



**Department  
of Health**

# **Architectural Submissions Guide**

**Division of Adult Care Facility and Assisted Living Surveillance**

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# Overview

# Architectural Submissions



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The Department reviews a **sample** of submitted projects for compliance with local and State building codes, State regulations, and to confirm that the drawings align with the project intent.

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Based on **findings** of these reviews, the Department has developed the following guidance to be used when preparing a project's architectural submission.

# Common submission oversights



## Building Code

Drawings or Project Narration references the wrong building code.



## Occupancy

Drawings or Project Narration references the wrong occupancy type.



## Regulations

Adult Care Facility and Assisted Living Residence regulations are not addressed.



## Schedule 5

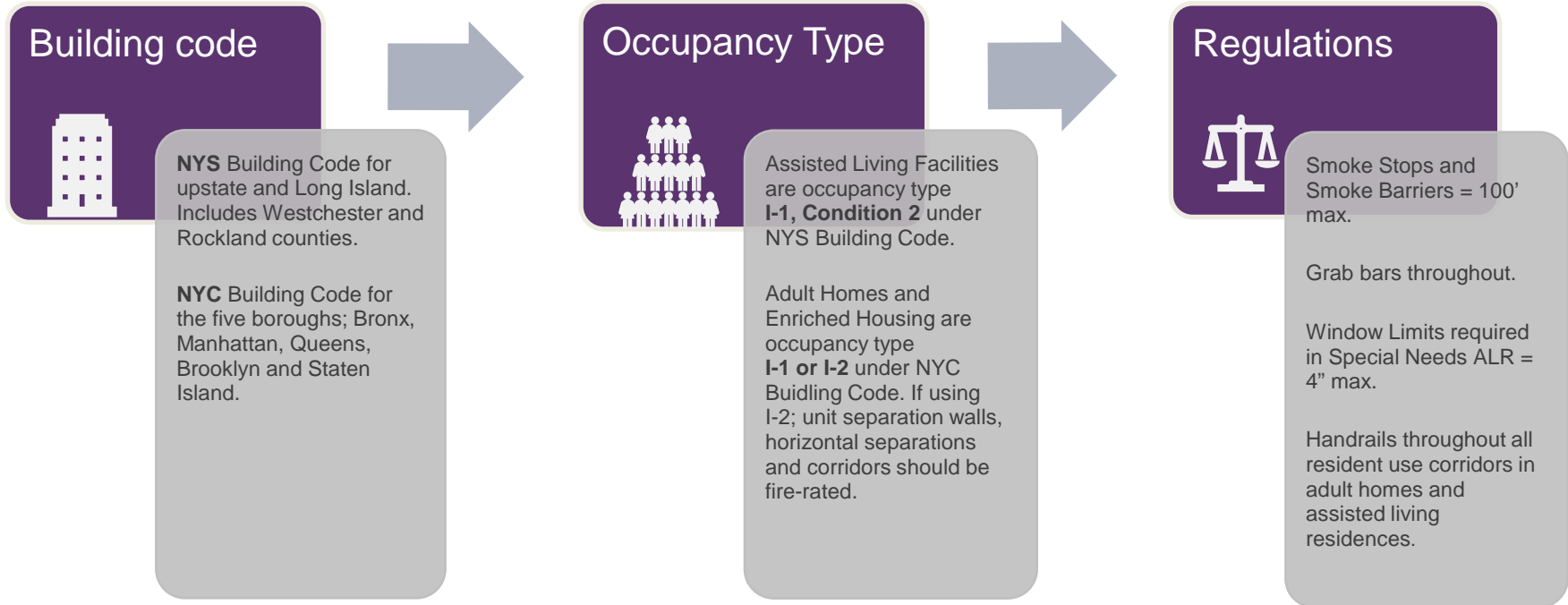
Schedule 5 information and Project Narration do not match the drawings.



## Approvals

Final construction documents are not submitted for Part 1 approval.

# Building Code & Regulations



# Schedule 5 Deficiencies & Part 1 Approvals

## Schedule 5



Schedule 5A asks specific questions to verify Special Needs ALR environments. Submitted application answers comply yet the items noted are missed in the drawing set.

Schedule 5 notes building codes for I-1 occupancy apply for New York State. Schedule 5B is stamped/signed yet drawings will reference I-2 occupancy.

Schematic drawings should accompany 5E request for early commencement, along with a project narration explaining the scope of work and project intent. If mixed-use building, explain which areas will be licensed/certified and the functions of the adjacent spaces.

## Approvals



Environmental and architectural approval for Part 1 requires all documents and Request for Information (RFI) responses to be received.

Schedule 5E Early Commencement approval is **not** Part 1 approval. The project is not fully reviewed for Part 1 approval at the time of Early Commencement approval.

Final construction drawings must be received by the Bureau prior to Part 1 approval. If submitting schematic level drawings with Schedule 5B or 5E, final drawings should accompany Schedule 5C.

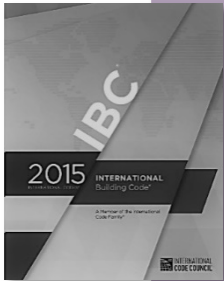


# Building Code & Regulation Compliance

# Building Code Compliance

NYS

2017 Uniform Code Supplement  
 2015 Intl. Building Code  
 2016 Supplement to NYSECCC  
 2016 Intl. Energy Conservation Construction Code  
 2015 Intl. Existing Building Code  
 2015 Intl. Plumbing Code  
 2015 Intl. Fuel Gas Code  
 2015 Intl. Mechanical Code  
 2015 Intl. Property Maintenance Code  
 2015 Intl. Fire Code  
 2014 National Electrical Code  
 2010 ADA Standards  
 2009 ICC A117.1 Accessible and Usable Buildings and Facilities



NYC

2014 Building Code  
 2014 General Admin. Provisions  
 2014 Mechanical Code  
 2014 Plumbing Code  
 2014 Fuel Gas Code  
 2014 Fire Code  
 2016 Energy Conservation Code  
 2008 National Electric Code  
 2010 ADA Standards  
 2009 ICC A117.1 Accessible and Usable Buildings and Facilities  
 Housing Maintenance Code





# I-1 and I-2 Occupancy Types

NYS

Assisted Living Facilities under NYS Building Code are I-1, Condition 2 occupancy for residents that are **capable of self-preservation** with limited assistance.

I-2 occupancy under NYS Building Code are for Nursing Homes and Hospitals; for persons incapable of self-preservation. This occupancy type is not permitted for Assisted Living Facilities.

NYC

Adult Homes and Enriched Housing Facilities under NYC Building Code should be I-1 occupancy for residents that are **capable of self-preservation** with limited assistance.

Smoke barriers and smoke compartments are not required under I-1 occupancy, yet shall be provided per Assisted Living Residences regulation for Enhanced Assisted Living Residence and Special Needs Assisted Living Residence.

If using I-2 occupancy, unit separation walls, horizontal separation, and corridors should be fire-rated assemblies to ensure time for safe emergency egress.



# Regulation Waivers & Equivalencies

Certain regulations that cannot be met due to existing conditions or are infeasible, **may** be waived after Department review of each scenario and circumstance. **Change of Operator** application requires all waivers to be resubmitted for review and approval.

## Waivers and Equivalency Notifications



Operators and Administrators may request to waive non-statutory requirements by submitting a **ACF Waiver Request/Equivalency Notification form, DOH- 4235**, to the Regional Office. Adult Care Facilities with Special Needs Assisted Living Residence Certification may use form **DOH-5257**.

Refer to the Department's **Index of Equivalencies, DAL 19-08\***.

\* [www.health.ny.gov/facilities/adult\\_care/dear\\_administrator\\_letters/docs/dal\\_19-08\\_equiv\\_index\\_final\\_full\\_equiv](http://www.health.ny.gov/facilities/adult_care/dear_administrator_letters/docs/dal_19-08_equiv_index_final_full_equiv)

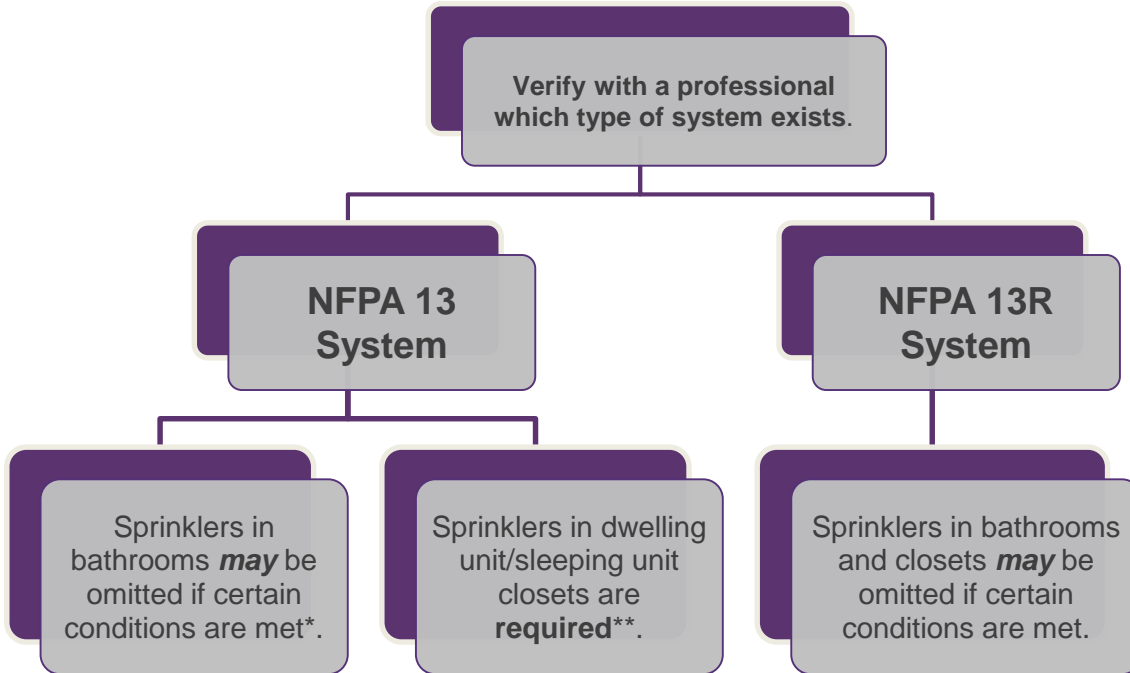
## Construction, Architectural Waivers



Applicants may request to waive non-statutory environmental requirements by submitting a **Construction/ Architectural Waiver Request form, DOH-5226**, to the Regional Office and copy to the Central Office.

**Architectural waivers should be completed by a licensed design professional.** Waivers will not be approved for facilities that are new construction.

# Sprinklers



\* Sprinklers are **required** in bathrooms per current NYS Building Code, effective October 2016.

\*\* The regulation to have a NFPA 13 system **may** be waived if certain conditions are met; submit form DOH-5226.

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When was the system installed? Timeframe of installation contributes to requirements.

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What are the square footages of the existing closets and bathrooms? What is the existing thermal barrier?

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Sprinklers in **attics** may be omitted if certain conditions are met under both systems.

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Adding sprinklers to the attic of a NFPA 13R system does **not** create a compliant or equivalent NFPA 13 system.

# Other Considerations



## NFPA 101

Healthcare facilities regulated by Centers for Medicare and Medicaid Services require NFPA 101 compliance.

Assisted Living Facilities primary compliance is the building code.

Local jurisdictions may require NFPA 101 compliance.



## Delayed Egress

Passing through more than one exit door equipped with delayed egress hardware along the path of egress is not permitted under NYS BC I-1 and restricted under NYC BC I-1 and I-2.

Only Special Needs Assisted Living Residence areas are permitted to be equipped with delayed egress. Controlled egress is not permitted.



## Wander Guards

Wander guard systems are not permitted in Special Needs Assisted Living Residence. Delayed egress, appropriate supervision, and distraction activities should be used.

Wander guards may be used in other residence types for certain individuals with approvals by the Department, the individual, their family, and potentially their physician.



## Mixed-Use

Buildings intended to serve as an Adult Care Facility and Senior Independent Housing shall have clear, fire-rated horizontal and vertical separations.

All shared and common spaces shall meet Adult Home and Enriched Housing Program regulations.



# Submission Guidelines

# Required Drawings

	Early Commencement	Part 1 Schematic	Part 1 Final Drawings
Building Code Analysis & Life Safety Plans	X	X	X
Floor plans, Demo Plans (Reflected Ceiling Plans)	X	X	X
Building Elevations & Sections	*	*	X
Mechanical, Electrical, Plumbing Plans	*	*	X
Fire Protection Plans	*	*	X
Door Schedule & Window Types			X
Site Plan	X	X	X

\* If submitting schematic level documents, project narration should describe other building systems/equipment.

# Parameters for Electronic Drawings

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Drawings and sketches shall be submitted as PDFs, compatible with Adobe Acrobat Version 7.0 or higher.

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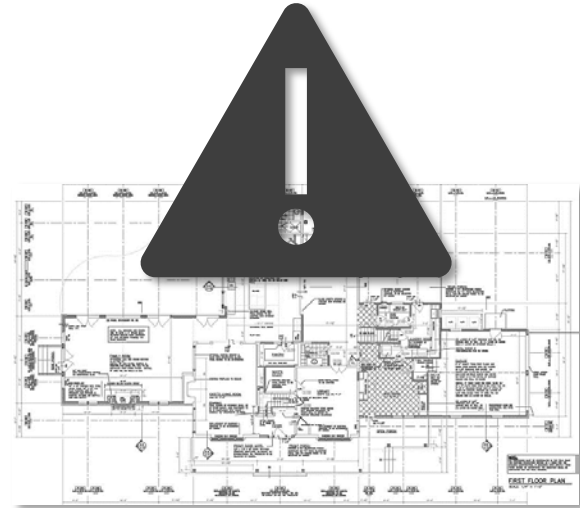
PDF documents should be created directly from the original electronic document where possible. Low quality/low resolution images will not be accepted.

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Illegible documents may delay reviews. Full scale drawings submitted on 8 ½ x 11 will not be accepted.

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Final drawings shall be submitted as a PDF binder; one binder per discipline, landscape oriented. Include title sheets and symbol legends.



# Authenticity



## Schedule 5

Review Schedule 5D matrix. Verify which schedules are required. Architects/Engineers should review the answers to 5A prior to signing 5B; stamps/signatures must be original.



## Project Narration

Each application's project narration should be reviewed by the primary and third party architect/engineer.



## Drawings

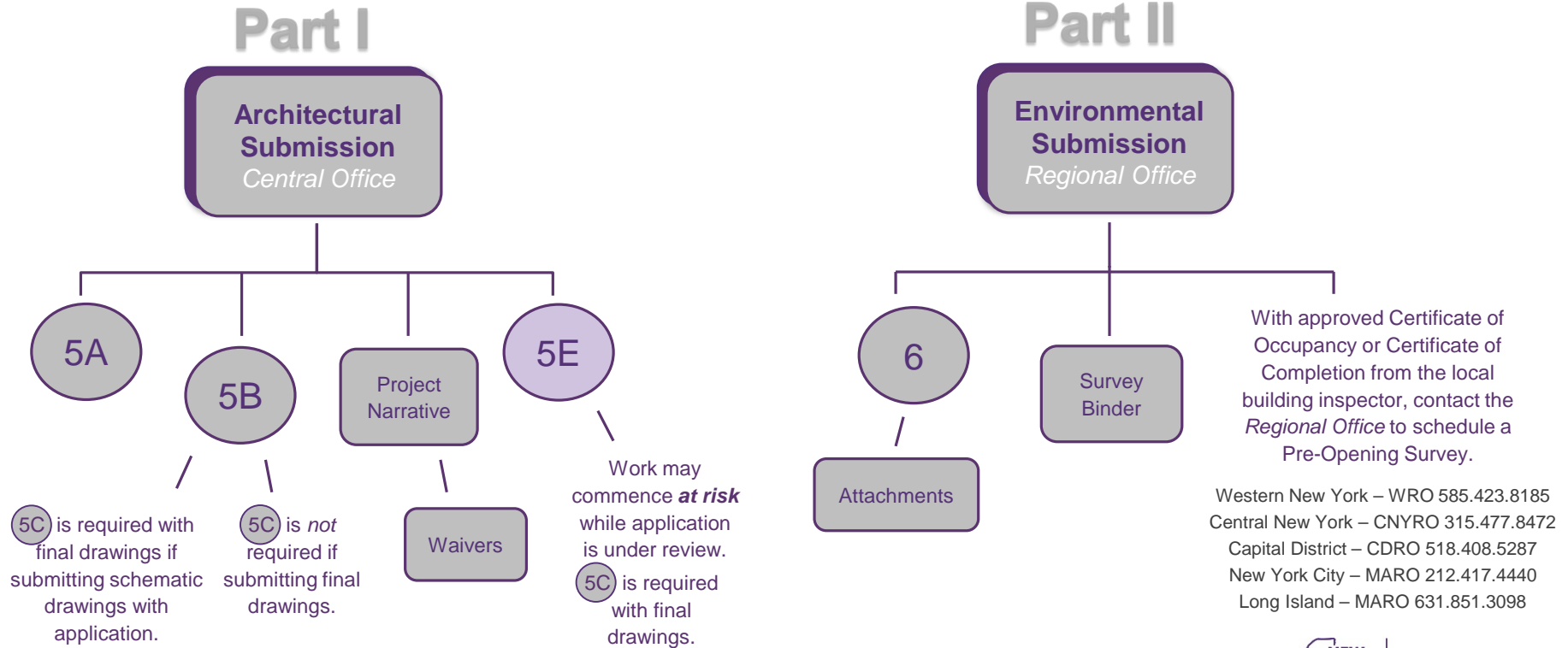
All final drawings need to be stamped/signed; electronic stamps/signatures are acceptable.





# Summary

# Process



# Part II: Regional Office Pre-Opening Survey



**Certificate of Occupancy** (Issued by the local AHJ "authority having jurisdiction")

**Architect's Statement of Compliance** (Certifying full compliance)

**Fire Department Inspection** (Verification of FD tour/final approval)

**Electrical Underwriters Certificate**

**Emergency Generator** (Verification of final inspection/operability, and equipment list)

**Electrician's Statement of Compliance** (Certifying full compliance)

**HVAC** (Verification of final inspection/operability and balancing of all systems)

**Smoke Dampers** (Verification of final inspection, testing/operability of all devices)

**Boiler Certification** (Certifying inspection/testing and full compliance)

**Plumber's Statement of Compliance** (Certifying full compliance)

**Water Tests** (Laboratory Report/Backflow Prevention Device/Hydrant test/inspection)

**Portable Oxygen Storage** (Signs; Certified rated: enclosure, electrical switch/lighting)

**Smoking Regulations/Signs** (Fully Compliant)

**Fire Alarm/Smoke Detection System** (Verification of final inspection/operability)

**Fire Alarm System Monitoring** (Certifying Direct Connect/Monitoring)

**Fire/Smoke Barrier Doors** (Certifying inspection/testing and full compliance)

**Sprinkler System** (Certifying inspection/testing and full compliance)

**Fire Extinguishers** (Verification of appropriate size/ratings, and placement)

**Kitchen Hood Fire Suppression** (Certifying inspection/testing and full compliance)

**Cooking Equipment Ventilation Controls** (Certifying inspection/testing)

**Kitchen/Dietary Equipment** (Certifying inspection/testing and full compliance)

**Elevator(s)** (Certifying inspection/testing and full compliance)

**Emergency Nurse Call System** (Final inspection, testing/operability, policy)

**Security Door Alarms/cameras** (Installer certification final testing/operability)

**Special Door Hardware** (Delayed Egress: testing/operability, sign/delay compliant)

**Flame Spread Rating/Product Specifications** (Floors, walls, windows, furniture)

**Stored Fuel LP** (Liquid Propane) Gas/Fuel Oil (Installer certified/code compliant)

**Fireplace Installations** (Installer certified manufacturer spec/code compliant)

**Evacuation Procedures/Floor Plans** (exits, smoke barriers/areas of refuge - posted)

**Progressive Evacuation Procedures** (approved by AHJ and Fire Department)

**Complete Emergency Disaster & Evacuation Plans** (Readily Accessible)

**Emergency Commitment Agreements** (\*applicable to non-mutual aid member)

**Mutual Aid Member** (Current Status and Designated Stop-over Site Confirmation)

**Health Commerce System** (HCS) (HCS Account, HCS Coordinator, and Policy)

**Communications** (Installer certification, telephone system, internal communication system)

**Carbon Monoxide Detection**

# What Not To Do

- Adult Care Facilities are **not** governed under Medical Facilities; do not cite State Hospital Code or Public Health Law for nursing homes.
- Building code analysis titled New York State Building Code; do not reference section numbers under New York City Building Code.



Exit Doors

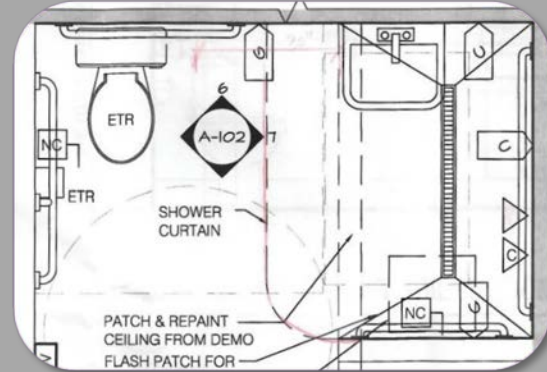
## SMOKE FIRE SAFETY SYS

WALLS ARE CONSTRUCTED AS FIRE PARTITIONS TO FORM  
TO LIMIT THE PASSAGE OF FIRE PER (V.C.C.) SECTION 708

DOORS ARE REQUIRED TO BE SELF CLOSING, AND  
LATCHING AND GASKETED FOR SMOKE TIGHT  
ACTION TO LIMIT THE PASSAGE OF SMOKE (716)

ATED SMOKE BARRIERS DIVIDE EACH STORY IN TO AT LEAST  
SKE COMPARTMENTS NOT MORE THAN 22,500 SF. FT. EACH  
SECTION 407.5. MAXIMUM TRAVEL DISTANCE TO ANY POINT  
E SMOKE COMPARTMENT TO A SMOKE BARRIER DOOR IS  
E THAN (200'-0")

Virginia Bldg. Code



Lavatory Shower

# Final Thoughts



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**Primary and Third Party** signatory should review the submitted drawings as well as all required Schedule 5 information.

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Consultants should direct design professionals to review the Department's Adult Care Facilities Structural and Environmental Standards, and to **demonstrate regulation compliance** on the drawings.

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Project narrations and drawings for applications involving renovations should be clear in conveying what the **scope of work** is.

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**Early commencement** requests will not be approved for existing facilities where renovations will affect the residents.

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Projects at existing facilities involving **construction phases** should be fully explained in the project narration and accounted for in the resident safety plan, form DOH-5265.

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# Thank You

 Bureau of Licensure & Certification

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 [http://health.ny.gov/facilities/adult\\_care/](http://health.ny.gov/facilities/adult_care/)