

# Hospital Inspector Recertification

## **Hospital Inspector of Record Duties, Responsibilities and Expectations**

# Introduction

**The actions of the Inspector of Record (IOR) on a project  
are based on the requirements enumerated in the:  
CALIFORNIA ADMINISTRATIVE CODE (CAC) CALIFORNIA  
CODE OF REGULATIONS (CCR)  
TITLE 24 (T24), PART 1 (P1) CHAPTER 7 SAFETY  
STANDARDS FOR HEALTH FACILITIES**

# Presentation Introduction

## Purpose:

- Clearly identify CAC IOR, Duties, Responsibilities, and Accountability
- Improve IOR knowledge and project performance
- Clarify IOR Performance Expectations and Insight into Best Practices (*Guide for Working on Projects Under OSHPD Jurisdiction...*)

# Presentation Introduction

## REFERENCE DOCUMENTS/RESOURCES

- CALIFORNIA BUILDING STANDARDS CODE (CBSC)
- CALIFORNIA ADMINISTRATIVE CODE (CAC)
- Alfred E. Alquist Hospital Facilities Seismic Safety Act 1983 (HSSA 83), SB961,
- CALIFORNIA HEALTH AND SAFETY CODE (HSC/H&SC) 129830 - 130070
- HCAi/OSHPD WEBSITE PUBLISHED RESOURCES
- *Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*
- *OSHPD STAFF*

# Presentation Introduction

## HCAI WEBSITE PUBLISHED RESOURCES



### Building Safety & Finance

OSHPD regulates the design and construction of healthcare facilities to ensure they are safe and capable of providing services to the public, and provides finance tools for capital projects. Find information on facilities, building plans and permits, seismic compliance, inspections, construction financing, and more.

#### Building and Construction Projects

Plan Review Processes and Goals, Building Permits, Construction Observation, Region Assignments, Comments, and Activities

[VIEW ALL](#)

[PLAN APPROVAL DATE ESTIMATOR](#)

#### eServices Portal (eSP)

Submit building plans, monitor project status, and review project data

[LOG IN](#)

[USER GUIDES AND INFORMATION](#)

#### Forms, Training, and Resources

Forms, FREER, Testing Inspection and Observation (TIO), FAQs, FDD Phone List, Training, and Education

[VIEW ALL](#)

[SKILLED NURSING FACILITY LINKS](#)

#### Facility Detail

Site Plans, Maps, Projects, Seismic Information, Building Data for Hospitals and Skilled Nursing Facilities

[SEE ALL FACILITY BUILDING DATA](#)

#### Pre-Approval Programs

View and Apply for Pre-Approval Programs: OPM, OSP, OPAA, OPD, OPA, OPL

[VIEW ALL PRE-APPROVAL PROGRAMS](#)

#### Codes and Regulations

Policy Intent Notices (PINs), Code Application Notices (CANs), OSHPD 3, and Title 24

[CANS & PINS](#)

[VIEW ALL CODES AND REGULATIONS](#)

#### Seismic Compliance

Structural Performance Categories (SPC) Ratings, Extension Requests, and Legislation

[LEARN MORE](#)

#### Hospital Inspection Services

Find Certified Inspectors and Apply for Certification

[VIEW INSPECTOR LIST](#)

[EXAM AND CERTIFICATION INFO](#)

#### Construction Financing

Cal-Mortgage program for health facility construction mortgage loan insurance

[LEARN MORE](#)

[SUBMIT AN APPLICATION](#)

# Presentation Introduction - Resources

## Hospital Inspection Services and Certification

### General Inspection Information for Owners and Designers

Access lists of certified inspectors and guidelines for selecting an Inspector of Record (IOR)

[LEARN MORE](#)

### Hospital Inspector Certification Examination Information

See upcoming exam dates and access the exam application

[LEARN MORE](#)

### Recertification Information

Information for Inspector Recertification

[LEARN MORE](#)

# Presentation Introduction - Resources

## General Information

OSHPD's Inspection Services Unit is responsible for:

- Hospital Inspector Certification Program – testing, certification, and recertification of private-sector construction inspectors.
- Construction Observation Bulletins – bulletins regarding statewide construction issues.
- Technical oversight of work performed by State and certified private-sector hospital construction inspectors.
- Development and administration of programs, policies and regulations related to health facility construction inspection and OSHPD field safety.
- Technical leadership, training, and quality control/quality assurance of OSHPD field staff.

# Hospital Inspector of Record Duties, Responsibilities and Expectations

## **BACK TO BASICS AND THE FUNDAMENTALS**

This presentation will follow the numerical format  
of the California Administrative Code.

# California Administrative Code

## ARTICLE 1

### GENERAL

**7-101. Scope.** The regulations in this part shall apply to the administrative procedures necessary to implement the Alfred E. Alquist Act of 1983 and to comply with State Building Standards Law. Section 129680, Health and Safety Code, authorizes the OSHPD to enforce and amend the *California Building Standards Code* for the safety of hospitals, skilled nursing facilities and intermediate care facilities. Unless otherwise stated, all references to sections of statute are sections found in the Health and Safety Code.

# California Administrative Code

## ARTICLE 2

### DEFINITIONS

Unless otherwise stated, the words and phrases defined in this article shall have the meaning stated therein throughout Chapter 7, Part 1, Title 24.

#### **7-111. Definitions.**

California Administrative Code

ARTICLE 3

APPROVAL OF CONSTRUCTION DOCUMENTS

**7-113. Application for plan, report or seismic compliance extension review.**

(a) Except as otherwise provided in this part, ***before commencing construction or alteration of any health facility, the governing board or authority thereof shall submit an application for plan review to the Office, and shall obtain the written approval thereof by the Office describing the scope of work included and any special conditions under which approval is given.***

California Administrative Code  
Article 4  
CONSTRUCTION

**7-135. Time of beginning construction.**

(a) Construction shall not commence until the health facility has applied for and obtained from the Office:

1. Written approval of the construction documents.
2. A building permit.
3. Written approval of the testing, inspection and observation program.
4. Written approval of the inspector of record for the project pursuant to Section 7-212(a).

# California Administrative Code

## **7-137. Notice of start of construction.**

(a) As soon as a contract has been awarded, the governing board or authority of the health facility shall provide to the Office, on a form provided by the Office, the following:

Name and address of the contractor.

Contract price.

Date on which contract was awarded.

Date of construction start.

## California Administrative Code

### **7-139. Notice of suspension of construction.**

(a) When construction is suspended for more than two weeks, the governing board or authority of the hospital shall notify the Office in writing.

(b) If the work of construction is suspended or abandoned for any reason for a period of one year following its commencement, the Office's approval shall become void. The Office may reinstate the approval as described in Section 7-129(c).

***NOTE: Void means no longer a valid or active project. Voided projects are closed and archived in the electronic Services Portal.***

# California Administrative Code

## **7-141. Administration of construction.**

The administration of the work of construction, including the testing, inspection and observation program, shall be under the responsible charge of an architect and structural engineer. When a structural engineer is not substantially involved, the architect shall be solely responsible. Where neither structural nor architectural elements are substantially involved, a mechanical or electrical engineer registered in the branch of engineering most applicable to the project may be in responsible charge.

***NOTE:*** Responsible architect and structural engineer CAN ALSO BE referenced as the ***REGISTERED DESIGN PROFESSIONAL (RDF), DESIGN PROFESSIONAL OF RECORD (DPOR), ARCHITECT OR ENGINEER OF RECORD (AOR, EOR, SEOR, MEOR, EEOR).***

California Administrative Code 7-141. Administration of construction. TIO program

<b>SECTION G</b>	<b>Inspector of Record (IOR) Responsibility</b>		
Facility #:	Facility Name:	Project #:	Sub #:
<b>This Section only required when more than one IOR will share responsibility on the project.</b>			
<p>INSPECTOR OF RECORD RESPONSIBILITIES. Per CAC 7-145: “The Inspector shall have personal knowledge, obtained by continuous inspection of all work of construction in all stages of its progress to ensure that the work is in accordance with the approved construction documents.” This includes applicable Codes, Referenced Standards, Listings and Manufacturer’s Installation Instructions applicable to the work shown in the approved construction documents. <b>If a project has more than one inspector of record, the distribution of responsibilities for the work shall be clearly identified for each IOR per CAC 7-141(f).</b> One IOR shall be designated as the ‘lead’ IOR per CAC 7-144(b). One IOR shall be assigned responsibility for “all other work” to make sure responsibility for the inspection of every part of the work is assigned.</p>			

# California Administrative Code

## **7-143. Responsibility of the contractor.**

***The contractor shall complete the work in accordance with the approved construction documents.***

The contractor shall not be relieved of any responsibility by the activities of the architect, engineer, inspector or the Office in the performance of their duties.

The contractor shall submit verified compliance reports to the Office in accordance with Section 7-151.

Where no general contractor is involved, the governing body or authority of a health facility shall designate an agent who shall be responsible for the construction of the project in accordance with the approved contract documents and such agent shall submit the verified reports to the Office.

# California Administrative Code

## **7-144. Inspection.**

(a) The hospital governing board or authority shall provide for competent, adequate and continuous inspection by one or more inspectors of Record (IOR) satisfactory to the architect or structural engineer or both, in responsible charge of the work, or the engineer in responsible charge of the work and the Office.

(b) When the hospital governing board or authority proposes more than one IOR for a construction project, a lead IOR shall be identified to coordinate construction inspection and communication with the Office.

(c) IOR(s) for a hospital construction project shall be approved by the Office in accordance with the provisions of Section 7-212.

# California Administrative Code

## **7-145. Continuous inspection of the work.**

Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts  
Section 4 - Inspector of Record Guidelines

### 4.0 Introduction

- The actions of the Inspector of Record (IOR) on a project are based on the requirements outlined in Title 24, Part 1, Chapter 7 of the California Code of Regulations (CCR). [California Administrative Code]

# *Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*

## Section 4 - Inspector of Record Guidelines

- *The IOR is interviewed and approved for each project by the design professional of record as appropriate and works under the direction of the Architect of Record (AOR) and/or the Engineer of Record (EOR) (see Title 24, Part 1, Chapter 7, Section 7-145 of the CCR); is employed by the hospital governing board or authority; and is then approved for the project and monitored by OSHPD for competence and compliance (see Title 24, Section 7-213 of the CCR).*

*Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*  
Section 4 - Inspector of Record Guidelines

- *The responsibility for inspection resides with the project inspector; OSHPD only observes that the process is working and that adequate and competent inspection is provided (Section 4. Inspector of Record Page 109/110).*

# California Administrative Code

## **7-145. Continuous inspection of the work.**

### **7-145(a)1. Continuous inspection of the work.**

(a) The general duties of the IOR shall be as follows:

1. The IOR shall have personal knowledge, obtained by continuous inspection of all parts of the work of construction in all stages of its progress to ensure that the work is in accordance with the approved construction documents.

# California Administrative Code

## **7-145(a)2. Continuous inspection of the work.**

2. Continuous inspection means complete inspection of every part of the work. Work, such as concrete or masonry work which can be inspected only as it is placed or assembled, shall require the constant presence of the IOR. Other types of work which can be completely inspected after the work is installed may be carried on while the IOR is not present. In no case shall the IOR have or assume any duties which will prevent continuous inspection.

# California Administrative Code

## **7-145(a)3. Continuous inspection of the work.**

3. The IOR shall work under the direction of the architect or engineer in responsible charge. All inconsistencies or seeming errors in the approved construction documents shall be reported promptly to the architect or engineer in responsible charge for interpretation and instructions. In no case, however, shall the instructions of the architect or engineer in responsible charge be construed to cause work to be done which is not in conformity with the approved construction documents.

# California Administrative Code

## **7-145(a)4. Continuous inspection of the work.**

4. The IOR shall maintain a file of approved construction documents on the job at all times including all reports of tests and inspections required by the construction documents and shall immediately return any unapproved documents to the architect or engineer in responsible charge for proper action. The IOR shall also maintain on the job at all times, all codes and regulations referred to in the approved construction documents.

# California Administrative Code

## **7-145(a)5. Continuous inspection of the work.**

5. The IOR shall notify the Office in writing:

A. When the work is started or resumed on the project.

B. At least 48 hours in advance of the time when foundation trenches will be complete, ready for footing forms.

C. At least 48 hours in advance of the first placing of concrete.

D. When work has been suspended for a period of more than two weeks

# California Administrative Code

## **7-145(a)6. Continuous inspection of the work.**

6. The IOR(s) of record shall maintain field records of construction progress for each day or any portion of a day that they are present at the project site location.

The field record shall state the *time of arrival, time of departure, a summary of work in progress and noted deficiencies in the construction or deviations from the approved construction documents.*

# California Administrative Code

## **7-145(a)6. Continuous inspection of the work (Cont.)**

6. The field record shall document the time and date of all significant correspondence with the contractor regarding incomplete work, potential deficiencies or deviations which require the contractor's attention and could potentially affect the timely and compliant completion of the project.

This field record shall document the date, time and method of correction for any noted deficiencies or deviations.

In addition, this record shall contain the following as applicable:

# California Administrative Code

## **7-145(a)6. Continuous inspection of the work (Cont.)**

- A. Copies of all certificates, tags, marks or other evidence of material properties and/or manufactured components as required by the California Building Standards Code.
- B. The time and date of placing concrete; time and date of removal of forms and shoring in each portion of the structure; location of defective concrete and time, date and method of correction of defects.

# California Administrative Code

## **7-145(a)6. Continuous inspection of the work (Cont.)**

- C. Identification marks of welders, lists of defective welds, and manner of correction of defects and other related events.
- D. A list of test reports of all nonconforming materials or defective workmanship and shall indicate the corrective actions taken.
- E. The names and certificate numbers (when applicable) of all special inspectors who perform work both on- and off-site.

# California Administrative Code

## **7-145(a)6. Continuous inspection of the work (Cont.)**

F. When driven piles are used for foundations, the location, length and penetration under the last ten blows for each pile. It shall also include a description of the characteristics of the pile driving equipment.

G. The log of changes to the work prepared by the architect or engineer in responsible charge required by Section 7-153(e).

# California Administrative Code

## **7-145(a)7. Continuous inspection of the work**

7. Field records may be kept electronically. All field records of construction progress shall be retained on the job until the completion of the work and shall, Upon request, be made available to the Office, the architect or engineer in responsible charge and the owner. Upon completion of the project, these original field records shall be submitted to the hospital governing board or authority.

# California Administrative Code

## **7-145(b) Continuous inspection of the work**

(b) The IOR shall notify the contractor, in writing, of any deviations from the approved construction documents or new construction not in compliance with the California Building Standards Code, which have not been immediately corrected by the contractor. Copies of such notice shall be forwarded immediately to the architect or engineer in responsible charge, owner and to the Office.

*Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*  
Section 4 - Inspector of Record Guidelines

- It is important that the IOR prepare documentation representing the various inspections conducted on an OSHPD project to give evidence of compliance and that inspections are conducted continuously. This allows the CO, DSE, FLSO, and RCO to observe the inspection process and to be assured that adequate and competent inspection is provided.

*Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*  
Section 4 - Inspector of Record Guidelines

- OSHPD staff members ensure that inspections are adequately and competently conducted and documented on the hospital project. It is not the responsibility of OSHPD to provide the inspections.

*Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*  
Section 4 - Inspector of Record Guidelines

- The IOR should be able to show an OSHPD representative the approved documents and the maintained record documents showing approved changes and a true representation of the project. The IOR should be able to show how inspections have been organized, discuss project progress, and describe any problems being faced in the field.

# California Administrative Code

## **7-147. Observation by the Office.**

(a) During the construction, of any health facility, the Office shall make such observation as in its judgment is necessary or proper for the enforcement of these regulations and all applicable parts of the *California Building Standards Code*.

Whenever the Office finds a violation of these regulations and/or applicable parts of the *California Building Standards Code* that requires correction, the citation of the violation shall be issued to the hospital governing board or authority in writing and shall include a proper reference to the regulation or statute being violated.

*Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*  
Section 4 - Inspector of Record Guidelines

## **1.4 Enforcement**

OSHPD FDD is responsible for determining whether a hospital is in compliance with the requirements of Titles 24 of the California Code of Regulations (CCR). Operating compliant facilities is a basic requirement of Title 22 of the CCR. Facility compliance is also a consideration for Centers for Medicare and Medicaid (CMS) certification and for accreditation by The Joint Commission (TJC).

*Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*  
Section 4 - Inspector of Record Guidelines

## **1.4 Enforcement (Cont.)**

If a hospital is found in violation of Title 24, OSHPD may take either formal or informal action. Informal action takes the form of instructions to correct the noncompliant condition. Formal actions are more severe and can have significant impacts on a hospital construction project.

# California Administrative Code

## **7-147. Observation by the Office.**

### **DISCUSSION**

Monitoring of the hospital inspector of record's performance.

OSHPD Field Staff (RCO, CO, DSE, FLSO) monitors *AN IORS PERFORMANCE OF* project construction inspection to ensure the IOR is providing competent and adequate construction inspection of a facility to ensure the Hospital Construction Project is in compliance with the approved construction documents.

# California Administrative Code

## **7-147. Observation by the Office.**

### **DISCUSSION (Cont.)**

Monitoring of the hospital inspector of record's performance.

OSHPD Field Staff (RCO, CO, DSE, FLSO) may take either formal or informal action when the IOR is not competently or adequately providing inspection of a facility to ensure the hospital construction is in compliance with the construction documents.

# California Administrative Code

## **7-147. Observation by the Office.**

### **DISCUSSION (Cont.)**

Monitoring of the hospital inspector of record's performance.

OSHPD Field Staff (RCO, CO, DSE, FLSO) Informal action takes the form of counseling, instructions to correct the noncompliance in accordance with the CAC, and a Field Visit Report (FVR) to document the FDD observed conditions. Formal actions are enumerated in the CAC (7-213 & 7-214) and can have significant impacts on the IOR and hospital construction project.

# California Administrative Code

## **7-147. Observation by the Office.**

### **DISCUSSION (Cont.)**

Monitoring of the hospital inspector of record's performance.

OSHPD Field Staff are required (at the direction of the Deputy Director) to evaluate the competency and adequacy of the IOR at a minimum of annually and at the conclusion of an approved construction project on an objective form (IOR EVALUATION FORM) which is referenced to the requirements of CAC 7-145.

Continuous inspection of the work.

# California Administrative Code

## **7-147. Observation by the Office.**

### DISCUSSION (Cont.)

Monitoring of the hospital inspector of record's performance.

The IOR EVALUATION FORM has only three objective responses required of OSHPD Field Staff:

- Meets (CAC requirements)
- Does not Meet (CAC requirements)
- Not Applicable (Evaluation Criteria not Observed)

# California Administrative Code

## **7-147. Observation by the Office.**

### **DISCUSSION (Cont.)**

Monitoring of the hospital inspector of record's performance.

OSHPD Field Staff (RCO, CO, DSE, FLSO) are instructed that when there has been egregious incompetent or inadequate IOR construction inspection observed by the OSHPD Field Staff an IOR EVALUATION FORM shall be executed immediately by observing OSHPD Field Staff. The IORs EVALUATION FORM shall be forwarded to the RCO and the Inspection Services Unit (ISU).

Item	Code Section	CAC Title 24, Part 1, Chapter 7, Requirements	Evaluation*
1	Section(s) 7-145(a)1; 7-145(a)2; 7-151(c)	The inspector shall have personal knowledge, obtained by continuous inspection of all parts of the work of construction in all stages of its progress to ensure that the work is in accordance with the approved construction documents.	Meets
2	Section 7-145(a)3	All inconsistencies or seeming errors in the approved construction documents shall be reported promptly to the architect or engineer in responsible charge for interpretation and instructions.	Meets
3	Section 7-145(a)4	The inspector shall maintain a file of approved construction documents on the job at all times including all codes and regulations referred to in the approved construction documents and all reports of tests and inspections.	Meets
4	Section 7-145(a)5	The inspector shall notify the Office as required by CAC 7-145(a)5.	Meets
5	Section 7-145(a)6	The inspector(s) of record shall maintain field records (daily reports) of construction progress for each day or any portion of a day that they are present at the project site location.	Meets
6	Section 7-145(a)6, 7-145(a)7	All field records of construction progress (including daily IOR reports, test and special inspection reports, etc.) shall be retained on the job until the completion of the work.	Meets
7	Section 7-145(b)	The inspector shall notify the contractor, in writing, of any deviations from the approved construction documents or new construction not in compliance with the California Building Standards Code.	Meets
8	Section 7-151(a), 7-151(e)	Verified compliance reports shall be submitted to the Office at the intervals or stages of the work as stated in the approved testing, inspection and observation program and when required by the Office.	Meets
Comments:			

# California Administrative Code

## 7-149. Tests.

(a) Pursuant to Section 7-141, the architect or engineer in responsible charge shall establish and administer the testing program. Where job conditions warrant, the architect and/or engineer may waive certain specified tests contingent upon the approval of the Office. **The Office shall be notified as to the disposition of materials noted on laboratory reports. One copy of all test reports shall be forwarded to the inspector of record, owner and the architect or engineer in responsible charge by the testing agency. The reports shall state definitely whether the material tested complies with the approved construction documents.**

# California Administrative Code

## **7-149. Tests. (Cont.)**

(b) The governing board or authority of a health facility shall select an approved agency to conduct the tests. The selected approved agency shall be acceptable to the architect or engineer in responsible charge. The governing board or authority shall pay for all tests.

# California Administrative Code

## **7-151. Verified compliance reports.**

- (a) In accordance with Section 7-151(f), ***or when required by the Office***, the architect(s), engineers(s), inspector(s) of record (IORs), approved agency, special inspector(s) and contractor or owner/builder shall each submit to the Office a verified compliance report, with their signature and based on their own personal knowledge, as defined by this section.

# California Administrative Code

## **7-151(a) Verified compliance reports (Cont.)**

The report shall:

1. Verify that the work during the period, or a portion of the work, covered by the report has been performed and materials used and installed are in accordance with the construction documents.
2. Set forth detailed statements of fact as are required by the Office.

# California Administrative Code

## **7-151 Verified compliance reports (Cont.)**

(b) Personal knowledge as applied to the licensed architect or engineer or both, shall be in accordance with Health and Safety Code (H&SC) Section 129830. Knowledge that is obtained from the reporting of others as referred to in this H&SC section applies to individuals who have personal knowledge for the specific project.

(c) Personal knowledge as applied to the IOR, shall be in accordance with Health and Safety Code (H&SC) Section 129830 as applied to the inspector. Knowledge that is obtained from the reporting of others as referred to in this H&SC section applies to individuals who have personal knowledge for the specific project.

# California Administrative Code

## **7-151 Verified compliance reports (Cont.)**

(d) Personal knowledge as applied to the contractor, shall be in accordance with Health and Safety Code (H&SC) Section 129830 as applied to the contractor.

(e) Personal knowledge, as applied to the approved agency, means the knowledge that is obtained from testing, special inspections and reports prepared in accordance with the CBC Section 1704.2.4 or 1704A.2.4 and these regulations.

# California Administrative Code

## **7-151 Verified compliance reports (Cont.)**

(f) Verified compliance reports shall be submitted to the Office at the intervals or stages of the work as stated in the approved testing, inspection and observation program. In no case shall the submittal of verified compliance reports be less than:

1. One copy prepared and signed by each required participant or discipline at the completion of the work.
2. One copy prepared and signed by any participant or discipline at any time a special verified compliance report is required by the Office.

# California Administrative Code

## **7-151 Verified compliance reports (Cont.)**

(g) The architect or engineer in responsible charge of the work shall be responsible for ensuring all required verified compliance reports are submitted to the Office.

# California Administrative Code

## **7-152. Replacement of an architect, engineer, inspector of record, Approved Agency, special inspector or contractor.**

- (a) When replacing any of the listed individuals and/or approved agency the following shall be submitted to the Office:
  - 2. Following construction document approval
    - A. Revised application(s) listing the new responsible individual(s) and/or approved agency [DPOR/OWNER RESPONSIBILITY].

# California Administrative Code

## **7-152(2)B. Replacement of an architect, engineer, inspector of record, Approved Agency, special inspector or contractor.**

B. An initial report, prepared by the new responsible individual(s) and/or approved agency, based on field observation(s) that the work performed and materials used and installed to date are in accordance with the project's construction documents. Any observed issues of nonconformance shall be listed in the report. The new individual(s) and/or approved agency shall be responsible for verification of project compliance, pursuant to Section 7-151, for the remainder of the project.

# California Administrative Code

## **7-152(2)C. Replacement of an architect, engineer, inspector of record, Approved Agency, special inspector or contractor.**

C. A final verified report from the individual(s) and/or approved agency being replaced.

*Exception to (C): In the event that the individual( s) and/or approved agency being replaced refuse to, or cannot provide a final verified report, the owner shall submit a letter to the Office verifying that the work performed and materials used and installed are in accordance with the project's construction documents. The letter shall also list the reason the verified report could not be obtained.*

# California Administrative Code

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

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

# California Administrative Code

## **7-153(a)1. Changes to the approved work.**

1. Amended construction documents. *Changes or alterations of the approved construction documents shall be made by means of amended construction documents. Amended construction documents shall be submitted with a form provided by the Office and shall state the reason for the change, and show the estimated or actual addition to or deduction from the current, estimated or actual, contract amount. The form shall be signed by the architect or engineer, or delegated architect or engineer as allowed by Section 7-115, and shall be accompanied by supplementary construction documents, when necessary. The construction documents shall be stamped and signed pursuant to Section 7-115. All changes shall be clearly described. An electronic copy or two paper copies of the form and construction documents shall be submitted for review and approval by the Office. All amended construction documents shall be approved by the Office prior to installation of the work.*

# California Administrative Code

## **7-153(b). Changes to the approved work.**

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

1. Clarification and interpretation of plans and specifications by the responsible design professional.

**Note:** If calculations by the structural engineer in responsible charge, or by the delegated structural engineer, are necessary to determine structural or nonstructural adequacy, an amended construction document submittal must be made to the Office for review.

# California Administrative Code

## **7-153(b). Changes to the approved work.**

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

**All changes in the work are subject to concurrence of the Office field staff as the whether or not the change materially alters the work.**

# California Administrative Code

## **7-153(c). Changes to the approved work.**

(c) Code compliance. Changes in the work that do not require amended construction documents shall not be deemed to grant authorization for any work to be done in violation of the provisions of any applicable code.

# California Administrative Code

## **7-153(d). Changes to the approved work.**

(d) Changes in scope. At the discretion of the Office, amended construction documents that change the scope of the original project may be required to be submitted as a separate project.

**Exception:** At the discretion of the Office, changes in scope may be submitted as amended construction documents. The documents shall be reviewed by examination and subject to fees required by Section 7- 133(q)(3).

# California Administrative Code

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

# California Administrative Code

## **7-155(a). Final approval of the work.**

(a) The Office shall schedule a final state agency inspection of the work subsequent to the receipt of the responsible architect's or engineer's statement that the contract is performed or substantially performed.

# California Administrative Code

## **7-155(b). Final approval of the work.**

(b) The final approval of the construction shall be issued by the Office when:

1. All work has been completed in accordance with the approved construction documents.
2. The required verified compliance reports and test and inspection reports have been filed with the Office.
3. All remaining fees have been paid to the Office.

# California Administrative Code

## **7-155(c). Final approval of the work.**

(c) Final approval shall be confirmed by a letter sent to the Department of Public Health with a copy to the applicant. The letter shall state that the work has been constructed in accordance with the *California Building Standards Code*, Title 24, California Code of Regulations.

# California Administrative Code

## ARTICLE 5

### APPEALS TO THE HOSPITAL BUILDING SAFETY BOARD

**7-159. Grounds for appeal.**

**7-161. Comment and Process Review (CPR).**

**NOTE: FOUR LEVELS OF REVIEW**

**7-163. Formal hearing request.**

**7-165. Formal hearing.**

**7-167. Rights of the appellant.**

**7-169. Appeal hearing procedure.**

# California Administrative Code

## ARTICLE 5

### APPEALS TO THE HOSPITAL BUILDING SAFETY BOARD

**7-159. Grounds for appeal.**

***7-161. Comment and Process Review (CPR).***

NOTE: FOUR LEVELS OF REVIEW

**7-163. Formal hearing request. 7-165. Formal hearing.**

**7-167. Rights of the appellant.**

**7-169. Appeal hearing procedure.**

# California Administrative Code

## ARTICLE 5.5

### APPEALS TO A HEARING OFFICER

#### **7-173(a)2. Grounds for appeal.**

(a) A hearing officer selected by the Director of the Office shall hear appeals in only the following: 2. Inspector of Record certification suspension or revocation pursuant to Section 7-214(d).

# California Administrative Code

## ARTICLE 5.5 APPEALS TO A HEARING OFFICER

### **7-173(b)2. Grounds for appeal.**

(b) An appeal pursuant to subsection (a) may be made only by one of the following:

2. In the case of a dispute regarding Inspector of Record certification suspension or revocation pursuant to Section 7- 214(d), only an Inspector of Record whose certification has been suspended or revoked pursuant to Section 7-214(d).

# California Administrative Code

## ARTICLE 5.5 APPEALS TO A HEARING OFFICER

**7-175. Formal hearing request.**

**7-177. Formal hearing.**

**7-179. Rights of the appellant.**

The appellant shall have the right to counsel, to submit documentary evidence and exhibits to present and rebut evidence, to have witnesses appear and testify, and to question representatives of the Office and other witnesses presenting testimony or documents in the hearing. These rights shall be executed by the appellant at the appellant's own expense.

# California Administrative Code

## ARTICLE 5.5 APPEALS TO A HEARING OFFICER

### **7-183. Decision on appeal.**

A decision on an appeal heard by a hearing officer shall be reached as follows:

- (a) The hearing officer shall issue a written decision to the appellant within fifteen (15) calendar days of adjournment of the appeal hearing.
- (b) The hearing officer may affirm, reverse or amend the ruling, order, decision or act being appealed.
- (c) Decisions of a hearing officer made pursuant to this section shall be final and binding and shall become effective immediately upon issuance of a written decision by that hearing officer unless otherwise specified by that hearing officer.

# California Administrative Code

## ARTICLE 5.5 APPEALS TO A HEARING OFFICER

### **7-183(c). Decision on appeal.**

A decision on an appeal heard by a hearing officer shall be reached as follows:

(c) Decisions of a hearing officer made pursuant to this section shall be final and binding and shall become effective immediately upon issuance of a written decision by that hearing officer unless otherwise specified by that hearing officer.

# California Administrative Code

## ARTICLE 19

### CERTIFICATION AND APPROVAL OF HOSPITAL INSPECTORS

**7-212. Approval of hospital inspector of record for construction projects.**

# California Administrative Code

## **7-201. Location of office**

All correspondence, applications and remittances related to the certification or recertification of Hospital Inspectors shall be directed to the Department of Health Care Access and Information, Office of Statewide Hospital Planning and Development, Hospital Inspector Certification Program.

### OFFICE LOCATIONS:

*Sacramento (Headquarters)*

2020 West El Camino Ave., Suite 800

Sacramento, CA 95833

*Los Angeles*

355 South Grand Ave., Suite 1900

Los Angeles, CA 90071

# California Administrative Code

## **7-202. Filing change of name, address or telephone number**

An applicant for the certification examination or a Hospital Inspector possessing a valid certificate issued by the Office, shall file name, mailing address or telephone number changes with the Office in Sacramento within 10 working days of that change. The information filed shall include both the new and former name, mailing address or telephone number.

***NOTE:*** OSHPD is not responsible to keep you advised of the IOR Recertification exam dates for your renewal. If notified, it is a courtesy.

# California Administrative Code

## **7-212. Approval of hospital inspector of record for construction projects.**

*(a) It is incumbent upon the hospital governing board or authority and the architect or structural engineer, or both, in responsible charge of the work, or the engineer in responsible charge of the work, to select the appropriate inspector(s) for a project. The hospital governing board or authority shall submit to the Office an application for each Hospital Inspector of Record proposed to perform construction inspection on a specified hospital construction project. The hospital governing board or authority shall obtain Office approval of proposed Hospital Inspector(s) of Record prior to commencement of the hospital construction project in accordance with Section 7-135.*

# California Administrative Code

## **7-212(d). Approval of hospital inspector of record for construction projects.**

(d) When the Office determines that the cumulative workload of a Hospital Inspector of Record applicant appears excessive and may hinder competent and adequate inspection of a specified hospital construction project, the Office may request that the Hospital Inspector of Record applicant submit a written plan including a work schedule and indicating a means to perform inspection on the specified hospital construction project.

# California Administrative Code

## **7-212(d) cont. Approval of hospital inspector of record for construction projects.**

The Office will consider specific work-related factors when reviewing the Hospital Inspector's work schedule to determine approval, pursuant to subsection (b)4. These work-related factors are limited to the following:

1. The geographic location of current work sites,
2. The scope of current projects,
3. The current phase of each project, and
4. The number of current projects.

# California Administrative Code

## **7-212(e). Approval of hospital inspector of record for construction projects.**

(e) When an inspector is approved by the Office, written notification will be sent to the hospital governing board or authority; the architect and/or engineer in responsible charge of the construction project; and the inspector of record applicant. The inspector must be in possession of this approval notice prior to commencement of construction.

# California Administrative Code

## **7-212(f). Approval of hospital inspector of record for construction projects.**

(f) A Hospital Inspector of Record who has been approved by the Office must maintain valid certification throughout the term of the specified project in order to remain a Hospital Inspector of Record on the project. The Office shall rescind approval of a Hospital Inspector of Record on a project if the inspector does not comply with this provision.

# California Administrative Code

## **7-213. Monitoring of the hospital inspector of record's performance.**

When the Office determines that a Hospital Inspector of Record has violated a provision of these regulations or that the inspector is not competently or adequately providing inspection of a facility to ensure the hospital construction is in compliance with the construction documents, the Office will notify that inspector, the hospital governing board or authority, and the architect and/or engineer in responsible charge. The written notification will include the Office's findings, reference to the statute and/or regulation being violated, and statement of the Office's intent to issue a "stop work" order unless the violation ceases and is rectified immediately.

# California Administrative Code

## **7-214(a). Suspension or revocation of certification.**

(a) A hospital inspector of record certification, issued by the Office, may be suspended or revoked, as determined by the Office. A certification may be suspended or revoked if: (1) the Office determines that one or more grounds for suspension/ revocation exist and the immediate suspension of a certification is necessary for health and safety reasons, or (2) the Office determines that reasonable grounds exist for the suspension/revocation of a certification based upon the evidence presented.

# California Administrative Code

## **7-214(b). Suspension or revocation of certification.**

(b) Grounds for suspension and/or revocation. The Office or third parties may propose the suspension/revocation of a certification to the Office based on evidence of a certificate holder's (1) incompetent inspection(s); (2) inadequate inspection(s); (3) misrepresentation(s); (4) misconduct; and/or (5) violation(s) of these regulations.

# California Administrative Code

## **7-214(c). Suspension or revocation of certification.**

(c) Process for suspension and/or revocation. The Office shall investigate the alleged inappropriate activity, as identified in Section 7-214(b), of the certificate holder, gather evidence related to the incident(s) in question, and interview witnesses, if appropriate. Based upon consideration of the evidence presented, the Office shall determine whether or not reasonable grounds exist for the suspension/revocation of certification.

# California Administrative Code

## **7-214(c). Suspension or revocation of certification (Cont.).**

In the event that the Office determines that reasonable grounds exist for suspension/revocation, the Office will notify the certificate holder in writing. The notice shall provide the certificate holder with an opportunity to participate in a formal conference and/or present additional evidence before a final determination is made. The Office must receive a written request for a formal conference and/or additional evidence from the certificate holder within 15 calendar days of the issuance of notice. If the Office does not receive a timely request for a formal conference, the Office may issue a final determination as to the suspension/revocation.

# California Administrative Code

## **7-214(c). Suspension or revocation of certification (Cont.).**

A formal conference may be conducted in person or by telephone. The Office shall make a final determination as to the suspension/revocation after considering all the evidence on record, including the formal conference and/or any additional information submitted by the certificate holder. Written notification of the Office's final determination will be provided to the certificate holder within 15 calendar days of the formal conference, if applicable.

# California Administrative Code

## **7-214(d). Suspension or revocation of certification.**

(d) Suspension is appropriate when the Office determines any of the following: (1) a certificate holder negligently or incompetently commits an act amounting to one or more grounds for suspension identified in Section 7-214(b); (2) the evidence demonstrates solitary, limited or isolated incident(s) rather than a course of negligent/incompetent conduct on the part of the certificate holder in question; and/or (3) other factors, including but not limited to mitigating circumstances or facts relating to the certificate holder's course of conduct, support the suspension of the certification in lieu of revocation.

# California Administrative Code

## **7-214(d). Suspension or revocation of certification (Cont.).**

A certification may be suspended for a minimum of one month to a maximum of six months. The duration of suspension will be determined by the Office upon consideration of all of the evidence on record, and account for the severity of the action(s) constituting grounds for suspension.

# California Administrative Code

## **7-214(e). Suspension or revocation of certification.**

(e) Revocation is appropriate when the Office determines any of the following: (1) a certificate holder knowingly, willfully or with gross negligence commits an act amounting to one or more grounds for revocation identified in Section 7-214(b); (2) the evidence demonstrates a course of actionable conduct and/or a history of repeated or continuous deviations from the general standard of care in the inspection industry; and/or (3) the Office determines that other factors, including but not limited to damages to third parties or facts related to the certificate holder's course of conduct, justify the revocation of the certification in lieu of suspension.

# California Administrative Code

## **7-214(e). Suspension or revocation of certification (Cont.).**

A certification, once revoked, is no longer valid and may not be renewed pursuant to Section 7-211. In the event that a certificate holder has his or her hospital inspector certification revoked consistent with this Section, he or she may not apply for a new certification for a period of three years from the date of the Office's final written determination identified in Section 7-214(c).

# California Administrative Code

## **7-214(f). Appeal.**

A final written determination of the Office related to the suspension and/or revocation of a certificate may be appealed by the certificate holder pursuant to Article 5.5 of these regulations.

# *COMMENTARY/SUMMATION*

## **“Competent inspection” includes:**

- An inspector qualified thru experience, education and training.
- The IOR has the correct level of certification and experience and/or training for the scope of construction work being inspected.
- The IOR is performing complete and thorough inspection of the work in accordance with the CAC, CBSC, approved construction documents and the approved Testing, Inspection and Observation program.
- IOR’s performance meets the minimum requirements of the CAC.

# *COMMENTARY/SUMMATION*

## **Evidence of incompetent inspection would include:**

- Substantial or numerous construction deficiencies not observed or documented by the inspector.
- The inspector displays a lack of knowledge or understanding of construction documents, construction materials or construction methods.
- The inspector is improperly prepared by lack of access to the CBSC, approved construction documents and/or other documents or references necessary to perform competent inspection.
- Failure to comply with the CAC.

# *COMMENTARY/SUMMATION*

## **“Adequate inspection” includes:**

- All aspects and phases of construction are inspected in accordance with the CAC, CBSC, approved construction documents, and the approved Testing, Inspection and Observation program.
- IOR’s performance meets the requirements of the CAC.

# *COMMENTARY/SUMMATION*

## **Inadequate inspection would occur when:**

- Work is proceeding without benefit of inspection. There are substantial or numerous construction deficiencies observed by OSHPD that were not known to or documented by the inspector.
  - This may be the result of too few IORs assigned to the project, a lack of an inspector's presence on the project site when necessary. Or incompetent inspection.
- Failure to comply with the requirements of the CAC.

# *COMMENTARY/SUMMATION*

## **Duties, Responsibilities and Expectations**

- The Inspector(s) of Record (IORs) shall competently and adequately inspect the work of construction in accordance with the CAC, CBSC, approved construction documents and the approved Testing, Inspection and Observation program. Reasonable diligence is required.
- The IORs shall have personal knowledge, obtained by continuous inspection of the work of construction in accordance with the CAC.
- The IORs shall maintain a file of approved construction documents and all reports of tests and inspections required by the approved Testing, Inspection and Observation program.
- The IORs shall execute daily reports and maintain a record of all defects and corrective actions taken.

# COMMENTARY/SUMMATION

## *Guide for Working on Projects Under OSHPD Jurisdiction – Tips From the Experts*

### **4.12 Concluding Remarks**

- An IOR needs to have good communication skills to minimize misunderstandings. By being consistent and providing organized documentation, an IOR can assist in keeping a project on schedule. There are no skills, however, that can replace a well-produced set of approved documents and a contractor willing to comply with them. But with foresight and a thorough understanding of the process, an IOR can pace the project, complete timely inspections, and provide notifications and documentation that will keep a project moving and ensure that it complies with the approved documents, making for a smoother close-out process.

# Hospital Inspector of Record Duties, Responsibilities and Expectations

## **California Administrative Code SUPPLEMENTAL INFORMATION**

# California Administrative Code

## ARTICLE 20

### REPAIR OF DAMAGE AFTER AN EMERGENCY

#### **7-300(a). Plan review and approval.**

(a) All repair projects are subject to prior plan review, plan approval and construction permit by the Office except as noted in subsection (b).

# California Administrative Code

## REPAIR OF DAMAGE AFTER AN EMERGENCY

### **7-300(b). Plan review and approval.**

(b) For emergency repairs carried out without the Office plan review and permit the aftermath of an emergency, an application for plan review must be submitted with construction documents, fees and a letter of transmittal stating the reasons for emergency repairs. Photographs, if available, and reports of damage and repairs should also be submitted with the application. Additional repairs may be required if the emergency repairs do not comply with the code. For alternate fee payment methodology, see Section 129787 of the Health and Safety Code.

# California Administrative Code

## **ARTICLE 21**

### **PLAN REVIEW, BUILDING INSPECTION AND CERTIFICATION OF SURGICAL CLINICS, CHRONIC DIALYSIS CLINICS AND OUTPATIENT SERVICES CLINICS**

# California Administrative Code

## **7-2100. Scope of responsibilities.**

(a) Except as otherwise provided in these regulations, a city or county building jurisdiction shall be responsible for plan review and building inspection of new construction or alteration of clinic facilities specified in 7-2100(a)(1), (2), (3) and (4) and shall also provide certification that the clinic facilities identified in 7-2100(a)(1), (2) and (3) are in conformance with the applicable clinic provisions in the latest edition of the *California Building Standards Code*. For clinic facilities identified in 7-2100(a)(1), (2) or (3), construction or alteration shall include buildings converted to the specific purpose.

# California Administrative Code

## **7-2100(a). Scope of responsibilities (Cont.).**

1. Surgical clinic as defined in Health and Safety Code, 1204(b)(1).2.
2. Chronic dialysis clinic as defined in Health and Safety Code, Section 1204(b)(2).
3. *Surgical and/or chronic dialysis clinic building which is freestanding from a building where hospital services are provided and as defined in Health and Safety Code Section 129725(b)(1).*
4. Any building where hospital outpatient clinical services are provided that is freestanding from a hospital building, as defined in Health and Safety Code, Section 129725(a), *except those buildings identified in 7- 2100(a)(3).*

# California Administrative Code



## Facilities Development Division

Office of Statewide Health Planning and Development

400 R Street, Suite 200 • Sacramento, CA 95811 • (916) 440-8300

700 N. Alameda Street, Suite 2-500 • Los Angeles, CA 90012 • (213) 897-0166

**CODE APPLICATION NOTICE (CAN)**  
H&S Code §129851

## SUBJECT

Removal of Acute Care Services

*(formerly CAN 2-3406A – Note: This CAN has been replaced in its entirety)*

**CAN: 1-6-1.4.5.1.4**

**Effective: 8/08/2012**

**Revised: 9/10/2013**



# California Administrative Code

## **7-2104. Plan review and building inspection by the office for hospital outpatient services clinics.**

(a) The hospital governing authority, as described in Section 7-2100(a)(3) or (4), may request that the Office perform plan review and building inspection for a clinic project, in lieu of the city or county performing these services. This request shall be submitted to the Office in writing.

# California Administrative Code

## **7-2105. “Hospital Building” designation of a freestanding hospital- owned clinic.**

(a) A building which is under the Office’s jurisdiction, pursuant to Section 7-2104(d) may be designated as a “hospital building” by the hospital governing authority or owner under the following conditions:

1. The hospital governing authority or owner submits written notification to the Office indicating the determination to designate the building as a “hospital building” and;
2. The subject building remains under the jurisdiction of the Office for plan review and building inspection.