



ISSUE BRIEF

CMS offers more *Life Safety Code* waivers

Key Points

- The Centers for Medicare and Medicaid Services (CMS) is offering hospitals waivers to provisions of the 2000 edition of the *Life Safety Code*.
- These categorical waivers cover several topics. Hospitals will not have to apply to CMS or wait to be cited to use the waivers.
- Hospitals must meet all conditions of the waivers in order to use them.
- Hospitals that elect to use the waivers must document their decision to do so and present that information to surveyors at the entrance conference to any survey assessing *Life Safety Code* compliance.
- ASHE encourages its members to also inform surveyors verbally about decisions to use the waivers.

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The Centers for Medicare and Medicaid Services (CMS) is offering hospitals additional categorical waivers for several provisions of the required 2000 edition of NFPA 101: *Life Safety Code*®. ASHE members electing to use these waivers should follow the waiver process carefully. The [CMS survey and certification memo](#) issued August 30 details the following new categorical waivers:

- **Medical gas master alarms:** Allows substitution of a centralized computer system for one Category 1 medical gas master alarm.
- **Openings in exit enclosures:** Permits existing openings in exit enclosures to mechanical equipment spaces if they are protected by fire-rated door assemblies.
- **Emergency generators and standby power systems:** Reduces the annual diesel-powered generator exercising requirement.
- **Doors:** Allows door locking arrangements in areas where there are clinical needs or security risks.
- **Suites:** Further accommodates the use of suites by changing egress rules and increasing maximum sleeping room suite size.
- **Extinguishing requirements:** Reduces testing frequencies for certain sprinkler system alarm devices and pump assemblies.
- **Clean waste and patient record recycling containers:** Increases the maximum size of containers used solely to hold clean waste destined for recycling or patient records awaiting destruction.

Hospitals that want to take advantage of one or more of these waivers must formally elect to use them and document their decision. If a facility meets the requirements for a waiver, it need not apply to CMS nor wait to be cited to use that waiver. However, at the entrance conference for any survey assessing *Life Safety Code* compliance, the hospital must notify the survey team that they have elected to use the waiver and that they meet its requirements.

ASHE Director of Codes and Standards Chad Beebe, AIA, SASHE, said hospitals should document in writing the waivers they want to use. They should present that documentation to surveyors at the entrance conference and also inform the surveyors verbally about their decision.

The survey team will review the documentation and confirm that all conditions of the waiver have been met. A facility that doesn't meet all the conditions will be cited. Look for more about this memo in the Sept. 10 edition of the *ASHE Insider* electronic newsletter.