# ADDITIONAL 15-DAY EXPRESS TERMS AND RATIONALE FOR PROPOSED BUILDING STANDARDS OF THE DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION/ OFFICE OF STATEWIDE HOSPITAL PLANNING AND DEVELOPMENT REGARDING THE 2025 CALIFORNIA PLUMBING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5 (OSHPD 02/24)

No state agency may adopt, amend, or repeal a regulation which has been changed from that which was originally made available to the public pursuant to Section 11346.5, unless the change is (1) nonsubstantial or solely grammatical in nature, or (2) sufficiently related to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 AND RATIONALE

### ITEM 1 CHAPTER 1 ADMINISTRATION DIVISION I CALIFORNIA ADMINISTRATION Sections 1.1.0 General, 1.10 Office of Statewide Health Planning and Development

***1.1.3 Scope****…*

…

***1.1.3.2 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 Department of Public Health 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 1.10.0 for additional scope provisions.*

*...*

***1.10.0*** *[begin double underline]* ***Department of Health Care Access and Information/****[end double underline]* ***Office of Statewide ~~Health~~ Hospital Planning and Development.***

***1.10.1 OSHPD 1 and OSHPD 1R.*** *Specific scope of application of the agency responsible for enforcement, enforcement agency, specific authority to adopt and enforce such provisions of this code, unless otherwise stated.*

***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). The office shall enforce the Division of the State Architect access compliance regulations and the regulations of the Office of the State Fire Marshal for the above stated facility types.*

*...*

***1.10.2 OSHPD 2.*** *Specific scope of application of the agency responsible for enforcement, enforcement agency, specific authority to adopt and enforce such provisions of this code, unless otherwise stated.*

***OSHPD 2***

***Application*** *– Skilled nursing facilities and intermediate care facility buildings.*

***Enforcing Agency*** *– [begin double underline] Health Care Access and Information/[end double underline] Office of Statewide ~~Health~~ Hospital Planning and Development (OSHPD). The office shall also enforce the Division of the State Architect access compliance regulations and the regulations of the Office of the State Fire Marshal for the above stated facility type.*

*...*

***1.10.3 OSHPD 3.*** *Specific scope of application of the agency responsible for enforcement, enforcement agency, specific authority to adopt and enforce such provisions of this code, unless otherwise stated.*

***OSHPD 3***

***Application*** *– Licensed clinics and any freestanding building under a hospital license where outpatient clinical services are provided*

***Enforcing Agency*** *– Local building department.*

...

***1.10.4 OSHPD 4.*** *Specific scope of application of the agency responsible for enforcement, enforcement agency, specific authority to adopt and enforce such provisions of this code, unless otherwise stated.*

***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). The Office shall also enforce the Division of the State Architect access compliance regulations and the regulations of the Office of the State Fire Marshal for the above stated facility types.*

*...*

***1.10.5 OSHPD 5.*** *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 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). The office shall also enforce the Division of the State Architect – Access Compliance regulations and the regulations of the Office of the State Fire Marshal for the above-stated facility types.*

*...*

***1.10.6 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.*

***1.10.6.1******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 as indicated in the adoption matrix for Chapter I, Division II.*

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

***Authority Cited –*** *Health and Safety Code Sections 1275, 18929 and 129850.*

***References –*** *Health and Safety Code Sections 1250.3 and 129675-130070.*

***1.10.6.3 Adopting Agency Identification.*** *The provisions of this code applicable to buildings identified in this Subsection 1.10.6 will be identified in the Matrix Adoption Tables under the Acronym OSHPD 6.*

**Rationale: *1.1.3.2(13), 1.10.0, 1.10.1, 1.10.2, 1.10.3, 1.10.4, 1.10.5***HCAI proposes to revise Section 1.1.3.2 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 1.10.0. 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