Housing with Services
Assisted Living

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Definitions/Acronyms

• HWS, Housing with Services Establishments
• AL, Assisted Living
• MDH, Minnesota Department of Health
• AHJ, Authority Having Jurisdiction

Today's Topics

• Fires
• MDH statutes
• Occupancy groups
• Building and Fire Code Update
• Locking arrangements
• Emergency Planning and Fire Drills
• Evacuation or Shelter in Place
• Future
SFM 2013 HWS/AL Study

Hired part time by Chief Deputy to:
• Research HWS and AL
• Number and location in Minnesota
• Minnesota Statutes/Rules
• Fire and building code requirements
• Other state agencies’ rules
• Inspections by agencies or AHJs

Why discuss this topic?

February 5, 2012, 1930 hours

All 38 reportedly safe after fire at Northfield assisted-living facility
Outcome Could’ve Been Different

- Super Bowl Sunday @ 1930 hours
- Many residents watching game
- No fire sprinkler system
- What if 0130 hours?

46 Year Old Charged w/Arson

- First Degree
- Told police “I set a fire to my clothes in the closet. I kicked off the fire alarm, closed and locked my bedroom then went out the entrance door to the parking lot.”
- “I’m tired of people being mistreated and being bullied.”

Woodbury 3-27-2015
January 23, 2014, 0030 hours

3 killed, 30 missing in fire at Quebec seniors home

Many of those who died used wheelchairs or walkers, and some had Alzheimer’s. Firefighters responded within minutes of getting the alarm but said they could only reach one-third of the building because the fire was too intense.

Quebec may toughen sprinkler laws after deadly seniors' home blaze Jan 27, 2014

Quebec Senior Home Fire

Questions?

Department of Health

Number of Establishments

MDH Website

• 1,584 HWS Establishments
• 1,194 (1,017) HWS-AL registered
• 85 out of 87 Minnesota Counties
One or More in Your Town?

MDH Website to Spreadsheet

- Bloomington 34
- Brooklyn Center 15
- Eden Prairie 11
- Edina 12
- Minneapolis 41
- Hennepin County 245

http://www.health.state.mn.us/portal/page/portal/mnhealth/ldir

Minnesota Statutes

Chapter 144D HWS Establishments
- Enacted in 1995
- New establishments to be registered with MDH
- No building/fire codes in the statutes

Chapter 144G AL Services
- Enacted in 2006, AL Services provided at HWS

Chapter 157.17 BL
- Enacted in 1995, BL establishments with special services with regards to licensing rooms used for memory care as they meet the definition of BL
Local Code Official Notification

- Statute 144D.06 requires compliance with local codes, permits, licensing, etc.
- Law since 1995, but not well defined
- In 2010 MDH add addendum to the registration form
- In response to League of Minnesota Cities
- Only completed with new applications

Addendum

- Applicants for a HWS registration certificate issued by the Minnesota Department of Health under Minnesota Statutes, Chapter 144D, are responsible for contacting the municipality where the establishment will be located to inquire about applicable local requirements (M.S.144D.06).
- The applicant is responsible for taking all necessary actions as directed by the municipality to comply with local ordinance requirements (M.S.144D.06). Please document the following regarding your contact with the local municipality:
**Applicant Requirement**

- Responsible for contacting the municipality governing the new location
  AND
- Taking all necessary actions as directed by the municipality to comply with local ordinance requirements

**Emergency Planning – Fire Drills**

- New MDH Statute 144D.11
  - https://www.revisor.mn.gov/statutes/?id=144D.11
  - Effective January 1, 2016
  - MSFC language since March 31, 2003

**144D.11 EMERGENCY PLANNING.**

(a) Each registered housing with services establishment must meet the following requirements:
(1) have a written emergency disaster plan that contains a plan for evacuation, addresses elements of sheltering in-place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency;
(2) post an emergency disaster plan prominently;
(3) provide building emergency exit diagrams to all tenants upon signing a lease;
(4) post emergency exit diagrams on each floor; and
144D.11 EMERGENCY PLANNING.
(5) have a written policy and procedure regarding missing tenants.
(b) Each registered housing with services establishment must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training available to all tenants annually. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site.
(c) Each registered housing with services location must conduct and document a fire drill or other emergency drill at least every six months. To the extent possible, drills must be coordinated with local fire departments or other community emergency resources.

Questions?

Occupancy Definitions

• Occupancy Classifications
  – Group I-2, hospital, nursing home
  – Group I-1, HWS/AL
    • 17 or more residents
  – Group R-4, Large house or duplex or small apartment
    • 6 to 16 residents
  – Group R-3, House
    • 1 to 5 residents
  – Group R-2, Apartment
    • 3 or more dwelling units
Building / Fire Code Update

- Automatic Fire Sprinkler Systems
  - New Buildings, additions, change in use
  - All Group I occupancies protected
    - NFPA 13, 13R and 13D allowed
    - Important differences for locking devices
  - All Group R-4
  - Group R-3 Dwelling Unit ≥ 4,500 sf
**Building / Fire Code Update**

- Fire Alarm Systems, New and Existing
  - **Group I-1**
    - Corridor smoke detection
    - Areas open to the corridor
    - Occupant notification
      - Capable or not capable
      - Shall match the evacuation plan

**Building / Fire Code Update**

- Fire Alarm Systems, New Bldgs
  - **Group R-4**
    - Fire detectors in hazardous rooms (sprinklers)
    - Smoke alarms inside and outside sleeping rooms interconnected
    - Occupant/staff notification
    - Some exceptions

**Building / Fire Code Update**

- Fire Alarm Systems, New and Existing
  - **Group R-3 New**
    - Smoke alarms inside and outside sleeping rooms and on each level interconnected
  - **Group R-3 Existing**
    - Based on when home was built
    - If none same as new
**Fire Alarm Horns & Strobes**

- Meet with owner/operator
- Meet with the architect
- Meet with electrical engineer
- You need to understand the emergency evacuation plan
  - Evacuate or shelter in place

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**Notification – Match Emergency Plan**

- 2010 Edition NFPA 72
- Occupant Notification
  - Tell everyone time to evacuate
    - OR
- Notification zones
  - Consistent with the emergency response or evacuation plan

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**Wireless Smoke Alarms**

- Currently 3 manufacturers
- AC with battery back up & battery only
- Interconnected wirelessly
- Some up to 12 devices
How to Keep Residents Safe/Secure

Locking Arrangements

• Special Locking Arrangements

• Delayed Egress Door Locks

How to Keep Residents Safe/Secure

• Special Locking Arrangements
  • When clinical needs of the person require locks
  • 10 requirements in the MSBC
  • NFPA 13 System and Smoke Detection System
  • Staff carry keys, access codes to unlock doors
  • 2 smoke barrier compartments required (new)
  • Many other requirements

York Gardens - Edina
How to Keep Residents Safe/Secure

• Delayed Egress Door Locks
  • 15 seconds or 30 seconds if approved
  • NFPA 13 Sprinkler System OR
  • Smoke Detection System in means of egress
  • Unlocks on loss of power and alarms
  • Signs and releasing device at door
  • Staff notification via messaging

Sign at Door

PUSH UNTIL ALARM SOUNDS.
DOOR CAN BE OPENED IN 15 SECONDS

Delayed Egress
Questions on Locks?

Emergency Planning – Fire Drills

- New MDH Statute 144D.11
- [https://www.revisor.mn.gov/statutes/?id=144D.11](https://www.revisor.mn.gov/statutes/?id=144D.11)
- Effective January 1, 2016
- MSFC language since March 31, 2003
- Does not conflict with MSFC
- Places requirements for MDH surveyors to enforce
Emergency Planning

- Chapter 4 applies to new and existing
  - Group I-1 and R-4
  - Evacuation plans Section 404.3.1
  - Fire safety plans Section 404.3.2
  - Fire drills for employees and residents
    - Section 408 for requirements
    - Code states residents are capable

Not New Code Language

- Part of the model fire code since 2000
- Enforcement
  - Local fire code official
- Do you enforce this?

Emergency Planning

- Applies to new and existing buildings
  - Group I-1 and R-4
    - Group R-3 per MDH rules
  - Evacuation & Fire Safety Plans
    - MSFC list of requirements for plans
    - Work with the establishments
    - Review their plans
Emergency Planning

- Required to amend plan as necessary
- New resident with unusual needs
- Staff review of plan every 2 months
- Resident training to assist others
  - Without additional personal risk

Fire Drills

- 6 times per year for employees & residents
  - 2 times per year on each shift
  - Code states residents ARE capable
- Resident training requirements
  - Train those capable on their own
  - Can they assist others
  - Rehab training shall include fire prevention

Defend/Shelter in Place

- Residents are not evacuated
  - May be relocated in the building
- Discuss with local fire department for approval
- Should only occur in non-combustible buildings?
  - Type I or Type II construction
- Automatic fire sprinkler system installed throughout
- Automatic smoke detection in corridors
- Addressable fire alarm system
Fire Drill Opinions by Tom
Do we follow the code as written?
Does the AHJ modify, but can't be less?
Occupancy classification I-1 or s/b I-2?
Or is the code out of touch with reality?
Time for codes to change?

Changing Code Takes Time
• Code development
  – 3 year cycle
  – Change is slow
  – 9 years to complete a change
• Examples
  – LP-Gas dispensing
  – CO2 beverage dispensing

2015 IFC
• Chapter 4 Emergency Planning rewritten
• Drills reduced to semi annual each shift
• New definition for I-1
  – Condition 1 & Condition 2
  – Capable & not capable and smoke compartments
Fire Prevention Training

- Human Behavior
- Top 3 causes of fire
- Cooking, smoking, electrical
- Or is it...
- Changing behavior
- Practice prevention every day
- Smoking and Oxygen use

Questions?

2018 IFC
Fire Protection Systems

- Fire Sprinklers tested and maintained
- Smoke detection and alarms tested
- Fire extinguisher maintenance
  - Staff training
- Doors closed not propped open
- Fire rated construction maintained

Why is fire – life safety so important?

Speed of Fire Today

- 17 minutes reduced to 4 minutes
- Fuel load in the home and building
- Plastics equals petroleum/gasoline
- Flashover in 3 minutes
- Crawling – reduced oxygen at floor level
- Escape windows may be only option
- Don’t assume first responders will be there in time
Final Comments

- You should be aware of these facilities in your community
- Meet the owners
  - What are their needs
  - Fire code education vs enforcement
  - Security of residents
  - Staffing levels day vs night
- Determine fire personnel needed in an emergency
  - Evacuation plan
  - Shelter in place
- CAD warnings

Not in Minnesota

Questions