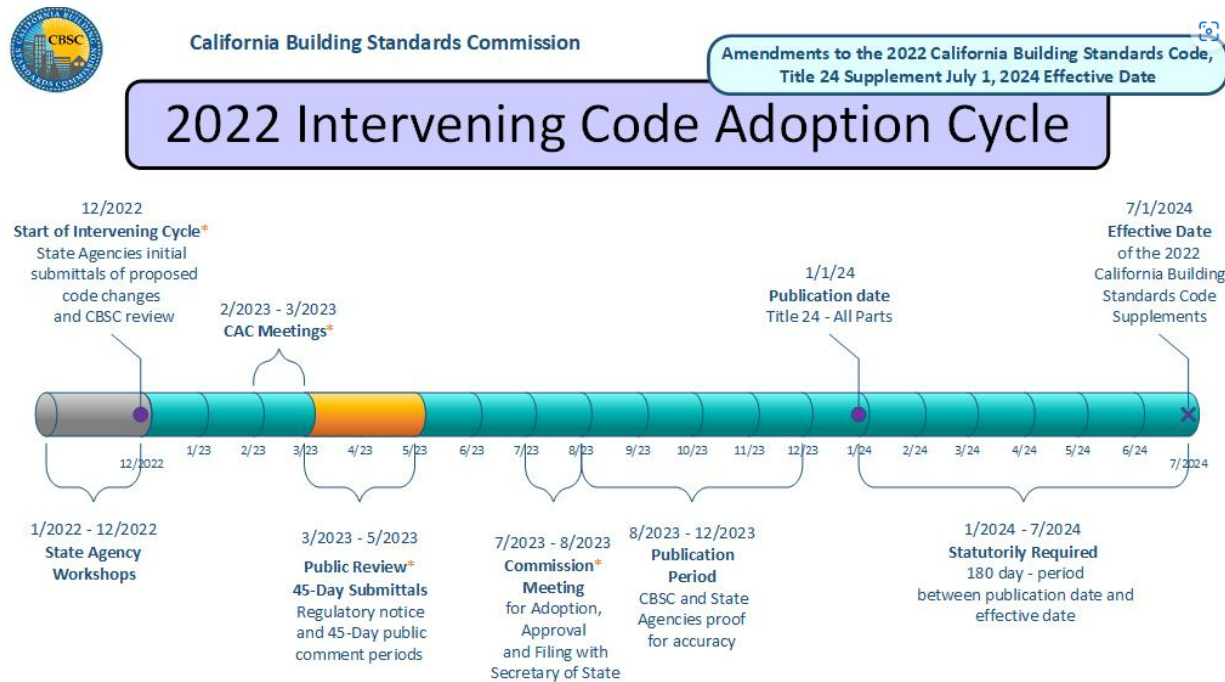
## MEETING REPORTS:

- Meeting Date: 10/13/2022

# Meeting Date: 10/13/2022

## OVERVIEW OF TOPICS - TOPIC 1

### California Building Standards Code Revision Cycle for the 2022 Intervening Code Cycle



# Meeting Date: 10/13/2022

## OVERVIEW OF TOPICS - TOPIC 1

### California Building Standards Code Revision Cycle for the 2022 Intervening Code Cycle

Richard Tannahill, HCAI, Electrical- Jamie Schnick, Mechanical & Plumbing- Larry Enright

- Part 1, California Administrative Code
- Part 2, California Building Code
- Part 3, California Electrical Code
- Part 4, California Mechanical Code
- Part 5, California Plumbing Code
- Part 10, Existing Building Code

Proposed revisions submitted to the Building Standards Commission.

# Meeting Date: 10/13/2022

## OVERVIEW OF TOPICS - TOPIC 2

### Committee Goals for 2023

- Update CANs and PINs to code (ongoing).
- Mental health jurisdiction flowchart and guide.
- TIO Program: virtual/offsite inspections.
- Develop standards for a behavioral health observation unit.
- Evaluate and articulate detailed building standards for SNFs.
- Emergency Design Guide
- Title 24, Part 3, 4 and 5
  - NPC-5 Water, Sewer storage requirements – addressed by PIN 73
  - Identify code modifications to support Part 6 implementation of energy savings measures
  - Revisit MEP systems Inspections requirements
  - Revisit Fire Protection drawing stamping requirements per MEOR
  - Ventilation Table Standard Format

# Meeting Date: 10/13/2022

## OVERVIEW OF MOTIONS

### MOTION #1 (Naeim / Malley):

A motion was made and unanimously voted to approve and move forward with the proposed Building Standard Code (BSC) revisions of 2022 intervening cycle allowing modifications.

# Meeting Date: 10/13/2022

## CONCLUSION

- Questions and Answers
- This report constitutes a MOTION to the BOARD and must be SECONDED by a Board Member that does not serve on the Committee for further ACTION.



## **7. Instrumentation Committee**

Facilitator: Marshall Lew, Committee Chair (or designee)

- Overview and approval of the October 27, 2022 draft Meeting Report/Minutes
- Discussion and public input



# Instrumentation Committee

by

**MARSHALL LEW, COMMITTEE CHAIR  
BRUCE R. CLARK, COMMITTEE VICE CHAIR**

**COMMITTEE MEMBERS:**

**JIM MALLEY  
JENNIFER THORNBERG  
FARZAD NAEIM**

**CONSULTING MEMBERS:**

**HAMID HADDADI  
MOH HUANG  
TONY SHAKAL**

**HCAI STAFF:**

**HUSSAIN BHATIA, EROL KALKAN, ROY LOBO, ALI SUMER,  
JOHN GRAY**

## MEETING REPORT:

- Meeting Date: 10/27/2022

**Meeting Date: 10/27/2022**

## **OVERVIEW OF TOPICS**

- **Annual update to the Committee on HCAI hospital instrumentation in collaboration with the California Strong Motion Instrumentation Program (CSMIP)**  
Presenters: Erol Kalkan, HCAI and Hamid Haddadi, CSMIP
- **Discussion and editing of the [draft white paper](#), “The Benefits of Strong-Motion Instrumentation in Hospital Facilities”**  
Facilitator: Marshall Lew, Committee Chair

# Topic 1: Annual update to the Committee on HCAI hospital instrumentation in collaboration with the California Strong Motion Instrumentation Program (CSMIP) – Kalkan and Haddadi

- **Review of Hospital Instrumentation for FY20-FY22 (not FY20-FY24 as stated in the binder)**
  - **Owner-Paid Required Instrumentation**
    - **New Builds**
    - **Upgrades to Existing Builds using certain Alternate Means of Compliance (AMC)**
  - **HCAI-funded Instrumentation (Kaiser Downey Hospital Tower, Marin General Hospital, and St. Bernardine Hospital)**
  - **Completed – 3, In progress – 9, Newly Approved – 4**
  - **Instrumentation upgrades needed for some older installations (recorders and sensors)**

## Topic 2: White Paper – Seismic Instrumentation of Healthcare Facilities

- Review of Draft of White Paper
- Modifications of Draft White Paper
- Farzad Naeim and Marshall Lew to complete changes agreed to in the committee meeting for the Final Draft of the White Paper in collaboration with HCAI Staff review prior to submission to HBSB for approval in the December 2022 meeting.

Meeting Date: 10/27/2022  
OVERVIEW OF MOTIONS

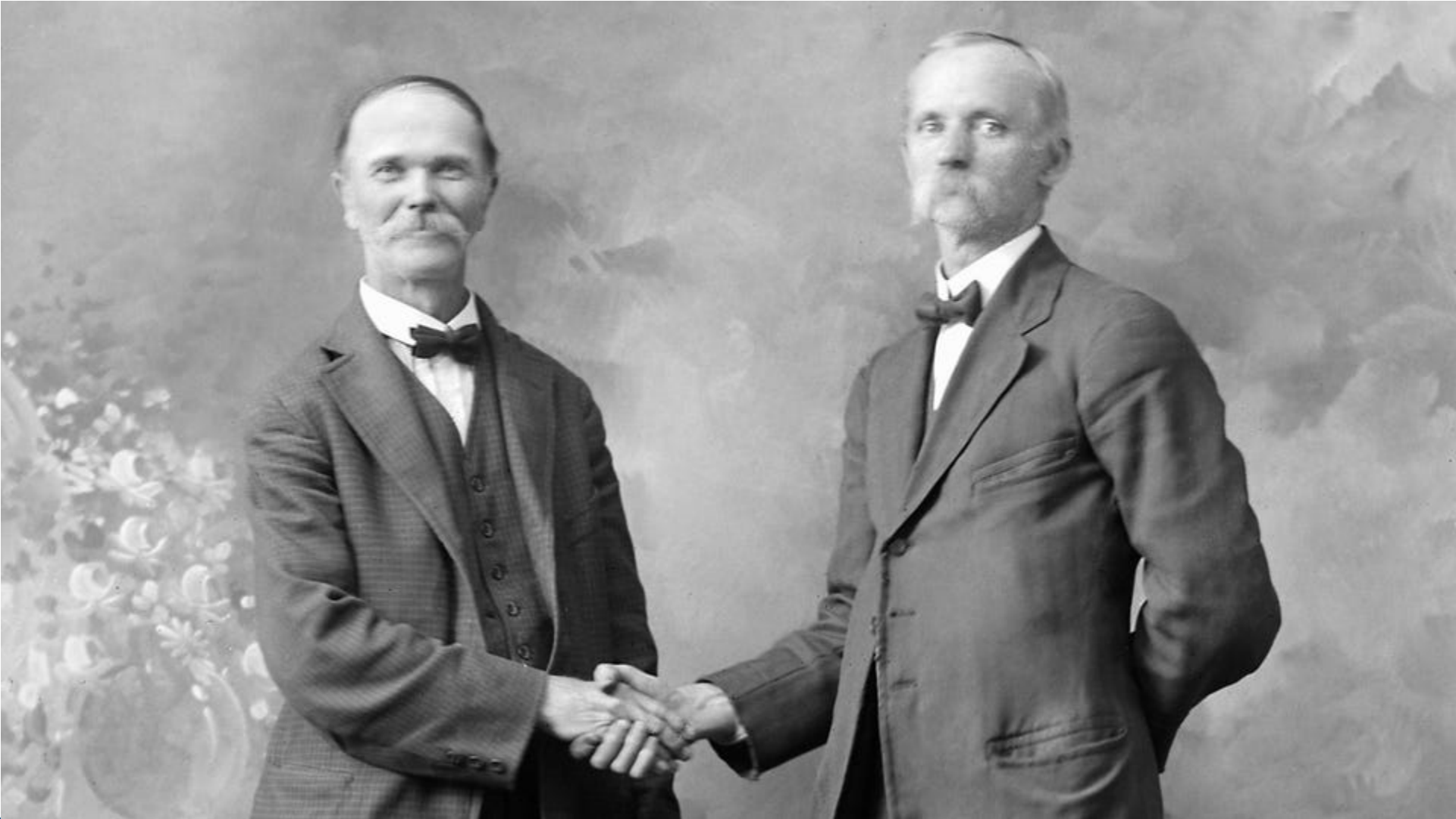
- **Motion:** HBSB accept the final White Paper on the Benefits of Strong Motion Instrumentation.  
(Motion was approved in the December 7, 2022 Full Board Meeting of the HBSB.)

## Meeting Date: 10/27/2022

### CONCLUSION

- Questions and Answers
- This report constitutes a MOTION to the BOARD and must be SECONDED by a Board Member that does not serve on the Committee for further ACTION.





Thank you!

## **8. Structural and Nonstructural Regulations Committee**

Facilitator: Jim Malley, Committee Chair (or designee)

- Overview and approval of the November 7, 2022 draft Meeting Report/Minutes
- Discussion and public input



# Structural and Nonstructural Regulations Committee

by

James O. Malley, Chair  
Farzad Naeim, Vice-Chair

**COMMITTEE MEMBERS:**

Bruce Clark  
Mike Hooper  
David Khorram  
Marshall Lew  
Michael O'Connor  
Jennifer Thornburg

**CONSULTING MEMBERS:** Mark Hershberg and Michelle Malone

**HCAi STAFF:**

Chris Tokas, Joe LaBrie, Roy Lobo, Davie Neou, Carl Scheuerman,  
Jamie Schnick, Ali Sumer, James Yi

# MEETING REPORTS:

- Meeting Date: November 7, 2022

# Meeting Date: November 7, 2022

## OVERVIEW OF TOPICS

- Topic 1 – Discussion on HCAI PIN Assembly Bill (AB 1882), Hospitals: Seismic Safety (Ali Sumer, HCAI)
- Topic 2 – Proposed Amendments to the 2022 California Administrative Code, Title 24, Part 1, Chapter 6, Small and Rural Hospital Relief Program, (Carl Scheuerman, HCAI)
- Topic 3 – Committee Goals for 2023 (Jim Malley, Committee Chair)

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

Topic 1 - Discussion on Draft HCAI PIN Assembly Bill (AB 1882), Hospitals: Seismic Safety (Ali Sumer, HCAI)

- AB 1882 requires that on 1/1/2024 and annually thereafter, that hospital owners submit an annual status update on the Structural Performance Category ratings of the buildings. Acute care hospitals that do not meet the seismic safety standard by July 2023, the hospital owner is required to put a public notice in the lobby or waiting area to notify the public.

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 1 - Discussion on Draft HCAI PIN Assembly Bill (AB 1882), Hospitals: Seismic Safety (Cont.)

- Mr. Sumer noted that the bill requires owners of acute care inpatient hospitals to annually report the following:
  - The county board of supervisors in whose jurisdiction the building was located
  - The city council
  - Any labor union representing workers who work in the building that does not comply with seismic safety regulation.
  - The board of directors of a district or joint power agency that provides fire and emergency medical services in the hospital building's jurisdiction
  - HCAI department
  - The board of directors of the hospital
  - The local office of emergency services or equivalent agency
  - The office of emergency services
  - The medical health operational area coordination

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 1 - Discussion on Draft HCAI PIN Assembly Bill (AB 1882), Hospitals: Seismic Safety (Cont.)

- Mr. Sumer also mentioned that the law requires SPC-2 and NPC-5 buildings in include the following identification:
  - On the title sheet of construction drawings and title sheet of specifications. The the following documents and/or forms were excluded:  
Amended Construction Documents (ACD), Request for Information (RFI), Calculations, and Testing, Inspection & Observation (TIO).
  - On the title sheet of seismic compliance reports.
- Discussion and input by the Committee followed. HCAI staff will consider the suggestions made by Committee Members.
- The PIN will be published by early December, 2022.
- Motion was made to approve the draft Pin related to AB 1882. Unanimous vote to approve the Motion



# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

Topic 2 – Proposed Amendments to the 2022 California Administrative Code, Title 24, Part 1, Chapter 6, Small and Rural Hospital Relief Program, (Carl Scheuerman, HCAI)

- Mr. Scheuerman stated that the Small and Rural Hospital Relief Program was a grant program administered by Office of Health Facility Loan Insurance (OHFLI) for qualified hospitals to seek funding for seismic safety compliance projects.
- He stated that eleven hospitals had initiated application for program admission. Three had revised compliance plans, which had been approved, and eight were pending compliance plan submission.

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 2 – Proposed Amendments to the 2022 California Administrative Code, Title 24, Part 1, Chapter 6, Small and Rural Hospital Relief Program, (Cont.)

- Mr. Schuerman noted Title 24 proposed Title 24 language to:
  - Define “Integrated Review” as applied to retrofit scheme development.
  - Bring revised compliance plan requirements into code, applicable to all facilities
  - Create provision in code for SRHRP and any subsequent funding program
- Mr. Scheuerman said PIN 71 added enabling language on State Grant Programs to state that the State of California may establish programs that provide grant funding for general acute care hospitals to advance seismic safety.

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

Topic 2 – Proposed Amendments to the 2022 California Administrative Code, Title 24, Part 1, Chapter 6, Small and Rural Hospital Relief Program, (Cont.)

- Mr. Schuerman stated that the Office of Health Facility Loan Insurance (OHFLI) determined that for a hospital to be eligible for the State Grant Program, the hospital had to be:
  - Small Hospital
  - Rural Hospital
  - Critical Access Hospital
  - Compliance imposes a financial burden on the applicant that may result in hospital closure
  - The hospital closure would impact health care accessibility in the communities surrounding the hospital.

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 2 – Proposed Amendments to the 2022 California Administrative Code, Title 24, Part 1, Chapter 6, Small and Rural Hospital Relief Program, (Cont.)

- Mr. Schuerman added that another enabling language was integrated reviews for seismic compliance. The purpose was to provide technical assistance to a hospital project team to develop a cost-efficient structural or non-structural seismic retrofit program.
- Discussion and input was provided by the Committee.
- Motion was made to endorse the action for the adoption of proposed regulation as it related to SB 395.

Unanimous vote to approve the Motion

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 3 –SNSR Committee Goals for 2023 (Jim Malley, Committee Chair)

- Mr. Malley discussed progress on the 2022 Committee Goals
- Support HCAI with review of code changes (Ongoing)
- Support HCAI with review of new/revised PINs, CANs, and OPDs (Ongoing)
- Implementation of SPC-4D and NPC-4D (Goal was removed)
- Issues regarding repurposing hospital buildings (Ongoing)
- Develop pre-approved details (Moved to 2023 goal)
- Revisit NPC-5 requirements (Goal was removed)

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 3 –SNSR Committee Goals for 2023 (Cont.)

- Mr. Malley Gave a List of Potential Committee Goals for 2023
  - Seismic compliance issues related to NPC-3, NPC-4D and NPC-5. Streamlining the process for compliance to meet the statutory and regulatory deadline.
  - Review of Code amendments that are now obsolete as those issues have been addressed in model code.
  - Develop and implement procedures and enforceable building standards to ensure safe and sustainable healthcare facilities.
  - New products, materials and methods that would benefit the public by early adoption rather than wait for their incorporation in the building code.
  - Increase IOR competency

# Meeting Date: June 22, 2022

## OVERVIEW OF TOPICS

### Topic 3 –SNSR Committee Goals for 2023 (Cont.)

- List of Potential Committee Goals for 2023 (Cont.)
  - Implementation of small and rural hospital relief program, increase technical assistance and awareness.
  - Implementation of AB 1882 requirements. Reach out to stakeholders via seminars and webinars to raise awareness.
  - Training and outreach to industry on code changes and tips for working with HCAI. In-person training meetings was highly suggested.

# Meeting Date: November 7, 2022

## OVERVIEW OF MOTIONS

- The following Motions were made at this meeting:
  - Motion was made to approve the draft Pin related to AB 1882. Unanimous vote to approve the Motion.
  - Motion was made to endorse the action for the adoption of proposed regulation as it related to SB 395. Unanimous vote to approve the Motion .



# Meeting Date: November 7, 2023

## CONCLUSION

- Questions and Answers
- This report constitutes a MOTION to the BOARD and must be SECONDED by a Board Member that does not serve on the Committee for further ACTION.

## **9. Ad Hoc Board Procedures Committee**

Facilitator: Michael Foulkes, Committee Chair (or designee)

- Overview and approval of the November 18, 2022 draft Meeting Report/Minutes
- Discussion and public input



# Ad Hoc Board Procedures Committee

by

**MICHAEL FOULKES, CHAIR  
SCOTT JACKSON, VICE CHAIR**

**COMMITTEE MEMBERS:**

**LOUISE BELAIR  
BRUCE RAINEY**

**HCAI STAFF:**

**RICHARD TANNAHILL  
JOE LABRIE  
CARL SCHEUERMAN  
JAMES YI  
KEN YU  
VERONICA YUKE  
EVETT TORRES**

# MEETING REPORTS:

- Meeting Date: 11/18/2022

# Meeting Date: 11/18/2022

## OVERVIEW OF TOPICS

- JOINT COMMITTEE MEETINGS
- HBSB LEADERSHIP TRAINING FOR COMMITTEE  
CHAIRS/VICE-CHAIRS

# Meeting Date: 11/18/2022

## OVERVIEW OF MOTIONS

- NO MOTIONS MADE

## NEXT STEPS:

- Monitoring of SB 544 (Laird – Santa Cruz)

# Meeting Date: 11/18/2022

## CONCLUSION

- Questions and Answers
- This report constitutes a MOTION to the BOARD and must be SECONDED by a Board Member who does not serve on the Committee for further ACTION.



## **10. Education and Outreach Committee**

Facilitator: Scott Mackey, Committee Chair (or designee)

- Overview and approval of the following draft Meeting Report/Minutes:
  - January 18, 2023
  - March 8, 2023
- Discussion and public input



Department of Health Care  
Access and Information

# Education and Outreach Committee

by

Scott Mackey, CHAIR  
vacant, VICE CHAIR

## COMMITTEE MEMBERS:

Cody Bartley  
Louise Belair  
Deepak Dandekar  
Gary Dunger  
Bert Hurlbut  
David Khorram

## CONSULTING MEMBERS

John Donelan  
Kelly Martinez  
Bruce Rainey  
Bill Zellmer

## OSHPD STAFF

Hussain Bhatia  
Monica Colosi  
Mike Hooper  
Jamie Schnick  
Nanci Timmins

## MEETING REPORTS:

- **Meeting Date: January 18, 2023**
- **Meeting Date: March 8, 2023**

# Meeting Date: **January 18, 2023**

## OVERVIEW OF TOPICS

- **Webinar Topics:**
  - Off-Site Fabrication/Pre-Assembled Components
  - California Administration Code
  - Policy Intent Notice (PIN) 50: Integrated Review
  - Emergency Process Design Guide

# Meeting Date: **January 18, 2023**

## **OVERVIEW OF TOPICS**

- **Webinar Topics continued:**
  - OSHPD 3 Clinics
  - Testing, Inspection, and Observation Program
  - PINs and CANs
  
- **Planning and Development of the 2023 Seminar**

Meeting Date: **January 18, 2023**  
**OVERVIEW OF MOTIONS**

- **No Motions were presented.**

# Meeting Date: **March 8, 2023**

## **OVERVIEW OF TOPICS**

- **Webinar Topics:**
  - Off-Site Fabrication/Pre-Assembled Components
  - California Administration Code
  - Policy Intent Notice (PIN 50): Integrated Review
  - Emergency Process Design Guide
  - OSHPD 3 Clinics
  - Testing, Inspection and Observation Program
  - PINs and CANs (CAN 2-508)

# Meeting Date: **March 8, 2023**

## **OVERVIEW OF TOPICS**

- **Planning and Development for 2023 Seminar:**
  - Guide for working on HCAI projects – Tips from the Experts
- **Continued to Establish Curriculum and Calendar Dates for 2023 Events**



# Meeting Date: **March 8, 2023**

## OVERVIEW OF MOTIONS

- **Motion: Accept January 18, 2023, Meeting Minutes. Motion was unanimously approved.**

**Meeting Dates: January 18, 2023, and March 8, 2023**

## **CONCLUSION**

- **Questions and Answers**
- **This report constitutes a MOTION to the BOARD and must be SECONDED by a Board Member who does not serve on the Committee for further ACTION.**

## **11. OSHPD Update**

Facilitators: Chris Tokas, OSHPD Deputy Director, and Ali Sumer, OSHPD Seismic Compliance Unit Supervisor (or designees)

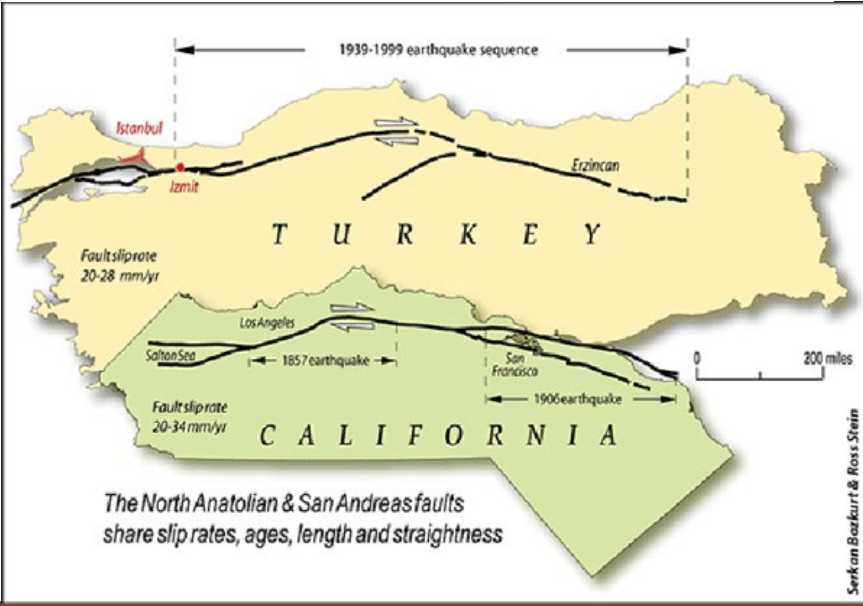
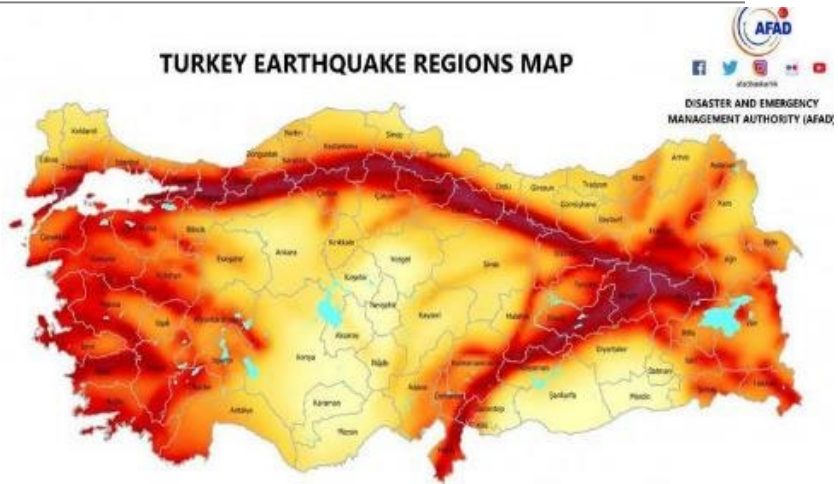
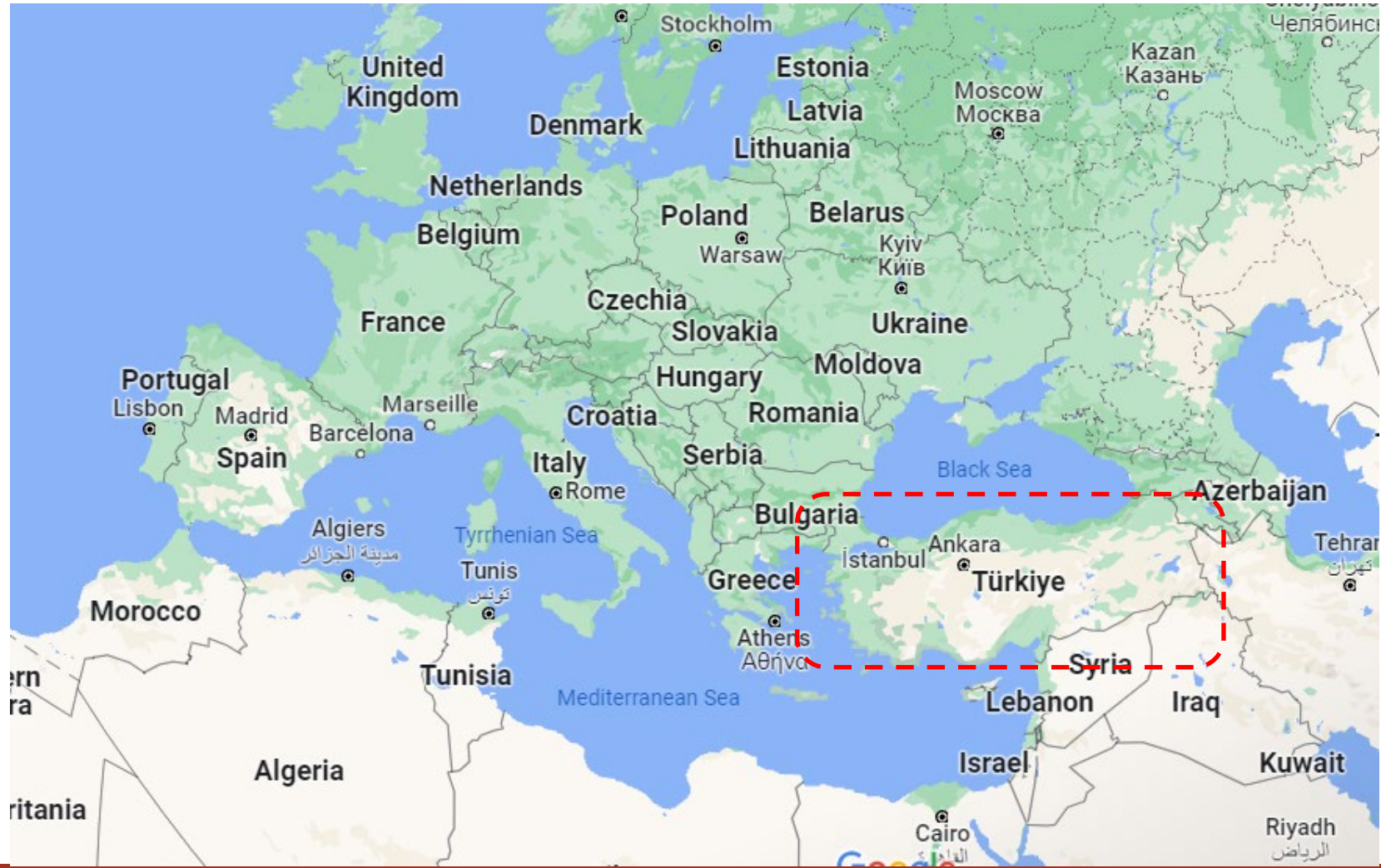
- Findings and lessons learned from the Turkey Earthquake
- Discussion and public input



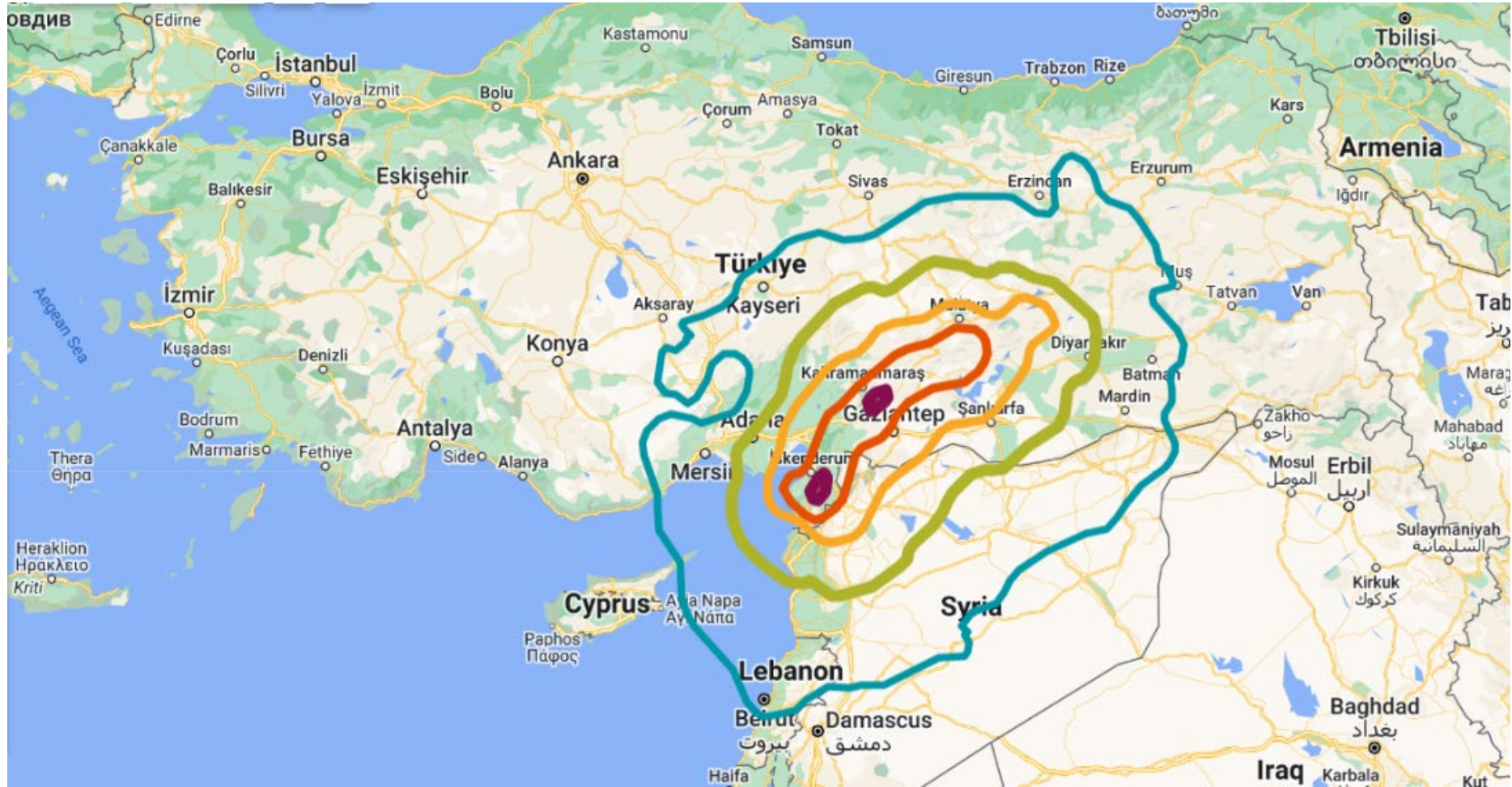
## Observations on Structural and Nonstructural Performance of Hospitals

Ali Sumer and Maryann Phipps from EERI Learning from Earthquakes Hospital Team of Gordon Wray, Bret Lizundia, Ricardo Henoch, Ali Roufegarinejad, Onder Akinci [Turkey: Dr. Volkan Kara, Yuksel Tonguc]

# Seismicity in Turkey is Similar to California



# 7.8 Magnitude Event - 4:17am Feb 6, 2023



# 11 minutes later - 6.7 event, aftershock

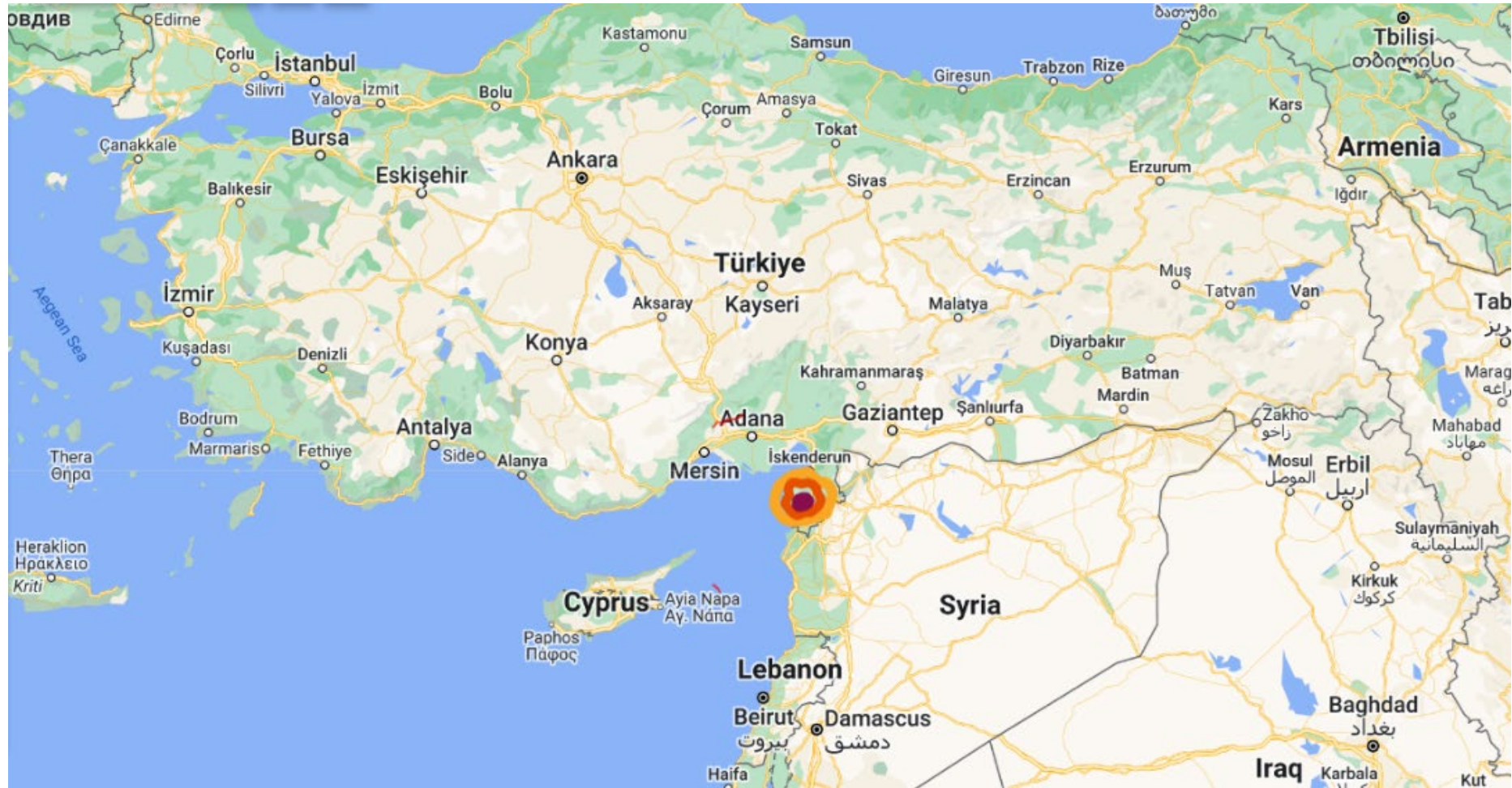


# 9 hours later – 7.5 magnitude event (the 2nd EQ)





# 2 weeks later – 6.3 magnitude event



# All 4 events combined

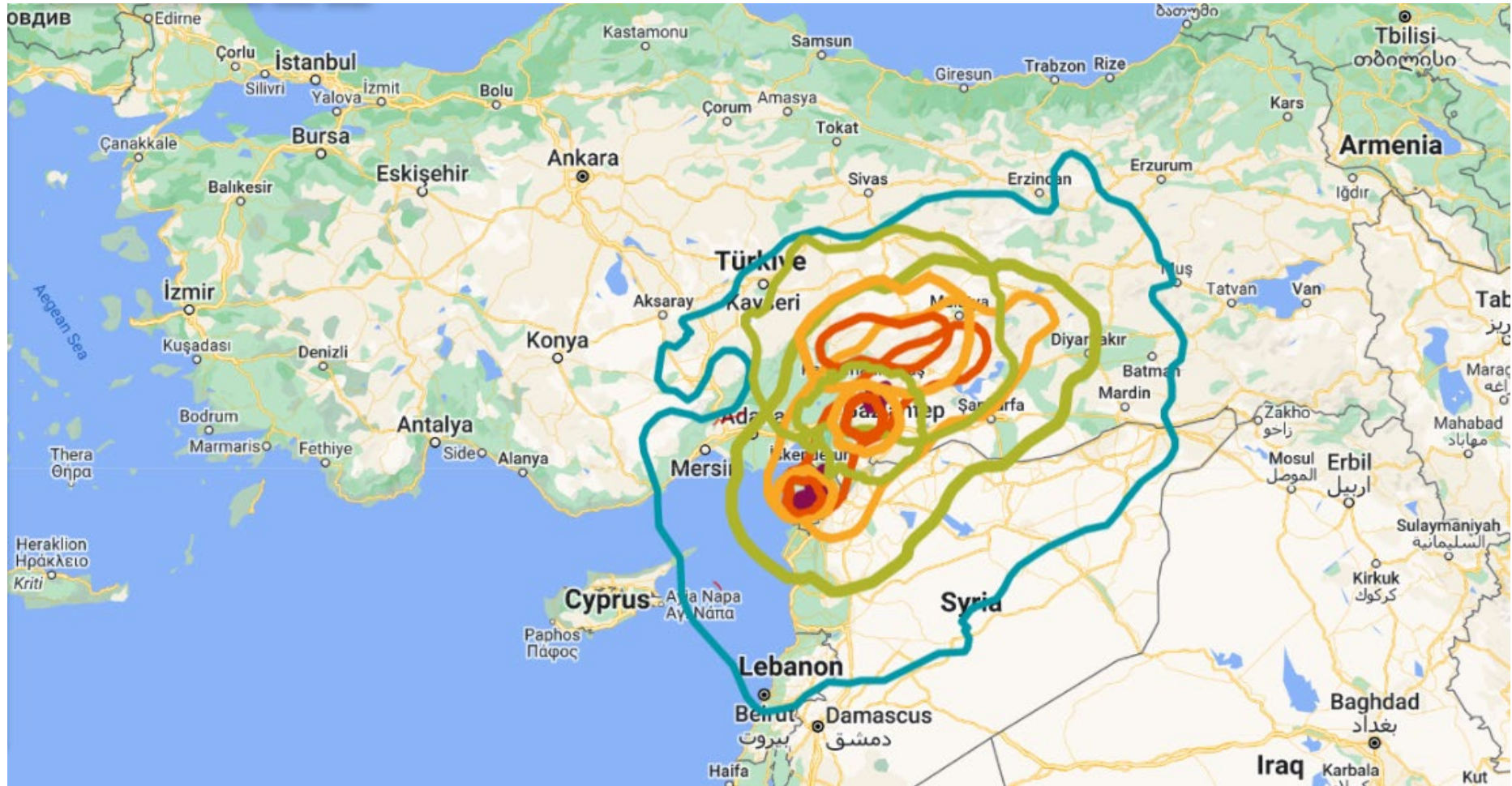




Photo:  
EERI



Photo: Ahmet Akpolat (AP)



# EQ Summary

- 50,000+ deaths
- Estimated 2.3 million people are in 200,000+ moderate/severe/collapsed buildings
- \$55 billion loss, and expected to be much higher

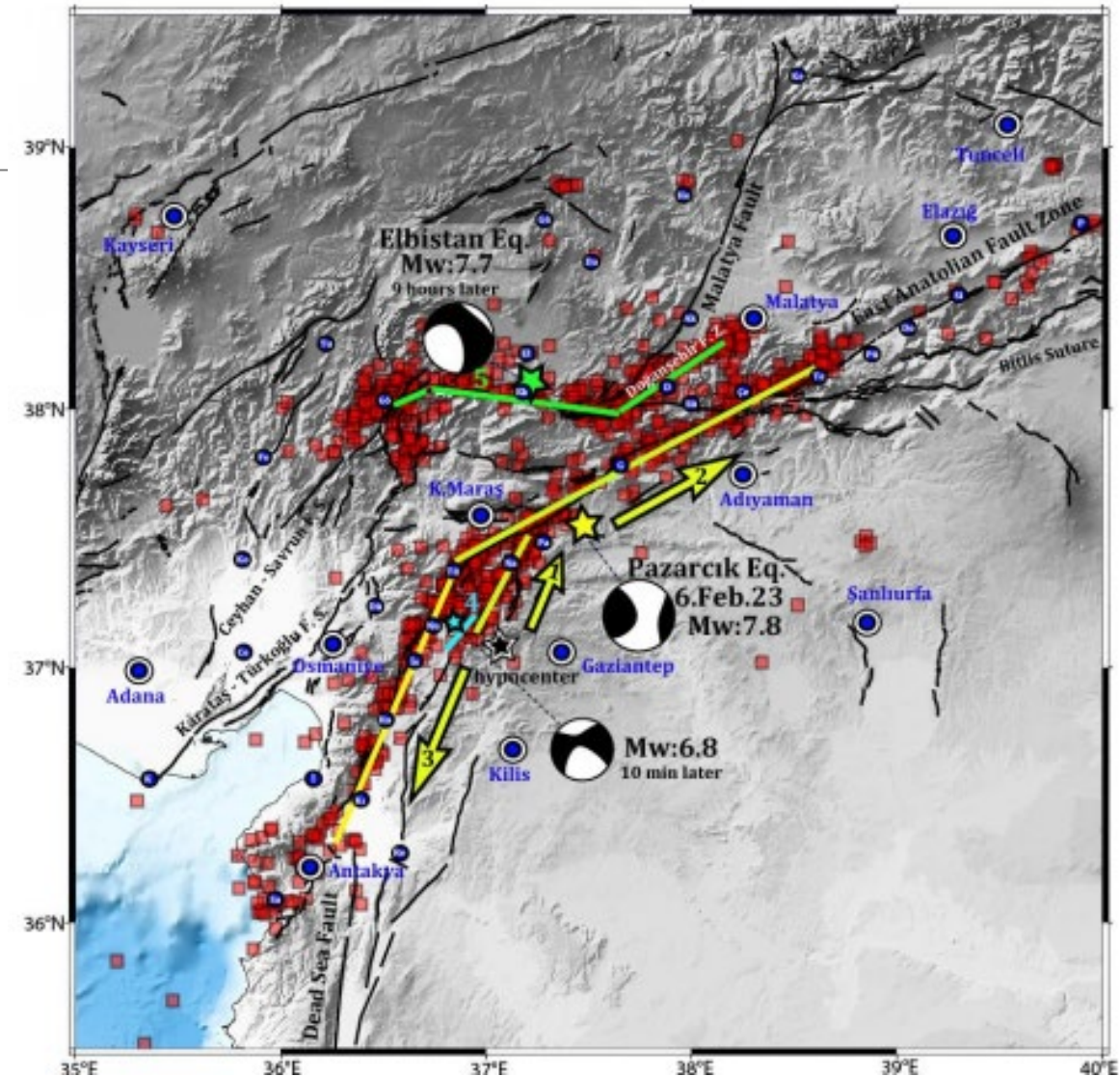
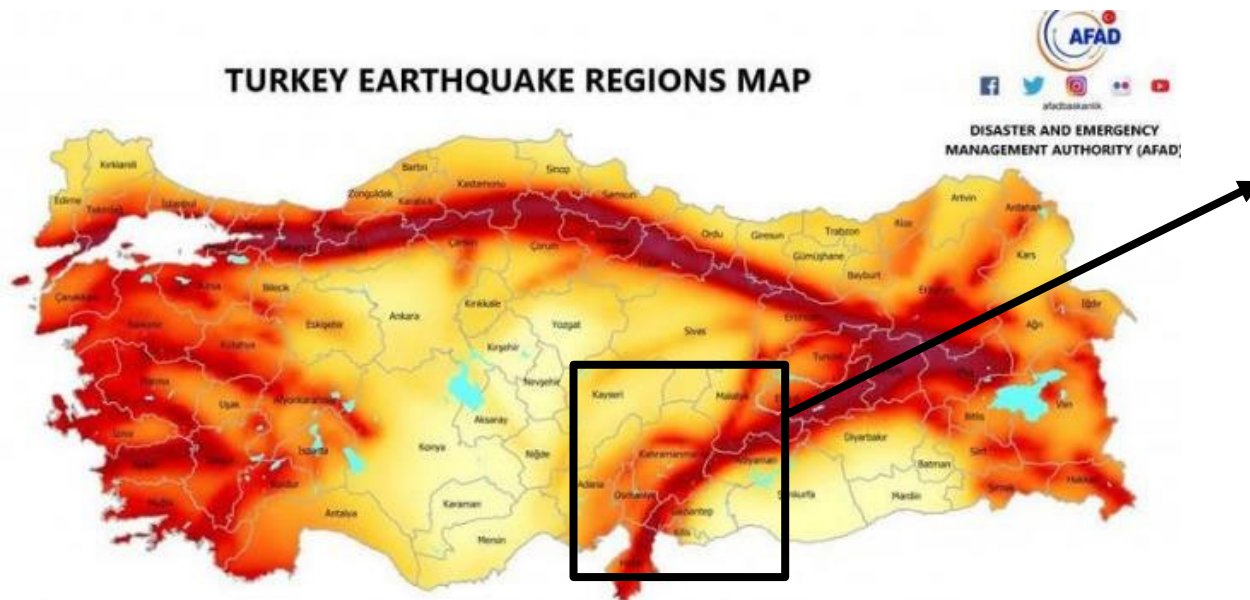


Image from 20 Feb 2023 Middle East Technical University Preliminary Reconnaissance Report

# Hospital Team



- US
  - Ali Sumer, HCAI, Group Leader
  - Onder Akinci, SGH
  - Ricardo Henoch, SOM
  - Bret Lizundia, Rutherford + Chekene
  - Maryann Phipps, Estructure
  - Ali Roufegarinejad, Forell/Elsesser
  - Gordon Wray, Degenkolb
- Turkey
  - Volkan Kara, MD, Cerrahpaşa Medical School - İstanbul
  - Yuksel Tonguc, Promer Engineering, Ankara
- Lebanon
  - Mahmoud Hachem, Earthquake Solutions



# Purpose for the Reconnaissance Trip

- Observe structural and nonstructural performance of affected hospitals.
- Identify impediments to functional recovery.
- Provide recommendations for policy, building code, engineering practice, and construction (future work).



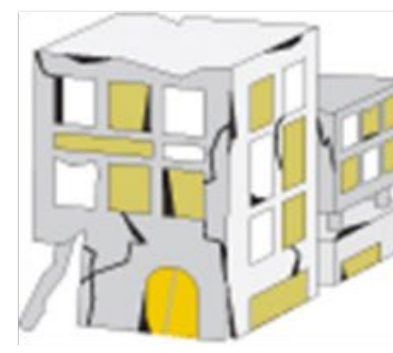
**Immediate  
Occupancy**



**Damage  
Control**



**Life  
Safety**



**Collapse  
Prevention**



**Unsafe**



# Purpose for the Reconnaissance Trip

- Observe structural and nonstructural performance of affected hospitals.
- Identify impediments to functional recovery.
- Provide recommendations for policy, building code, engineering practice, and construction (future work).



Photo: EERI hospital team

**Osmaniye Government Hospital**

PGA ~ 0.2 g

PGV ~ 30 cm/s



Photo: EERI hospital team

**Nurdağı Government Hospital**

PGA ~ 0.6 g

PGV ~ 110 cm/s



Photo: EERI hospital team

**Hatay Training and Research Hospital, Antakya**

PGA ~ 1.2 g

PGV ~ 110 cm/s

# Hospital Data

Province	Population*	# of Hospitals	Hospital Bed Capacity**	# of Beds per 10,000
Hatay	1,686,043	12	2,847	17
Kahramanmaraş	1,177,436	10	1,934	16
Adıyaman	635,169	10	1,184	19
Osmaniye	559,405	5	735	13
Malatya	812,580	12	1,733	21
Gaziantep	2,154,051	12	3,060	14
Adana	2,274,106	14	4,345	19
Diyarbakır	1,804,880	18	2,703	15
Elazığ	591,497	8	1,690	29
Kilis	147,919	2	635	43
Şanlıurfa	2,170,110	13	2,987	14
Region Total	14,013,196	116	23,853	17

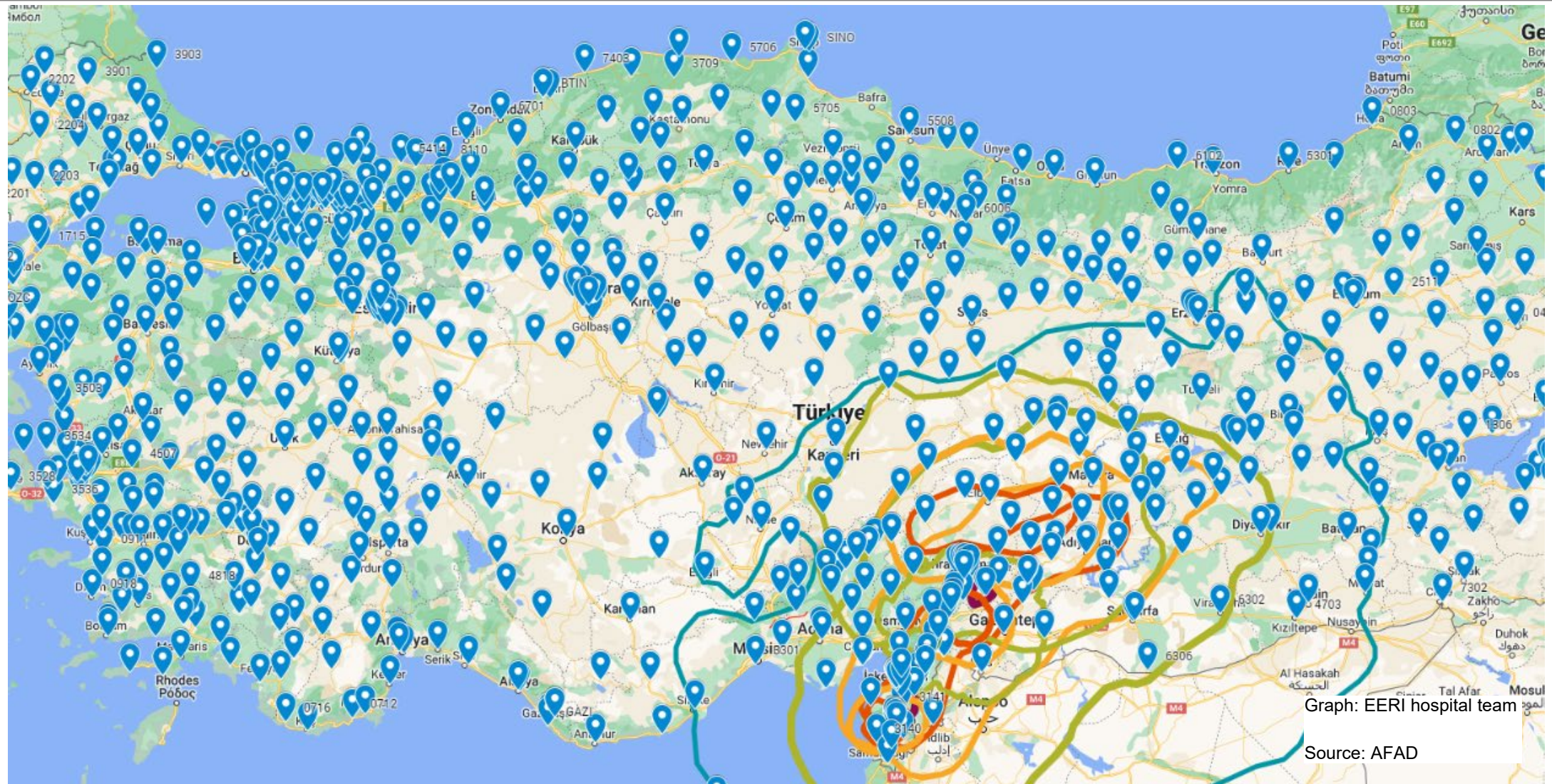
\*Source: Address Based Population Registration System, 2022

\*\*Source: Türkiye Earthquakes Recovery And Reconstruction Assessment Report Strategy and Budget Office (SBO) of the Presidency of the Republic of Türkiye

California had **18.7** General Acute Care beds per 10,000 people in 2021

<https://www.kff.org/other/stat-e-indicator/beds-by-ownership/>

# AFAD Seismic Stations



# What Did We Do?

- Collected information 33+ hospitals
  - Old and new buildings
  - Large and small
  - Government, private, university
  - Fixed-base, seismically isolated



Our home base



# What Did We Do?

- Internet research
- Drive by
- Exterior observation
- Interior observation
- Interview hospital management and staff



# Building Performance

- Structural systems remained largely intact (Life Safety Performance or better) in newer hospitals



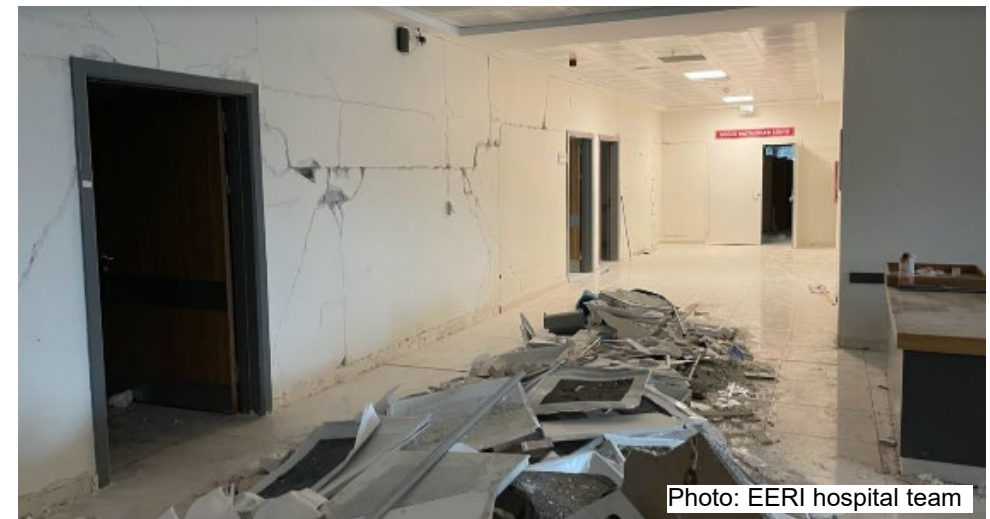
# Building Performance

- However, nonstructural damage often resulted in closure



# Building Performance

- Structural systems remained largely intact (Life Safety Performance or better) particularly in newer hospitals. Nonstructural damage resulted in closure.





# Building Performance

- Structural systems remained largely intact (Life Safety Performance or better) particularly in newer hospitals. Nonstructural damage resulted in closure.

## Nurdaği Government Hospital

PGA ~ 0.6 g

PGV ~ 110 cm/s



# Building Performance

- Structural and non structural systems remained intact for base isolated and well-anchored/braced hospitals



**Osmaniye Government Hospital**

Photo: EERI hospital team



Photo: EERI hospital team

# Building Performance (Seismically Isolated)

- Buildings provided Operational Performance
- Isolation system displacements were much smaller than bearing capacities.
- Detailing at isolation plane may impede full displacement and/or result in nonstructural damage



Photo: EERI hospital team

## Dortyol Government Hospital

PGA ~ 0.25 g (estimated 6 cm isolator displacement)

PGV N/A



Photo: EERI hospital team

# Building Performance (Seismically Isolated)



Osmaniye Government Hospital  
Moat gap filled with gravel



Adana City Hospital  
Sidewalk crosses the moat cover



Adana City Hospital  
Flex connection provided for piping but does not have axial extension capability for isolator movement

# Nonstructural Performance

- Cladding
- Partitions
- Ceilings
- Egress
- Equipment
- Distributions Systems
- Medical Equipment
- Furnishings and Contents



Photo: EERI hospital team

# Nonstructural Performance

- Cladding



# Nonstructural Performance

- Cladding



# Nonstructural Performance

- Partitions





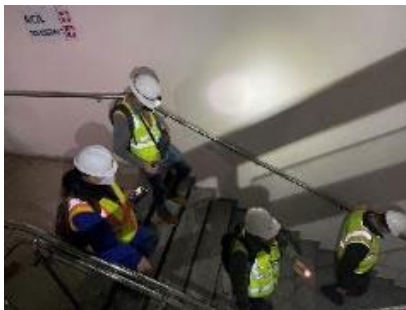
# Nonstructural Performance

- Ceilings



# Nonstructural Performance

- Egress



# Nonstructural Performance

- Egress



# Nonstructural Performance

- Equipment



# Nonstructural Performance

- Equipment



Photo: EERI hospital team



Photo: EERI hospital team



# Nonstructural Performance

- Equipment



# Nonstructural Performance

- Distribution Systems



# Nonstructural Performance

- Medical Equipment





# Nonstructural Performance

- Medical Equipment



# Nonstructural Performance

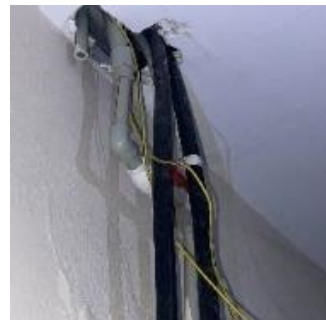
- Medical Equipment



Photo: EERI hospital team



Photo: EERI hospital team



# Nonstructural Performance

- Medical Equipment



# Nonstructural Performance

- Furnishings and contents



# Building Performance

- Lifelines



Photo: EERI hospital team

Water was interrupted for days to weeks. On site water storage was used to maintain hospital services.



Photo: EERI hospital team

Power was interrupted for days to weeks. Emergency generators were essential to providing patient care.

# Nonstructural Performance Example



Pazarcik Government Hospital  
Built 2020  
125 Beds  
Fixed Base



Photo: EERI hospital team

# Nonstructural Performance Example



Pazarcik Government Hospital  
1 out of 3 generators worked  
Bulk oxygen was damaged and repaired  
Internal data services went down

# Nonstructural Performance Example



## Pazarcik Government Hospital

Ceilings and partitions were heavily damaged  
Cabinets and furnishings were toppled  
Medical equipment was generally okay

- Hospital was evacuated except for emergency dept.
- Hospital tents set up for triage and treatment.
- After 10 days clinics were opened on ground floor.
- Upper floors under repair Week 6.



# Structural Performance Example



Iskenderun Government Hospital



1968 Concrete Building

2005 Concrete Building

2020 Steel Building



# Structural Performance Example

2005 Building



1968 Building



2020 Building



1968 Concrete Building  
**COLLAPSED**

2005 Concrete Building  
**EVACUATED**

2020 Steel Building  
**Shelter/Limited function**

# Takeaways

---

- Many seismically deficient older hospital buildings collapsed or partially collapsed.
- Although many newer hospitals performed structurally adequate, failure of nonstructural components resulted in evacuations.
- Hospital closures required patients to be transferred long distances, overwhelming surrounding hospitals.
- Outage of communications, electricity, gas and water affected several hospitals.
- Emergency generators were critical to continued operations.
- Base isolated hospitals performed and functioned well.
- Timely, appropriate safety assessments are critical for preventing unnecessary evacuations.

The EERI Hospital team is currently analyzing collected data, writing a detailed report, and keeping contact with partners in Turkey. More to follow...

# Takeaways

---

*What does this mean for California?*

For new hospitals – Code + Plan Review + Construction Oversight

&

For existing hospitals – SB1953 SPC and NPC Requirements

*Keep up the progress!*

# Closing Thoughts ...



Photo: Anadolu Ajansi



Photo: EERI hospital team

---

# Questions?

## 12. Healthcare Microgrids Update

Facilitator: Jamie Schnick, OSHPD Senior Electrical Engineer  
(or designee)

- Healthcare Microgrids
  - Microgrids as Electrical Power Source (EPS) for hospitals and skilled nursing facilities (SNFs) has been added to 2022 Intervening Code Cycle.
  - Centers for Medicare & Medicaid Services Categorical Waiver for healthcare microgrid systems to be used as EPS for hospitals and SNFs.
  - Next barriers to realizing healthcare microgrids as EPSs.
- Assembly Bill 2511 Update
  - Advisory Guide “A6 SNF [OSHPD 2], Alternate Source of Power” has been issued.
  - Facility assessment process
- Discussion and public input

## Updates:

- **Healthcare Microgrids**
- **AB 2511 - HSC §1418.22**

**By Jamie Schnick**

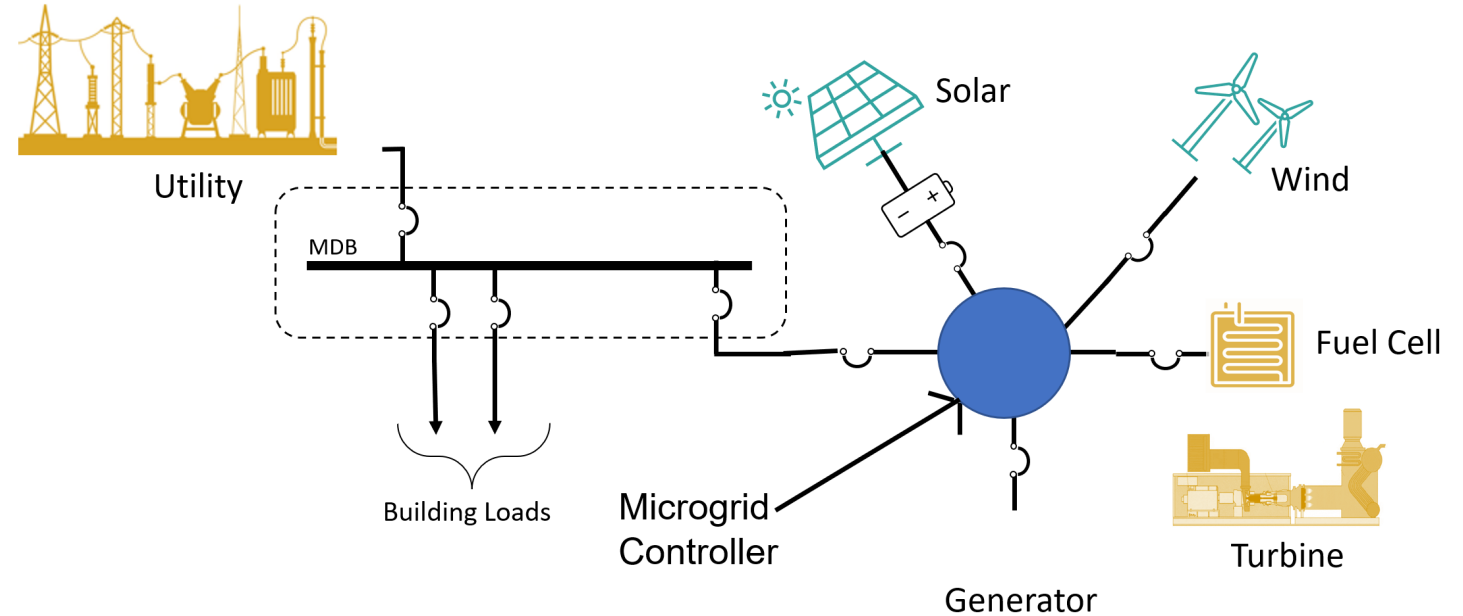
**[Jamie.Schnick@hcai.ca.gov](mailto:Jamie.Schnick@hcai.ca.gov)**

**(213) 807-7651**



## HEALTHCARE MICROGRIDS

1. Microgrids as EPS for Hospitals and SNF's added to 2022 Intervening Code Cycle
2. CMS Categorical Waiver for Healthcare Microgrid System to be used as EPS for Hospitals and SNFs.
3. Remaining barriers to realizing healthcare microgrids as EPS's



# Healthcare Microgrids

Microgrids as EPS for Hospitals and SNF's added to  
2022 CEC Intervening Code Cycle  
(anticipated adoption 7/1/2024)

## 517.30 Sources of Power. (Hospitals)

**(B.1) [OSHPD 1, 3, 4 & 5] Power Sources for the EES.**  
**Power sources for the EES shall be permitted to be any of those specified in 517.30(B)(1) through 517.30(B)(4). One on-site power source (or set of sources) that is sized to supply the entire EES shall meet the on-premises fuel or battery stored energy requirements specified in Article 700.12.**

**(1) Generating Units.**

**(2) Fuel Cell Systems.**

**(3) Battery Systems.**

**(4) Health Care Microgrid.**



## Healthcare Microgrids

Microgrids as EPS for Hospitals and SNF's added to  
2022 CEC Intervening Code Cycle  
(anticipated adoption 7/1/2024)

### 517.41 Required Power Sources (SNFs)

**(B.1) [OSHPD 1, 3, 4 & 5] Power Sources for the EES.**  
**Power sources for the EES shall be permitted to be any**  
**of those specified in 517.30(B)(1) through 517.30(B)(4).**  
**One on-site power source (or set of sources) that is**  
**sized to supply the entire EES shall meet the on-**  
**premises fuel or battery stored energy requirements**  
**specified in Article 700.12.**

- (1) Generating Units.
- (2) Fuel Cell Systems.
- (3) Battery Systems.
- (4) Health Care Microgrid.**



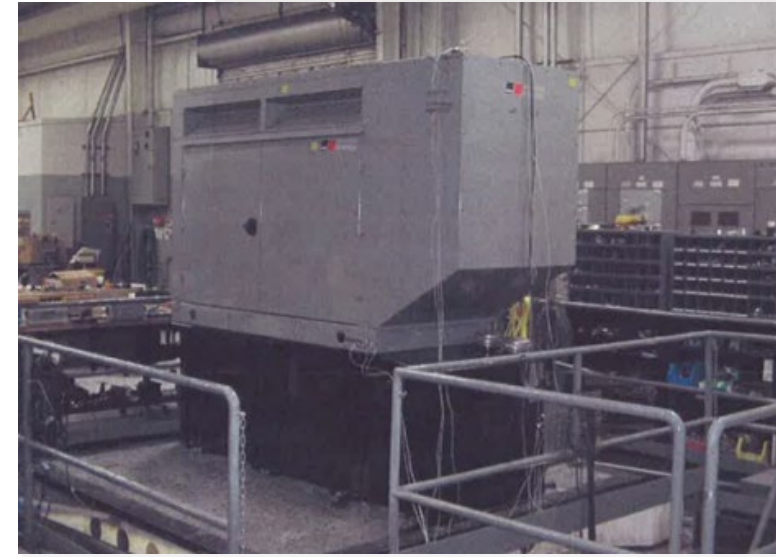
# CMS Categorical Waiver for Healthcare Microgrid Systems to be used as EPS for Hospitals and SNFs. (sub-acute SNFs excluded)

## Categorical Waiver – Health Care Microgrid Systems (HCMSs)

<b>Title</b>	Categorical Waiver –Health Care Microgrid Systems (HCMSs)
<b>Memo #</b>	QSO-23-11-LSC
<b>Posting Date</b>	2023-03-31
<b>Fiscal Year</b>	2023
<b>Summary</b>	<p>Various CMS regulations governing certain providers and certified suppliers require compliance with the 2012 edition of the National Fire Protection Association (NFPA) Health Care Facilities Code (NFPA 99). • 2012 edition of NFPA 99 requires emergency power for an essential electric system (EES) to be supplied by a generator or battery system. • 2021 edition of the NFPA 99 permits emergency power for an EES to be supplied by sources other than a generator or battery system, including a health care microgrid system (HCMS) • HCMSs are small-scale electrical grids where the sources of electricity can be provided by clean energy technologies (e.g., fuel cells, solar, wind, energy storage, etc.). • Except as noted below, CMS is issuing a categorical waiver permitting new and existing health care facilities subject to CMS requirements to utilize alternate sources of power other than a generator set or battery system only if in accordance with the 2021 edition of the NFPA 99, 2023 edition of the National Electric Code (NFPA 70), and associated references. • The categorical waiver excludes long-term care (LTC) facilities that provide life support as the LTC requirements at 42 CFR 483.90(c)(2) requires these facilities to have an emergency generator without exception.</p>

## Next barriers to realizing healthcare microgrids as EPS's

- a. Special Seismic Certification of product(s)
- b. On site fuel storage
- c. Proof of concept?



## AB2511 (HSC §1418.22) Update

- 1) PIN 74
- 2) Webinars
- 3) A6 -SNF Backup Power
- 4) Assessments
- 5) Collaboration





**POLICY INTENT NOTICE**

**PIN: 74**

**SUBJECT**

Skilled Nursing Facility (SNF) alternate source of power to maintain safe temperatures, maintain availability of life-saving equipment, and maintain oxygen-generating devices.

**Effective: 12/12/2022**



**PURPOSE**

The purpose of this Policy Intent Notice (PIN) is to provide a policy for the implementation of 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 as mandated by Assembly Bill (AB) 2511 (Chapter 788, Statutes of 2022).

**BACKGROUND**

SNFs have previously been required to provide 6 hours of on-site fuel storage for emergency power system sources such as emergency generators and have not been required to provide emergency power for cooling systems. AB 2511 requires that SNFs have an alternative source of power to protect resident health and safety for no fewer than 96 hours for power outages that may result from a public safety power shutoff, an emergency, a natural disaster, or other cause. An alternative source of power is defined as a source of electricity that is not received through an electric utility, but is generated or stored onsite, which may include, but is not limited to emergency generators using fuel, large capacity batteries, and renewable electrical generation facilities. The Centers for Medicare & Medicaid Services (CMS) may have additional certification requirements that will still need to be met by a SNF. These requirements are enforceable by the California Department of Public Health (CDPH) by January 1, 2024.

PIN 74  
 Skilled Nursing  
 Facility  
 Alternate Power  
 Source

HCAI Educational Webinar Series

Presented by:  
Hospital Building Safety Board  
Facilities Development Division

## PIN 74 – Skilled Nursing Facilities Backup Power Source

---

December 12, 2022 (Monday)  
10:30 a.m., – 12:00 p.m., Pacific Time

Or *(same presentation on both dates)*

January 18, 2023 (Wednesday)  
9:00 – 10:30 a.m., Pacific Time

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### REGISTRATION AND INSTRUCTIONS

**Fee: Complimentary**

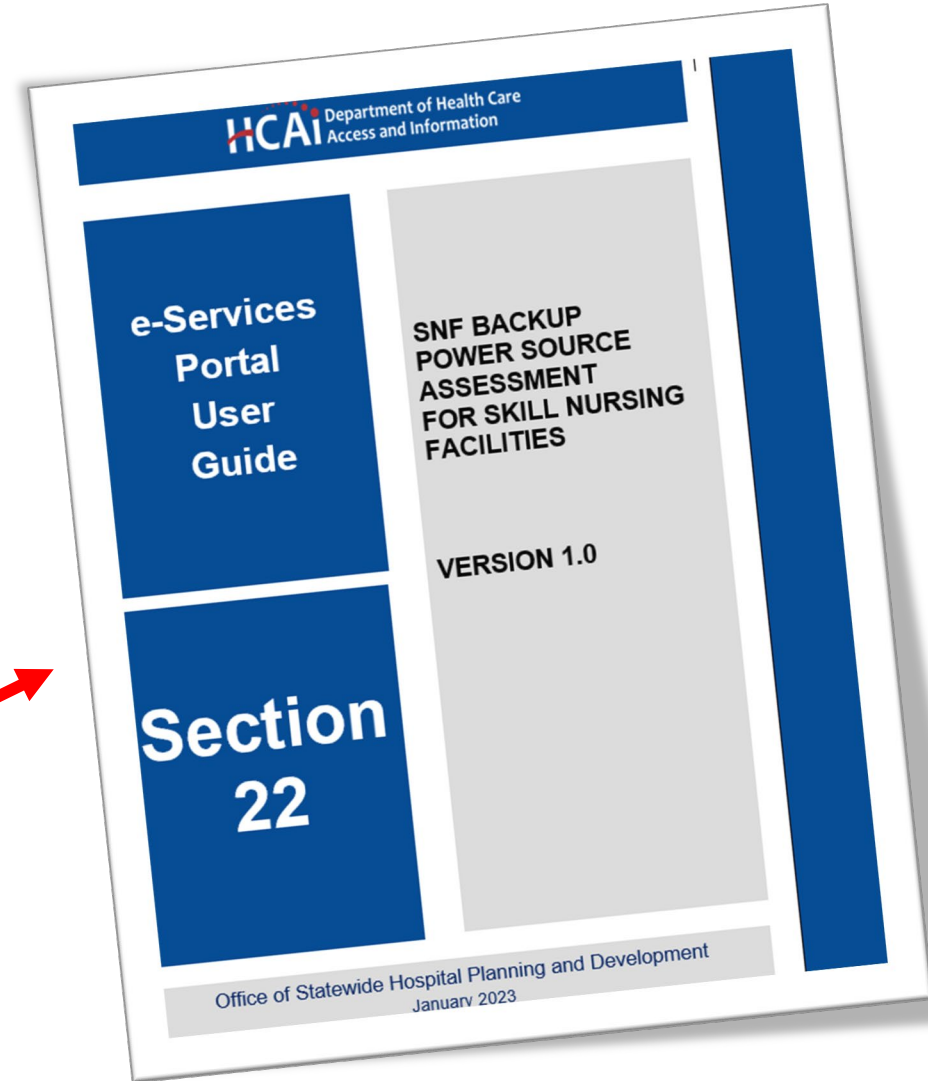
**To Register:** Click on the date you would like to attend. Upon registration, you will receive a confirmation email with Login Instructions.



# ASSESSMENT APPLICATION

Once you navigate to <https://hcai.ca.gov> and open the user guide, you will see that there is homework to prepare for submission.

- 15. Document Attachment Control
- 16. Re-Opening Closed Projects
- 17. Application for HCAI Preapproval (OSP and OPM)
- 18. Application for HCAI Preapproved Agency (OPAA)
- 19. Small and Rural Hospital Relief Program Eligibility Tool (SB 395)
- 20. Applying for Removal of Acute Care Services (RACS)
- 21. Application for Seismic Compliance Plan Review
- 22. SNF Backup Power Source Assessment



**ALTERNATE SOURCE  
OF POWER TO MAINTAIN**

**Safe Temperatures,  
Life-Saving Equipment, and  
Oxygen-Generating Devices**

**FOR  
SKILLED NURSING  
FACILITIES  
[OSHPD 2]**

March 2023

Office of Statewide Hospital Planning and Development

**I. EXECUTIVE SUMMARY**

HSC §1418.22 requires Skilled Nursing Facilities (SNFs) to have an alternate source of power to support the following loads:

- Equipment required to maintain safe temperature for residents
- Life-saving equipment
- Oxygen-generating devices

*Additionally, the bill requires that the alternate power source(s) used to back up these loads be provided with sufficient fuel onsite to maintain power production for no less than 96 hours (or make arrangements for fuel delivery) during an emergency event. The bill stipulates that the alternate power source must operate during power outages that may result from a public safety power shutoff, an emergency, a natural disaster, or other cause.*

The bill went into effect on January 1, 2023, and requires that all SNFs comply with the stated requirements by January 1, 2024.

Prior to the passing of this law, there were no code requirements for cooling equipment to be fed by emergency power. In previous codes the terms life-saving equipment and oxygen-generating devices were not identified and therefore not specifically required to be fed by emergency power. In order to meet the law's requirements, these systems will need to all be fed by an alternate source of power. [HCAI Policy Intent Notice \(PIN\) 74 - Skilled Nursing Facility Alternate Source of Power](#) has developed a 2-step process for owners to systematically identify the cooling equipment, life-saving equipment and oxygen-generating devices at their facilities and to determine whether these systems will continue to operate in the event of a utility power outage. If the answer is no, the second step would be to submit a standard construction project to modify the existing system to bring the facility into compliance with HSC §1418.22. In addition to the new loads required to be backed up by alternate power, the law now requires operations of these loads for 96 hours. Previous requirements to maintain emergency loads was 6 hours. As PIN 74 clarifies the new loads identified by HSC §1418.22 are not emergency loads required by the California Electrical Code (CEC), but in addition to the emergency loads required by this code to have emergency power backup. This advisory guide has been prepared to help explain the requirements of HSC §1418.22, which have been defined in PIN 74, and to act as a guide to help facilities ensure that they are in conformance with the law.

# COLLABORATION

- 1) HCAI has been working with CAHF – “How to” webinar scheduled
- 2) HCAI has been working with CDPH – Aligning on what will be demonstrate compliance



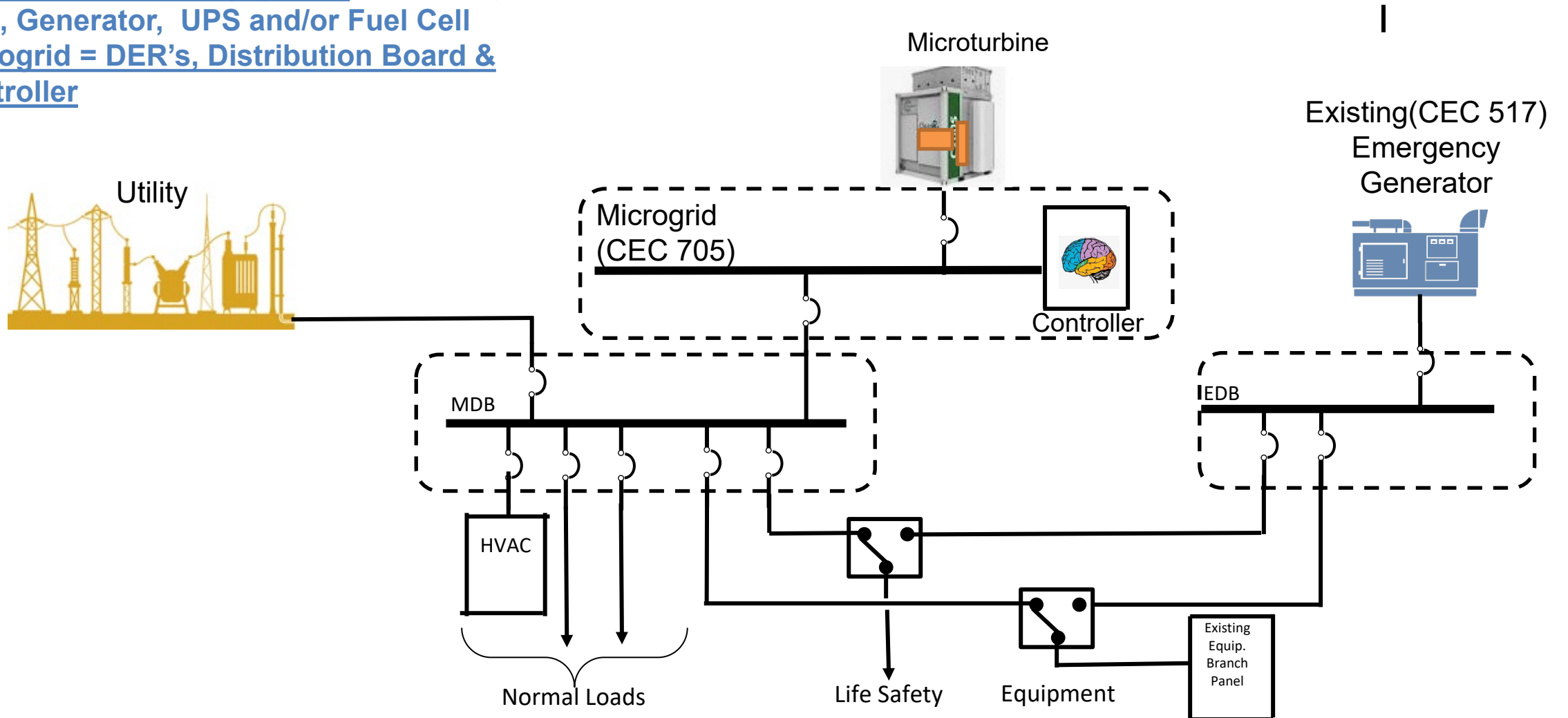
# Projects

- (5) SNF's in Northern CA
- Kaiser Ontario Microgrid



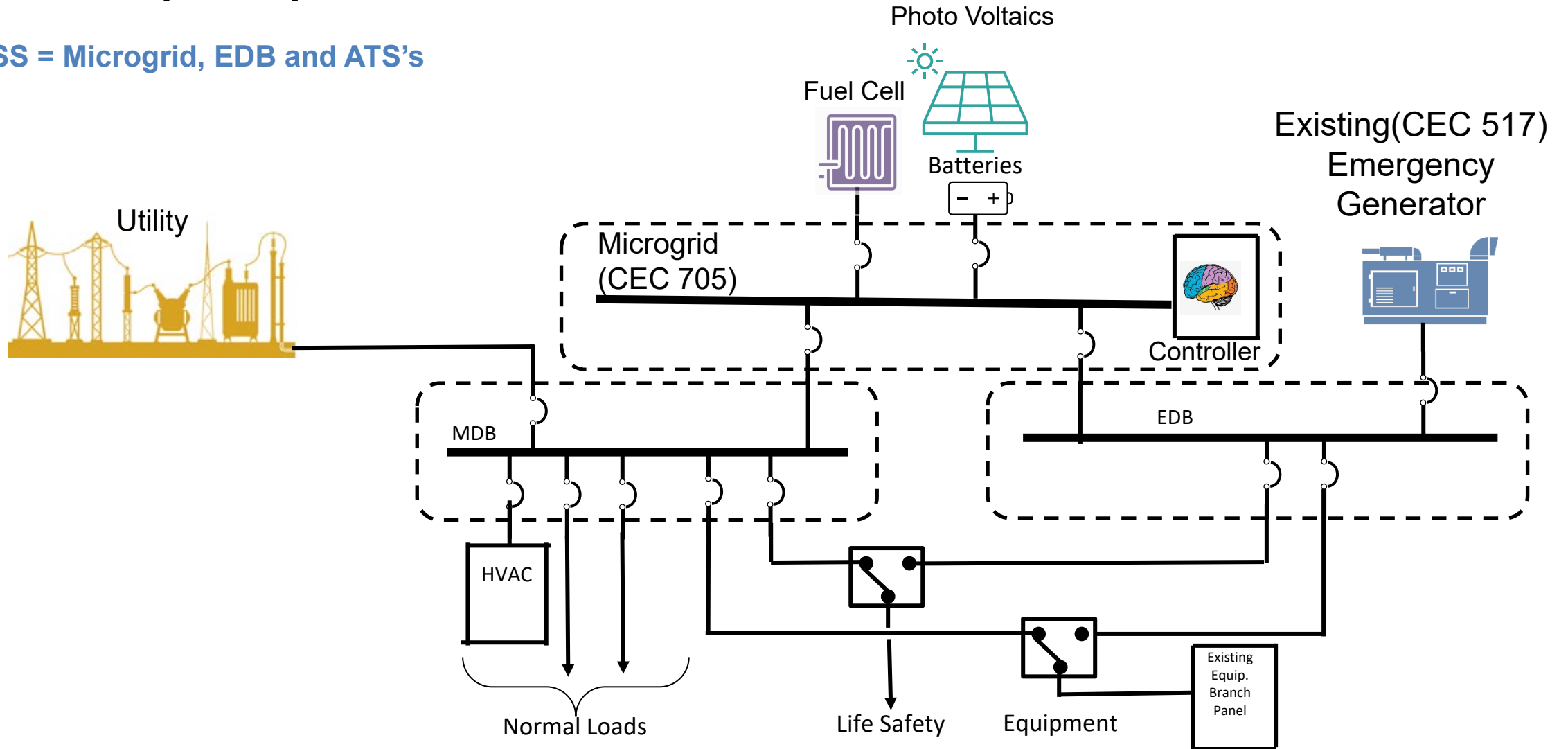
# OSHPD- 2 (Microgrid Parallel w/Utility)

Power Production Equipment: Batteries, PV's, Generator, UPS and/or Fuel Cell  
Microgrid = DER's, Distribution Board & Controller



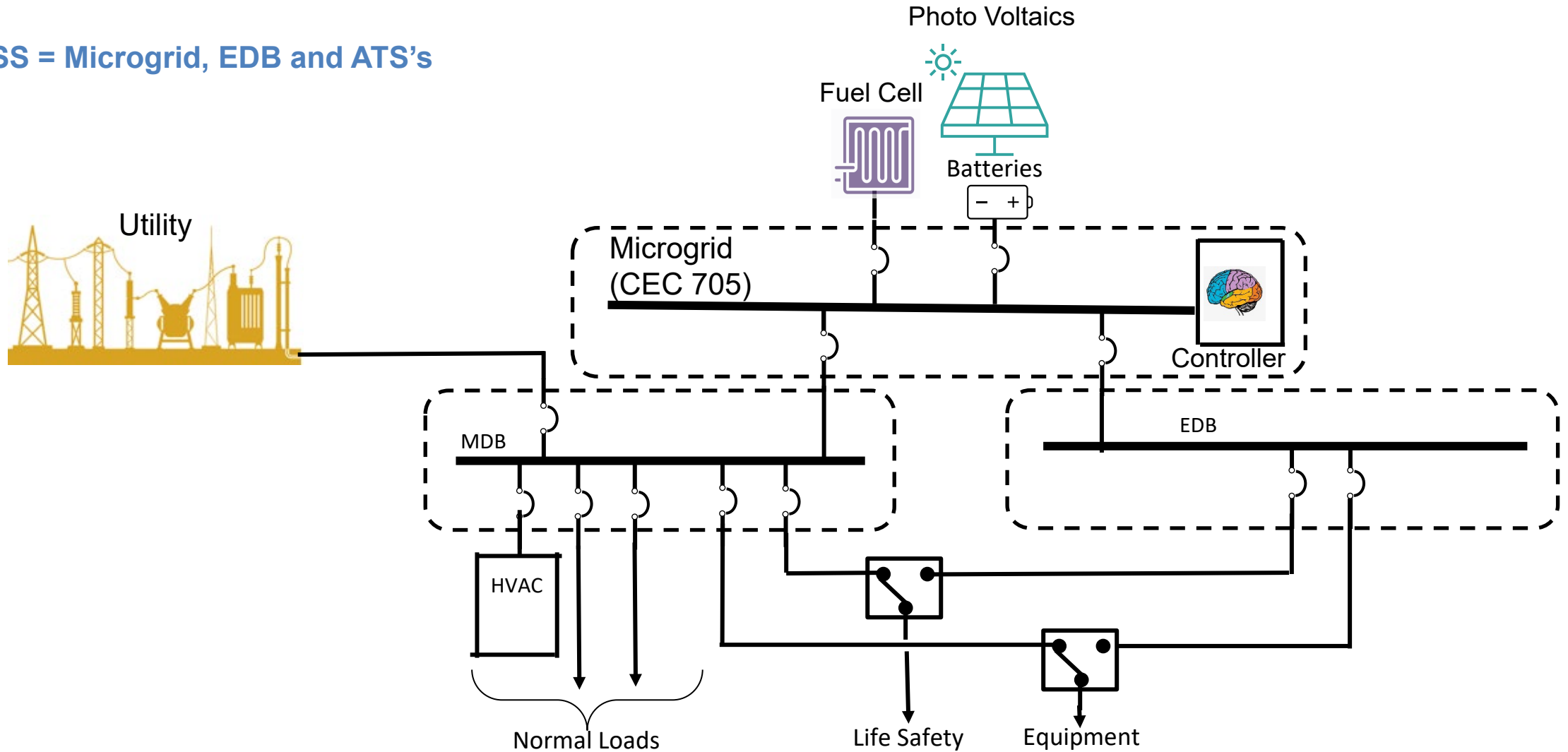
# Microgrid as Supplemental Normal & Emergency Power Source (EPS)

EPSS = Microgrid, EDB and ATS's



# Future - Microgrid as Emergency Power Source (EPS)

EPSS = Microgrid, EDB and ATS's





**QUESTIONS?**



### **Healthcare Microgrids**

- 1) Microgrids as EPS for Hospitals and SNF's added to 2022 Intervening Code Cycle (anticipated adoption 7/1/2024)
- 2) 3-31-23 CMS Categorical Waiver for Healthcare Microgrid System to be used as EPS for Hospitals and SNFs. (sub-acute SNFs excluded)
- 3) Next barriers to realizing healthcare microgrids as EPS's
  - a. Special Seismic Certification of product(s)
  - b. On site fuel storage
  - c. Proof of concept

### **AB2511 Update**

- 1) HCAI offered (2) webinars (Dec 12<sup>th</sup> and Jan 18<sup>th</sup>)
- 2) A6 -SNF Backup Power has been issued
- 3) We have set up a 2-step process for evaluation and signoff
- 4) Lots of interests, discussions and a few projects are coming in
- 5) HCAI has been working with CAHF – how to webinar scheduled
- 6) HCAI has been working with CDPH – Aligning on what will be acceptable

### **13. Leadership Training for Board Member**

Facilitators: Louise Belair, Board Chair, and  
Scott Jackson, Board Vice-Chair (or designees)

The training session will include the following topics:

- HBSB Overview
- Roles and Responsibilities
- Meeting Protocols
- Robert's Rules – Carl Scheuerman, OSHPD Seismic Compliance Officer
- Bagley-Keene Open Meeting Act – John Gray, HCAI Attorney
- Conflict of Interest Code and Board Members – John Gray, HCAI Attorney
- Discussion and public input



# Hospital Building Safety Board

by

Louise Belair, BOARD CHAIR, Scott L. Jackson, BOARD VICE CHAIR

## BOARD MEMBERS:

David Bliss, M.D., Cody Bartley, Bruce Clark, Deepak Dandekar, Gary Dunger, Michael Foulkes, John Griffiths,  
David Khorram, Michele Lampshire, Marshall Lew, Scott Mackey, James Malley, Farzad Naeim

## DIRECTOR APPOINTED EX-OFFICIO MEMBERS:

Bert Hurlbut, Michael O'Connor

## STATUTORY EX-OFFICIO MEMBERS:

Elizabeth Landsberg, HCAI, Director; Mike Richwine, State Fire Marshall; Jennifer Thornburg (Delegate) State Geologist ;  
Mia Marvelli, Building Standards Commission, Executive Director; Nathaniel Gilmore (Delegate), Department of Public  
Health, Director; Chris Tokas, HCAI OSHPD, Deputy Director;

## HBSB STAFF:

Ken Yu, HBSB Executive Director

# HBSB Leadership Training for Board Members

## Agenda

- Overview
- Roles & Responsibilities
- Meeting Protocols / Behavior

# HBSB Leadership Training for Board Members

## Overview

# Overview

The HBSB is an Advisory Board

The Hospital Building and Safety Board (HBSB) was established by law as part of SB 1953 to advise the Director of the Department of Health Care Access and Information (HCAI)

The Board also acts as a Board of appeals Board for HCAI in matters relating to:

- Design, construction, alteration and seismic safety of health facility projects
- Fire and life safety issues relating to hospital facilities
- Alternate means of protection determinations

# Overview

- Board members serve the people of California and commit to full participation in the Boards activities
- The Board maintains contact with professional groups and industry organizations through the committees
- The Board maintains state-of-the-art knowledge of architectural and engineering theory and applications related to health facilities
- The HBSB does not provide oversight of OSHPD, HCAI

**Policies and Procedures**  
**of the**  
**Hospital Building Safety Board**  
**January 2022**

**I. Introduction**

The purpose of this document is to provide information regarding the policies and procedures under which the Hospital Building Safety Board (Board) performs its functions and duties.

**II. Hospital Building Safety Board**

The Board was statutorily created in 1973 (Senate Bill 519 - Alquist - Chapter 1130, Statutes of Minnesota, 1973) and was reauthorized by Senate Bill 201 (Chapter 1130, Statutes of Minnesota, 1993).



# Overview

HBSB needs to address its purpose each year:

- Discuss the previous year's accomplishments
- Establish annual overall Board goals and objectives
- Establish annual Committee goals and objectives
- Assess goals vs. accomplishments

**The main work of the Board is done at the Committee level**

# Overview

At each Full Board meeting, the Chair of each committee reports on the work of the committee:

- Overview of topics discussed
- Overview of motions
- Discussion
- Overview of next steps

# Overview

## Full Board Meeting Voting:

A quorum must be present to take any action or vote

- One more than half the voting members

Only appointed members can vote at board meetings

- Ex-officio members may not vote
- Consulting members may not vote

Votes are decided by a simple majority

If a member has a conflict of interest, that member must abstain from voting

# Overview

## Committee Meeting Voting:

A quorum must be present to take any action or vote

- One more than half the voting members

Only members of the committee can vote on that committee

- Appointed members
- Ex-officio members
- Consulting members

Votes are decided by a simple majority conducted in open meetings

If a member has a conflict of interest that member must abstain from voting

# Overview

## Appeals to the Board:

- CAC Article 5 covers appeals to the HBSB
- Appeals come through HCAI
- HBSB acts as the hearing body and conducts a public hearing
- At least three HBSB voting members will hear and decide the appeal

# Overview

## Group Discussion

# HBSB Leadership Training for Board Members

## Roles and Responsibilities

# Roles and Responsibilities

## Board Chair:

- Calls all meetings
- Is presiding officer at all regular meetings
- Approves Board meeting agendas
- Designates committees, committee chairs and membership, subject to Board approval
- Appoints consulting members to committees
- Appoints new Board members to committees
- Dissolves or establishes committees, subject to Board approval
- Advises HCAI Director of Board activities
- Authorized spokesperson for the Board

## Board Vice Chair:

- Fills in for the Board Chair when necessary
- Replaces Board Chair if Chair is unable to finish term



# Roles and Responsibilities

## Committee Chair:

- Carries out assignments from the Board Chair
- With the Board Chair, designates a Vice Chair for the Committee
- Develops Committee meeting agendas with Board staff
- Conducts Committee meetings and reports to the full Board
- Reviews Committee meeting reports
- Establish Committee goals with the Committee
- Identifies need for Consulting Members
- Defines Committee work product deliverables
- Develops a production plan
- Defines milestones and action items

## Committee Vice Chair:

- Fills in for the Committee Chair when necessary
- Provides support and assistance in preparing the work of the committee

# Roles and Responsibilities

## Committee Members:

- Attend Committee meetings
- Be prepared to engage in the Committee's work
- Fulfill assignments from the Committee Chair
- Vote at committee meetings
- Interact with professional and industry organizations and report to the committee

# Roles and Responsibilities

## **OSHPD Staff:**

- Report to the Board and Committees
- Work with Committees on various initiatives
- Help develop goals and objectives
- Seek advice and industry feedback

## **HBSB Staff:**

### Executive Director:

- Provides administrative direction
- Coordinates with OSHPD staff
- Authorized spokesperson for the Board

### Administrative Staff:

- Supports Board activities
- Provides administrative support

# Roles and Responsibilities

Group Discussion

# HBSB Leadership Training for Board Members

## Meeting Protocols / Behaviors

# Meeting Protocols / Behaviors

## Meeting Preparation:

- Review the minutes of the last meeting and other meeting materials from OSHPD website prior to the meeting
- Bring all necessary materials
- Do your research
- Make sure you have the most up to date information

# Meeting Protocols / Behaviors

## Meeting Agendas:

The meeting roadmap / Identify goal of the meeting

Organize agenda by priority; be specific / no vague agenda items:

- Reference committee goals
- Contact OSHPD Committee Representatives for items to cover

Confirm with speakers prior to issuing agenda to HBSB Staff

Have agenda prepared and submitted to OSHPD staff at least 3 weeks prior to the meeting

Start on time with a review of the agenda

Keep the meeting moving / identify time frames

Take a break at least every 90 minutes

# Meeting Protocols / Behaviors

## Meeting Presentations:

- Topic should be general education
- No sales pitch
- Request abstract from presenter to review before confirming
- Presentation should be tailored to audience



# Meeting Protocols / Behaviors

## Action Item Assignments:

- At the end of each agenda item verify actions with the committee
- Confirm what needs to be accomplished
- Identify who is best suited to get the action done
- Determine the timeline for completion
- Keep in mind the context
- At the end of the meeting restate action items
- Carry Action Items to the next meeting

# Meeting Protocols / Behaviors

## Action Item Assignments:

- Identify the project goal and desired outcomes
- Determine the work products necessary
- Focus only on activities that support the desired outcome
- Prepare the deliverable for presentation

# Meeting Protocols / Behaviors

## Meeting Reports:

- At the beginning of each meeting the Chair reports on the previous meeting
- The previous meeting minutes are available prior to the current meeting, expect members to have reviewed the minutes
- The chair report should focus on highlights
- Start with meeting date; summarize topics and any motions, include action items
- Reports to Full Board are similar except all members may not be as familiar with previous meeting minutes

# Meeting Protocols / Behaviors

## Manage Distractions With Minimal Meeting Interruption:

- Members and public need to be heard from, be aware of potential speakers
- Clearly identify speaker by name if possible
- Keep the meeting moving, do not allow interruptions
- If speaker goes off topic bring them back or direct them to comment at the end of the meeting
- Ask disruptive people to wait their turn

# Meeting Protocols / Behaviors

## Committee Interaction

### Chair:

- Keep to the agenda
- Ask dissenters to summarize their convictions in a direct statement
- Allow everyone to be heard
- Keep the meeting moving

### Members:

- Ask for the floor, do not interrupt
- Keep comments short and to the point
- Don't hesitate to comment, criticize constructively or disagree

# HBSB Leadership Training for Board Members

## CONCLUSION / DISCUSSION

# Item 13: Bagley-Keene Open Meeting Act and Conflict of Interest Overview

John Gray, Attorney, HCAI

# Bagley-Keene Open Meeting Act



# Purpose of the Act

To allow members of the public to attend and participate as fully as possible in a state body's decision-making processes.

(Gov. Code section 11120; 103 Ops.Cal.Atty.Gen. 42)

# Applicability to the HBSB

The Act applies to “state bodies,” such as “every state board... that is created by statute...” (Gov. Code section 11121(a)).

- HBSB is created by Health & Safety Code section 129925.

**Committees:** The Act also applies to any advisory committee HBSB creates if the committee consists of 3 or more persons (Gov. Code section 11121(c)).

# The Act Applies to “Meetings”

Every “meeting” is subject to the Act’s requirements.

**“Meeting” Definition:** A **quorum** of the Board/committee convening, at the same time and place, to hear, discuss, or deliberate on any item within the subject matter of the Board/committee.

- A **“quorum”** is the minimum number of members who must be present for the Board/Committee to transact business and California law generally states that a quorum is a majority of members. (94 Ops.Cal.Atty.Gen. 100.)
- For the full Board, quorum is 9 appointed/voting members (out of 16).

(Gov. Code section 11122.5(a))

# Physical Presence/Location Requirements and COVID-19 Exception

**Normally**, the Act requires the physical presence of members at meetings and a physical location where the public may attend. The Act allows some teleconferencing, but still requires physical presence and location.

**Because of COVID-19**, the Legislature suspended the physical presence/location requirements until July 1, 2023. (Gov. Code section 11133.)

- The Board must still comply with the notice and public participation requirements of the Act.
- Statute urges state bodies to adhere as closely to the Act as possible to “maximize transparency and provide the public access to meetings.”

# Serial Communications Are Prohibited

- A quorum of members cannot, outside of a properly noticed “meeting”,
  - communicate in a series of communications of any kind,
  - directly or through intermediaries,
  - regarding items within the subject matter of the Board.

**Purpose:** to prevent deliberations/actions/decisions being made in secret, without public knowledge or participation.

(Gov. Code section 11122.5(b))

# “Meeting” Exceptions

- The Act does not consider the following to be “meetings”:
  - **Public Contacts:** a member of the public contacting a quorum of members if members do not solicit such contacts.
  - **Social Gatherings:** a quorum of the members may attend a purely social event, if they do not discuss Board issues among themselves.
  - **Conferences:** Conferences are exempt as long as they are open to the public and involve subject matter of general interest, and a quorum of members do not discuss Board issues among themselves, other than as part of the scheduled program.

(Gov. Code section 11122.5(c))

# Meeting Notices and Agendas

The Board must post meeting notices on the internet at least **10 days** before a meeting.

Notices must have:

- Time and place(s) of the meeting.
  - For virtual meetings, the notice must have “the means by which members of the public may observe the meeting and offer public comment”
- A **specific agenda** for the meeting that contains a brief description of all items to be discussed/transacted at the meeting.
  - The description should provide enough information to allow the public to understand what issues will be discussed or considered.
  - Generally, if an issue is not on the agenda, the Board cannot consider it. However, a new issue can be mentioned for the purpose of including it at a future meeting.

The 10-day notice requirement does not apply for “emergency” or “special” meetings as defined under statute.

(Gov. Code sections 11125 and 11133)

# Public Attendance and Participation

Generally, meetings must be **open and public**.

- Conditions on public attendance at the meeting cannot be imposed. An individual is not required to identify themselves or to sign-in to attend.

**Public Participation:** The Board must give the public an opportunity to directly address the Board on each agenda item before or during the Board's discussion or consideration of the item.

- Public criticism of the Board cannot be prohibited.

**Broadcasting/Recording of Meetings:** Members of the public are allowed to record and broadcast meetings.

(Gov. Code sections 11123, 11124, 11124.1, and 11125.7)



# Closed Sessions

“Closed sessions” are parts of meetings without the public and are allowed only for specific statutorily-stated reasons, e.g., to discuss pending litigation or to discuss employment issues.

These sessions have to be included on the agenda and the specific statutory authority allowing the closed sessions must be stated.

(Gov. Code section 11126)

# Meeting Documents

Generally, materials distributed to the Board prior to or during a meeting are disclosable public records.

- Some materials can be held confidential pursuant to certain sections of the California Public Records Act.
- Materials prepared by Board members or staff are required to be available to the public at the meeting.
- Materials prepared by others are required to be available to the public after the meeting.

(Gov. Code section 11125.1)

# Voting

The vote or abstention of each member must be publicly reported. (Gov. Code section 11123(c).)

- If a virtual meeting, votes must be taken by rollcall. (Gov. Code sections 11123(b); and 11123.5(e).)

Vote by secret ballot at a meeting is not allowed. (68 Ops.Cal.Atty.Gen. 65.)

Vote by proxy is not authorized. (68 Ops.Cal.Atty.Gen. 65.)

# Abstentions

Abstentions may complicate voting.

In general, a state body cannot act without support of at least a majority of its quorum. For the full Board, this is at least 5 members.

Members who voluntarily abstain are counted toward a quorum, but decisions will only require the majority of those members who actually vote as long as there is support from a majority of the quorum.

Members who are disqualified from voting by law are not counted toward a quorum.

(94 Ops.Cal.Atty.Gen. 100.)

# Penalties for Non-Compliance

- **Civil:**

- Any interested person, the Attorney General, or a district attorney can commence court action to stop or prevent violations of the Act. (Gov. Code section 11130.)
- Any interested person can also commence court action to declare a Board action taken in violation of the Act's notice, agenda, and public attendance requirements as "null and void." (Gov. Code section 11130.3.)
- If successful, a plaintiff can obtain a court order, court costs, and attorneys' fees. (Gov. Code section 11130.5.)

- **Criminal:**

- It is also a misdemeanor for any member to attend a meeting in violation of the act and where the member "intends to deprive the public of information to which the member knows... the public is entitled." (Gov. Code section 11130.7.)

# Conflict of Interest and Form 700

# Overview of Conflict-of-Interest Laws

Conflict of Interest Laws (non-exhaustive List):

- (1) Financial Conflicts:** An HBSB member “shall not make, participate in making, or in any way attempt to use the [their] official position to influence a governmental decision in which the [member] knows or has reason to know the [member] has a financial interest.”
- (2) Common Law Doctrine:** An HBSB member is “prohibit[ed] from placing themselves in a position where their private, personal interests may conflict with their official duties.”
- (3) Incompatible Activities:** An HBSB member “shall not engage in any employment, activity, or enterprise which is clearly inconsistent, incompatible, in conflict with, or inimical to his or her duties as a state officer or employee.”

# Purpose of Conflict-of-Interest Laws

The State of California's "conflict-of-interest statutes are concerned with what might have happened rather than merely what actually happened....

They are aimed at eliminating temptation, avoiding the appearance of impropriety, and assuring the government of the officer's undivided and uncompromised allegiance....

Their objective 'is to remove or limit the possibility of any personal influence, either directly or indirectly which might bear on an official's decision....'"

*(People v. Honig (1996) 48 Cal.App.4th 289, 314.)*



# Appearance of Impropriety

The State of California is concerned with not just actual conflicts of interest, but also the appearance of impropriety. This is to instill confidence and build public trust in government and that its decisions are legitimate.

# Exception: Financial Effect on Representative Interest

There is no conflict of interest if a decision would generally impact the industry, trade, or profession or other identified interest the HBSB member legally represents in HBSB.

(Cal. Code Regs., title 2, section 18703(e).)

# Disqualification and Recusal

A HBSB member disqualified from making or participating in decision must not take part in the decision, and the member's recusal from the decision must meet the following requirements:

- (1) The member's determination of a conflict of interest may be accompanied by an oral or written disclosure of the conflicting interest.
- (2) The member's presence will not be counted toward achieving a quorum.
- (3) During a closed session, a disqualified member must not be present when the decision is considered or knowingly obtain or review a recording or any other nonpublic information regarding the governmental decision.
- (4) HBSB may adopt a local rule requiring the member to step down from the dais or leave the chambers.

(Cal. Code Regs., title 2, section 18707(b).)

# Form 700

HCAI is required to have a Conflict-of-Interest Code which identifies its positions that involve the making or participation in the making of decisions that may have financial effects. These positions are required to file a “Statement of Economic Interests,” also known as the “Form 700.”

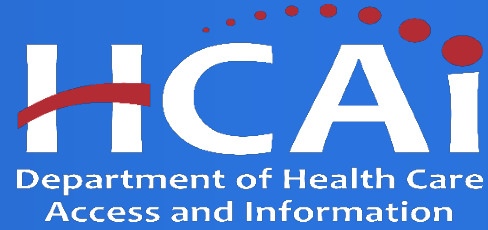
HBSB members will be included in HCAI’s Conflict of Interest Code and will be required to file Form 700s about relevant financial interests. Generally, Form 700s require a member to disclose foreseeable conflict of interests, which HCAI will specifically identify in its Conflict-of-Interest Code.

This serves to provide transparency to the public and also acts as a reminder to members of potential conflicts of interest.

# Form 700 Disclosure Requirements

- Category 4
- Must disclose all interests in real property in the State of California, as well as investments, business positions and income, including gifts, loans, and travel payments, from sources of the type that engage in the management, design, construction, construction review, or financing of, health facilities of the type subject to plan and construction review and approval by the Office of Statewide Hospital Planning and Development.

# Questions and Public Comment



# Conducting HBSB Meetings

## Applying Roberts Rules of Order

Carl Scheuerman

*Senior Policy Advisor*

April 20, 2023

# Standards for Board Conduct

- Influences:
  - Bagley-Keene Act
    - Statutory conduct requirements for state boards etc.
  - HBSB Policies & Procedures (P&P)
    - Specific to HBSB; sets forth operating practices
    - Duties of the Board Chair and Vice Chair described
    - Formation of committees and duties and responsibilities of committee Chairs and Vice Chairs
  - **Robert's Rules of Order**
    - Official method of conduct per HBSB P&P VII.B



# What are Robert's Rules of Order?

- Copyrighted by Robert's Rules Association
- An organized method for meeting conduct (“Parliamentary Procedure”):
  - Maintains the integrity of the Agenda (“Order of the Day for the Conduct of Business”)
  - Provides methods to determine the will of the majority (voting)
  - Protects the rights of the minority (debate)

# Conduct of the Agenda

- Call to Order (initialization of the agenda)
  - Roll call - Determination of Quorum
  - Issuance of advisories and meeting expectations
- Conduct the agenda
  - Receive reports
  - Conduct business
  - Special presentations
- Determine breakpoints
  - Recesses (NOT “adjourn for lunch”!)
  - “Meeting at Ease”
- Request for general public comments as the last item before adjournment
- Adjourn (hard end, no further conduct)

# Principal Categories of Motions

A “motion” is a formal proposal made by a member of the body (other than the Chair) in a meeting upon which the group takes certain action. Principal categories include:

- Main Motion – brings principal business before the body
  - Subsidiary Motion – amendments to main motions
- Incidental Main Motions and Privileged Motions –
  - Secondary types of motions and actions not requiring solicitation from the Chair

# Main Motions

- The Chair determines if a main motion is “In Order”:
  - Motion must be made by a voting member
  - Motion must be specific in intent and verbiage
  - Must be germane to the agenda item
  - A “second” is required for a motion to become actionable if is determined to be in order

# Making a Main Motion

1. A member requests recognition and awaits the Chair's action
2. When recognized, the member says: "I move..." and states the precise verbiage of the motion.
3. Chair determines if motion is in order
4. If in order, Chair calls for a second
5. If seconded, Chair determines if the intent and language of the motion are clear.
6. Chair then states: "It is moved and seconded that...", repeating the motion verbatim
7. Chair calls for debate on the motion

# Debate v. Discussion

- An issue cannot be debated until a motion and second have been made and recognized by the Chair
- Debate is on whether a motion as stated should be adopted (approved or rejected by vote)
- Questions to presenters, and discussion and dialog during an agenda item for the purpose of understanding and clarity of meaning, and surfacing differences of opinion between members, which may or may not lead to a motion, is not considered debate.

# Debate

1. Chair opens debate by stating a motion is “on the floor”
2. Chair recognizes each member wishing to speak to the motion
  - a. May limit each speaker’s time at outset
  - b. Offers first comments to the maker of the motion
  - c. Attempts to rotate between support and opposition
  - d. Ensures fairness to members wishing to speak
  - e. Determines that debate is germane to the motion (no off-topic discussion during debate)
  - f. Ensures that debate is not personal – speaker addresses the Chair
3. Debate continues until Chair determines it is exhausted (no more speakers or a lapse into redundancy)

# Amending a Main Motion

- A member may wish to amend a motion prior to voting. A Motion to Amend is a Subsidiary Motion. The rules for amending a motion are the same as making a motion.
  - Maker provides specific language to be added or deleted from a motion on the floor and where the precise location the new language is to be placed
- Vote on the amendment is conducted the same way as the main motion; occurs before final action
- *Chair can accept a “friendly amendment” to a motion on the floor if acceptable by the maker and the second; however, this is done outside of Robert’s Rules at the discretion of the Chair for the sake of the Order*



# Voting on a Main Motion

1. Chair asks the body “Are you ready for the question?” “Question” is the vote on the motion
2. If confirmed, the Chair announces “The question is on adoption of the motion to... (restates the motion verbatim).
3. Chair calls the vote and asks the Executive Director to poll eligible members for their vote:
  - a. Yes, No or Abstain
  - b. *Maker of the motion must vote in favor, seconder is not required to vote in favor*
4. Executive Director announces count of votes. Chair determines and states which side “has it”(“motion carries” or “motion is defeated”) on the basis of a simple majority (50%+ one of eligible members counted in the Quorum call)
5. Chair determines if passage of the motion affects the Order or goes on to the next item

# HBSB Common Main Motions

- Motion to approve minutes of prior meetings
- Motions to adopt board operations proposals
  - Committee formation, mission, membership and goals
  - Annual calendar
  - Motion to recommend action on information contained in presentations
- Motion to adopt committee report, or to individually concur in committee motions

# Subsidiary Motions

- Refer a matter back to a committee
- Tabling a Motion and Postponements
  - Temporary
  - Time certain
  - Indefinite
- Limit debate
- Previous question (a formal vote ending debate)

# Privileged Motions

- Adjourn the Meeting:
  - Superior motion; not debatable. Requires a vote.
    - Excludes a vote to “adjourn (dissolve) the body”
- Take a Recess
- Raise a Question of Privilege
  - Request for “Points”
    - Order – request for Chair to determine if current action is consistent with the agenda
    - Other points that support the rights of the members of the body

# Committee Conduct

- Committees, subcommittees and other groups working on behalf of the Board and are required to follow all rules that affect conduct of the Full Board
- Actions of a committee cannot bind the Board. Motions adopted by a committee are reported as recommendations to the Full Board and come in the form of a motion to adopt.

# Committee Reports

- Committee chairs conclude their presentations with a motion to accept the report of the committee. The committee chair is speaking for the entire committee in making the motion
- Motions to concur in the recommendation of the committee and the committee report must be seconded by a member not participating in the adoption of the recommendation, as the committee members' action is already incorporated in the motion to adopt the committee report.

# Common Committee Motions

- OSHPD staff request for endorsement or guidance on code or program development issues
- Motion to recommend further board action on information contained in consultant presentations.
- Motions to request OSHPD action on issues presented by others

# Adjournment

- Final action of the Order, signifying its end
  - Principal authority of the Chair, may be unilaterally declared at any time; or,
  - Chair may request a Motion to Adjourn which must then be voted upon
  - Privileged motion from the floor made at any time, must be voted upon
- No further business allowed following declaration of adjournment
  
- Questions?



## **14. Comments from the Public/Board Members on issues not on this agenda**

Facilitator: Louise Belair, Board Chair

The Board will receive comments from the Public/Board Members. Matters raised at this time may be taken under consideration for placement on a subsequent agenda.

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### **Future Full Board meetings are scheduled for:**

- August 17, 2023, Sacramento
- December 6 – 7, 2023, Los Angeles