# ADDITIONAL 15-DAY EXPRESS TERMS AND RATIONALEFOR PROPOSED BUILDING STANDARDSOF THE DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION/OFFICE OF STATEWIDE HOSPITAL PLANNING AND DEVELOPMENTREGARDING THE 2025 CALIFORNIA ELECTRICAL CODE,CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3(OSHPD 01/23)

No state agency may adopt, amend, or repeal a regulation which has been changed from that which was originally made available to the public pursuant to Section 11346.5, unless the change is (1) nonsubstantial or solely grammatical in nature, or (2) sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. If a sufficiently related change is made, the full text of the resulting adoption, amendment, or repeal, with the change clearly indicated, shall be made available to the public for at least 15 or 45 days before the agency adopts, amends, or repeals the resulting regulation.

Any written comments received regarding the change must be responded to in the final statement of reasons required by Section 11346.9 (Government Code Section 11346.8(c)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, double strikeout, italics and ellipsis. Double underline will be indicated by parenthetical notes within the text. The notes will not be codified or published in the code.

## LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright.
* Unmodified California 45-day amendments appear in *underline and italic* and *~~strikeout and italic~~.*
* California additional 15-day amendments appear in *double underline and italic* and *double strikeout and italic*.
* Ellipses ( ...) indicate existing text remains unchanged.
* **Rationale**: The justification for the change is shown after each section or series of related changes.

## ADDITIONAL 15-DAY EXPRESS TERMS

### ITEM 1*CALIFORNIA ARTICLE 89GENERAL CODE PROVISIONS*

***SECTION 89.101
GENERAL***

***89.101.3.2 State-Regulated Buildings, Structures, and Applications.***

…

*13. General acute care hospitals, acute psychiatric hospitals, skilled nursing and/or intermediate care facilities, clinics licensed by the California Department of Public Health (DPH) and correctional treatment centers regulated by the [begin double underline] Department of Health Care Access and Information/ [end double underline] Office of Statewide ~~Health~~ Hospital Planning and Development. See Section 89.110 for additional scope provisions.*

…

***SECTION 89.110****[begin double underline]* ***DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION/*** *[end double underline]* ***OFFICE OF STATEWIDE ~~HEALTH~~ HOSPITAL PLANNING AND DEVELOPMENT***

***89.110.1 OSHPD 1 and OSHPD 1R.*** *Specific scope of application of the agency* …

***OSHPD 1 and OSHPD 1R***

***Application*** *— [OSHPD 1] General acute-care hospital buildings.*

*[OSHPD 1R] Non-conforming hospital SPC or freestanding buildings that have been removed from acute care service.*

***Enforcing Agency*** *— [begin double underline] Health Care Access and Information/ [end double underline] Office of Statewide ~~Health~~ Hospital Planning and Development (OSHPD).* …

…

***89.110.2 OSHPD 2.*** *Specific scope of application of the agency* …

***OSHPD 2***

***Application*** *— Skilled nursing facility and intermediate-care facility buildings.*

***Enforcing Agenc****y — [begin double underline] Health Care Access and Information/ [end double underline] Office of Statewide ~~Health~~ Hospital Planning and Development (OSHPD).* …

…

***89.110.4 OSHPD 4.*** *Specific scope of application of the agency* …

***OSHPD 4***

***Application*** *— Correctional Treatment Centers.*

***Enforcing Agency*** *— [begin double underline] Health Care Access and Information/ [end double underline] Office of Statewide ~~Health~~ Hospital Planning and Development (OSHPD). …*

…

***89.110.5 OSHPD 5.*** *Specific scope of application of the agency* *…*

***OSHPD 5***

***Application*** *— Acute psychiatric hospital buildings.*

***Enforcing Agency*** *— [begin double underline] Health Care Access and Information/ [end double underline] Office of Statewide ~~Health~~ Hospital Planning and Development (OSHPD).* …

…

***89.110.6 OSHPD 6.*** *Specific scope of application of the agency responsible for enforcement, enforcement agency and the specific authority to adopt and enforce such provisions of this code, unless otherwise stated.*

***OSHPD 6***

***Application*** *— Chemical dependency recovery hospital not within an acute care hospital building or an acute psychiatric facility.*

***Enforcing Agency*** *— Local building department.*

***89.110.6.1 Applicable Administrative Standards.***

*1. Title 24, Part 1, California Code of Regulations: Chapter 7.*

*2. Title 24, Part 2, California Code of Regulations: Section 1.1 and 1.10, Chapter 1 Division I, and specified sections of Chapter 1, Division II.*

***89.110.6.2 Applicable Building Standards.*** *California Building Standards Code, Title 24, Parts 2, 3, 4, 5, 6, 9, 10 and 11.*

**Rationale:** ***89.101.3.2, 89.110, 89.110.1, 89.110.2, 89.110.4, and 89.110.5***HCAI proposes to revise Section 89.101.3.2 to clarify that the Department of Health Care Access and Information is the regulatory agency for the specified building types. The Department of Health Care Access and Information is added to the title of Section 89.110. The sections are revised to add HCAI to the enforcing agency.

#### Notation:

Authority: Health and Safety Code, Sections 1275, 18929, 129850

Reference: Health and Safety Code, Sections 1250.3, 1418.22, 129675-130070

### ITEM 8Chapter 5 Special Occupancies

[No change to the Express Terms] ***517.4 [OSHPD 1, 1R, 2, 4 & 5] Electric Power Sources, Feeders and Services******~~/Systems and Utilities~~.*** *One source (or sets of sources) shall be sized to supply power to support the entire healthcare facility electrical load and shall be permitted to be located on-site or off-site. The source(s) shall be one of the following:*

*a. An off-site public utility source with service to the site*

*b. On-site resources (PV's Batteries, fuel cells, etc.)*

*c. A combination of both*

*All sources other than utility owned equipment that are required to meet the entire healthcare facility electrical load, shall have special seismic certification, and be located to minimize interruptions caused by natural forces common to the area or natural disasters identified in the facilities emergency operations plan.*

*Refer to Sections 1224.4.1.1, 1225.2.1, and 1228.4.1.1, California Building Code.*

*Informational Note: See Sections 220.40 for sizing requirements for Electric Power Sources, Feeders and Services.*

**Rationale for Section 517.4:** HCAI proposed to correct the Initial Statement of Reasons to reflect the accurate OSHPD banner, matching the Express Terms. ***517.4 [OSHPD 1, 1R, 2, 4 & 5] Electric Power Sources, Feeders and Services.*** [No further changes to the rationale].

[No change to the Express Terms] ***517.8*** (Formerly 517.22) ***[OSHPD 1, 2, 3, 4, 5 & ~~5~~6] Artificial Lighting.*** …

**Rationale for Section 517.8 (Formerly 517.22):** HCAI proposed to correct the Initial Statement of Reasons to reflect the accurate OSHPD banner, matching the Express Terms. ***517.8 [OSHPD 1, 2, 3, 4, 5 & 6] Artificial Lighting.*** [No further changes to the rationale].

#### Notation:

Authority: Health and Safety Code, Sections 1275, 18929, 129850

Reference: Health and Safety Code, Sections 1250.3, 1418.22, 129675-130070