



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

January 10, 2020

Re: DAL NH 19-10
DAL DHDC 19-11

Dear Chief Executive Officer/Nursing Home Administrator:

In response to recent inquiries, this guidance seeks to delineate the Department's position on the use of batteries in Type I Essential Electrical Systems (EES).

Article 28 facilities that use general anesthesia or electrical life support equipment, or perform procedures in an operating room setting must have a Type I EES as per the 2012 edition of the National Fire Protection Life Safety Code which in turn references the National Fire Protection Association Standard for Health Care Facilities, NFPA 99-2012. Due to practical constraints, including battery capacity limits, facility size, and operational demands, the Department finds that batteries are generally inappropriate sources of back-up power in hospitals and nursing homes. However, Ambulatory Surgery Centers (ASC's) may use battery-powered EES systems under the following conditions:

- Facility must meet all the requirements of a Type I System and comply with National Electrical Code (NEC) NFPA 70, Article 700 (requirements for testing and maintenance, capacity and rating, selective load pickup, load shedding and peak load shaving).
- Batteries must meet the requirements of NFPA 111, 2010 Edition "Stored Electrical Energy and Standby Power Systems," based, in turn, upon NFPA 70 requirements.
- All proposals that include the use of battery-powered EES systems must be accompanied by a risk assessment based on NFPA 99, 2012 Risk Assessment Categories that supports the appropriateness of the back-up power provided given services rendered in the operational environment proposed. In general:
 - For facilities with procedure rooms only, the Department would expect batteries to be capable of providing aforementioned power for a minimum duration of four (4) hours.
 - For facilities with operating rooms, the Department would expect batteries must be capable of providing aforementioned power for a minimum duration of eight (8) hours.

Should you have any questions regarding these requirements, please contact Udo Ammon, Director, Bureau of Architecture and Engineering Review, at (518) 402-0904.

Sincerely,

Udo Alain Ammon, AIA
Bureau Director of Director of Architecture
and Engineering Review
Corning Tower, 18th Floor, ESP
Albany, New York, 12237