

CMS Life Safety Code Survey and Certification Policy Letters

<u>Date Issued</u>	<u>S&C #</u>	<u>Subject</u>	<u>K-Tag</u>
March 8, 2002	02-19	<p>Recalled Sprinkler Heads http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter02-19.pdf</p> <p>SUMMARY: The purpose of this letter is to provide guidance to regional office and state survey agency personnel who are involved in the survey and certification activities of health care facilities. The following life safety code information concerns a recall of sprinkler heads that may be installed in many of our certified facilities.</p>	<p>K-62 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
May 8, 2003	03-21	<p>Adoption of New Fire Safety Requirements https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/SCLetter03-21.pdf</p> <p>SUMMARY: The purpose of this memorandum is to notify states and regional offices (ROs) of the publication on January 10, 2003, in the Federal Register (68 FR 1374), of a final rule entitled “Medicare and Medicaid Programs; Fire Safety Requirements for Certain Health Care Facilities.”</p>	<p>All New & Existing http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
December 11, 2003	04-15	<p>Definitions of Terms Used in the Life Safety Code (LSC) of the National Fire Protection Association (NFPA) https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/SCLetter04-15.pdf</p> <p>SUMMARY: The purpose of this memorandum is to clarify five commonly used terms in the LSC of the NPFA.</p>	N/A
May 13, 2004	04-29	<p>Life Safety Code (LSC) Surveyor Reference Materials https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/SCLetter04-29.pdf</p> <p>SUMMARY: The purpose of this memorandum is to inform you that CMS will be providing an updated set of LSC reference materials to CMS ROs and SAs that perform fire safety surveys for each state.</p>	N/A

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May 13, 2004	04-33	<p>Life Safety Code (LSC) and State Performance Standards https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/SCletter04-33.pdf</p> <p>SUMMARY: LSC surveys are required for initial and recertification of facilities subject to Survey and Certification inspections for Medicare/Medicaid certification.</p>	N/A
December 16, 2004	05-10	<p>Federal Requirements for the Informal Dispute Resolution (IDR) Process for Nursing Homes https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/SCletter05-10.pdf</p> <p>SUMMARY: States should review their policies regarding the IDR process for Medicare/Medicaid nursing homes in order to determine whether they are consistent with Federal regulations and the State Operations Manual (SOM).</p>	N/A
June 9, 2005	05-33	<p>Multiple Providers - Hospitals, Ambulatory Surgical Centers, Nursing Homes, Religious Non- Medical Health Care Institutions, Programs of All- Inclusive Care for the Elderly (PACE) Facilities, Critical Access Hospitals, Intermediate Care Facilities for the Mentally Retarded – Adoption of a New Fire Safety Amendment for the Use of Alcohol Based Hand Rubs (ABHRs) http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCletter05-33.pdf</p> <p>SUMMARY: The purpose of this memorandum is notify states and regional offices of the publication on March 25, 2005 in the Federal Register (Vol. 70, No. 57, Page 15229) of an interim final rule with a comment period entitled: Medicare and Medicaid Programs: Fire Safety Requirements for certain Health Care Facilities.</p>	K-211 http://www.cms.gov/Medicare/CMS-Forms/CMS-Forms-Items/CMS009335.html
July 14, 2005	05-38	<p>Clarification of Life Safety Code Survey Issues in Nursing Homes http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCletter05-38.pdf</p> <p>SUMMARY: The purpose of this memorandum is to clarify the Centers for Medicare & Medicaid Services' (CMS) policy regarding several Life Safety Code (LSC) issues dealing with the sprinkling of wardrobes/closets, the requirements for surfacing of exit discharge pathways, and the requirements for the sprinkling of canopies in nursing homes.</p>	K-38,56 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms-Items/CMS009335.html

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March 10, 2006	06-08	<p>Nursing Homes – Upcoming Compliance Date for the Installation of Emergency Lighting and the Replacement of Existing Roller Latches in Corridor Doors –March 13, 2006 http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter06-08.pdf</p> <p>SUMMARY: The purpose of this memorandum is to notify States and Regional Offices (ROs) of the upcoming dates for nursing homes to comply with requirements concerning emergency light and the replacement of roller latches originally published January 10, 2003, in the Federal Register (Vol. 68, No. 7, page 1374) as a final rule entitled "Medicare and Medicaid Programs; Fire Safety Requirements for Certain Health Care Facilities."</p>	<p>K-18,46 http://www.cms.hhs.gov/Medicaid-Forms-Items/CMS009335.html</p>
May 26, 2006	06-18	<p>Life Safety Code - Clarification of the Amount of Air Movement Allowed Between Corridors and Resident Rooms and Plenum Waiver Requirements http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter06-18.pdf</p> <p>SUMMARY: 1) Clarifies what an acceptable amount of incidental air movement is in assessing whether a corridor is a plenum. 2) Addresses waiver criteria for facilities where a corridor is being used as a plenum in facility ventilation systems.</p>	<p>K-67 http://www.cms.hhs.gov/Medicaid-Forms-Items/CMS009335.html</p>
September 29, 2006	06-33	<p>Some Basic Principles of Using Photography During the Survey http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter06-33.pdf</p> <p>SUMMARY: This memorandum provides information to support State Survey Agencies that choose to incorporate photographic documentation into their survey process.</p>	N/A

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November 1, 2006	07-01	<p>Provisions of the Final Rule regarding Adoption of New Fire Safety Requirements for the Use of Alcohol Based Hand Rubs (ABHRs) and Installation of Battery Powered Smoke Alarms http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-01.pdf</p> <p>SUMMARY:</p> <p>This letter highlights the final rule concerning fire safety requirements for Hospitals, Ambulatory Surgical Centers, Nursing Homes, Religious Non-Medical Health Care Institutions, Programs of All-Inclusive Care for the Elderly (PACE) Facilities, Critical Access Hospitals, and Intermediate Care Facilities for the Mentally Retarded. Regarding ABHRs, the final rule clarifies terminology and adds a requirement for maintenance in accordance with manufacturer's recommendations. Regarding battery powered smoke alarms; the final rule changed terminology and defined the terms 'common areas' and 'fully sprinklered.' The maintenance requirements were modified to include manufacturer's recommendations.</p>	<p>K-54,56,58,211 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
December 7, 2006	07-05	<p>Life Safety Code – Exit Discharge Requirements and the Fire Safety Evaluation System (FSES) http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-05.pdf</p> <p>SUMMARY:</p> <p>The FSES may be used when evaluating the level of safety provided for a Health Care occupancy that does not conform with the provisions of Section 7.7 "Discharge from Exits" NFPA, 2000 edition, including the use of unpaved exits under certain circumstances. See (NFPA 101A, Chapter 4, 2001 edition).</p>	<p>K-38 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
December 21, 2006	07-07	<p>Nursing Home Culture Change Regulatory Compliance Questions and Answers. (Questions 9,10,14) http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-07.pdf</p> <p>SUMMARY:</p> <p>This memorandum provides the State Survey Agencies and CMS regional offices with: 1. Responses we have made to inquiries concerning compliance with the long-term care health and life safety code requirements in nursing homes that are changing their cultures and adopting new practices; 2. Summarizes questions and answers from a June, 2006 CMS Pic-Tel conference with leaders of the Green House Project (Attachment A); and 3. Provides information about an upcoming series of 4 CMS culture change satellite webcasts (Attachment B).</p>	<p>K-39,72,73,141 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>

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January 12, 2007	07-10	<p>Multiple Providers - Hospitals, Ambulatory Surgical Centers, Nursing Homes, Religious Non-Medical Health Care Institutions, Programs of All- Inclusive Care for the Elderly (PACE) Facilities, Critical Access Hospitals, Intermediate Care Facilities for the Mentally Retarded – Medical Gas Storage and Usage Considerations</p> <p>http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-10.pdf</p> <p>SUMMARY: 1) Up to 300 cubic feet of nonflammable medical gas may be accessible as operational supply rather than storage, when properly secured. 2) An individual container of medical gas placed in a patient room for "as needed" (but regular) individual use is not required to be stored in an enclosure, when properly secured.</p>	<p>K-76,29</p> <p>http://www.cms.hhs.gov/MedicalReforms/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
April 20, 2007	07-18	<p>Multiple Providers - Hospitals, Ambulatory Surgical Centers, Nursing Homes, Religious Non- Medical Health Care Institutions, Programs of All- Inclusive Care for the Elderly (PACE) Facilities, Critical Access Hospitals, Intermediate Care Facilities for the Mentally Retarded – Permitted Gaps in Corridor Doors and Doors in Smoke Barriers</p> <p>http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-18.pdf</p> <p>SUMMARY: In a smoke compartment that is not fully sprinklered, a gap between the face of a corridor door and the door stop should not exceed 1/4-inch, provided that the door latch mechanism is functioning. In a smoke compartment that is fully sprinklered, a gap between the face of a corridor door and the door stop should not exceed 1/2-inch, provided that the door latch mechanism is functioning.</p>	<p>K-18</p> <p>http://www.cms.hhs.gov/MedicalReforms/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
May 4, 2007	07-21	<p>Generators in Ambulatory Surgical Centers (ASCs)</p> <p>http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-21.pdf</p> <p>SUMMARY: Highlights the requirements for a Type I Essential Electrical System with a generator in ASCs. It is permissible to use batteries for back-up power under certain circumstances.</p>	<p>K-46,47,105, 106,107,108,144,145, 146</p> <p>http://www.cms.hhs.gov/MedicalReforms/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>

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July 13, 2007	07-29	<p>Life Safety Code – Canopy and Overhang Sprinkler Requirements and the Use of the Fire Safety Evaluation System (FSES) http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter07-29.pdf</p> <p>SUMMARY: This memorandum modifies S&C-05-38 "Clarification of Life Safety Code issues in Nursing Homes" in regards to sprinklers in canopies and overhangs. The LSC requires that most canopies and large overhangs be sprinklered (in facilities where the regulations require sprinklers). The Fire Safety Evaluation System may be used when evaluating the level of safety provided for a Health Care occupancy where a canopy or overhang is required to be sprinklered. The FSES affords facilities the opportunity to have stronger safety features in other areas to compensate where the facility does not have sprinklers installed. The FSES can be used for this purpose until CMS regulations require that the facility become fully sprinklered. Facilities with an existing waiver of the requirement for canopies and overhangs to be sprinklered may continue under their existing waiver if the CMS RO finds that the waiver continues to meet all other requirements in law or regulation. These waivers are reviewed annually by the CMS RO. CMS will not approve any new waivers.</p>	<p>K-56 http://www.cms.hhs.gov/Medicaid-Forms/Forms-Items/CMS009335.html</p>
September 5, 2008	08-34	<p>Compliance With State Fire and Safety Code in Lieu of Life Safety Code http://www.cms.gov/SurveyCertificationGenInfo/Downloads/SCLetter08-34.pdf</p> <p>SUMMARY: CMS has adopted the 2000 edition of the National Fire Protection Association's (NFPA) Life Safety Code (LSC) as part of the Medicare health and safety standards for certified providers and suppliers. It is permissible to use a State fire and safety code (State Code) in lieu of the NFPA 2000 LSC, if CMS finds that the State Code is imposed by State law and that it adequately protects residents or patients. There are also financial implications for State Survey Agencies (SAs).</p>	N/A

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October 3, 2008	09-04	<p>Adoption of New Fire Safety Requirements for Long Term Care Facilities, Mandatory Sprinkler Installation Requirement http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter09-04.pdf SUMMARY: The purpose of this memorandum is to notify States and regional offices of the publication on August 13, 2008, in the Federal Register (73 FR 47075), of a final rule entitled "Medicare and Medicaid Programs; Fire Safety Requirements for Long Term Care Facilities, Automatic Sprinkler Systems" with an effective date of October 14, 2008. A copy of the regulation is attached.</p>	<p>K51,56,154,60,61,62,63,64 http://www.cms.hhs.gov/MedicaidForms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
November 21, 2008	09-13	<p>Waivers and Phase-In Time Extensions for the Implementation of the New End Stage Renal Disease (ESRD) Conditions for Coverage http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter09-13.pdf SUMMARY: The new ESRD Conditions for Coverage provide clearer and better provisions for patient safety and improved quality of care. While the overall effective date was October 14, 2008, the rule recognized that not all facilities may be in a position to fully meet all new or revised requirements of the Conditions for Coverage on that date. Therefore, the rule specifies separate effective dates for certain Conditions and provides that some facilities may request a waiver for certain other requirements. In this memorandum we describe the procedures we are implementing for requesting a waiver or time-limited extension of the time needed to phase-in the program improvements needed to achieve full compliance.</p>	N/A
February 11, 2009	09-24	<p>Implementation of the Life Safety Code (LSC) Component for the New End Stage Renal Disease (ESRD) Conditions for Coverage http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter09-24.pdf SUMMARY: In this memorandum, we describe the procedures we are implementing for the LSC provisions of the new ESRD Conditions for Coverage. While major portions of the ESRD regulation became effective on October 14, 2008, the LSC component became effective on February 9, 2009. The ESRD regulation provides certain exceptions to the LSC provisions, including sprinkler systems, Essential Electrical Systems, and fire drills. The regulation also provides for specific LSC waivers based upon an unreasonable hardship.</p>	N/A

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October 30, 2009	10-04-LSC	<p>Waiver to Allow Hospitals to Use the NFPA 6-Year Damper Testing Interval http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter10_04.pdf</p> <p>SUMMARY: This memorandum permits hospitals to apply the NFPA 6-year testing interval for fire and smoke dampers in hospital heating and ventilating systems, so long as the hospital's testing system conforms to the testing requirements under the 2007 edition of NFPA 80 and NFPA 105. Hospitals may operate under the damper testing cycle of the NFPA 2007 edition without special application to CMS.</p>	<p>K-67,104 http://www.cms.hhs.gov/Medicalcare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
November 20, 2009	10-08-ESRD	<p>Phasing Implementation of Life Safety Code (LSC) Surveys in End Stage Renal Disease (ESRD) Facilities for Calendar Year (CY) 2010 http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter10_08.pdf</p> <p>SUMMARY: LSC surveys are being phased into the ESRD survey program in two phases. Phase I includes the implementation of initial surveys for new facilities, relocation surveys for existing facilities which move to a new location, and complaint surveys that include allegations related to LSC requirements. LSC surveys for existing ESRD facilities will be implemented following the development of Interpretive Guidance specific to those surveys, an ESRD LSC Survey Protocol, and a specific Training Module for ESRD LSC.</p>	N/A
May 14, 2010	10-18-LSC	<p>Revision of S&C-04-41 dated August 12, 2004, Corridor Width & Corridor Mounted Computer Touch Screens in Health Care Facilities – Clarification Effective Immediately http://www.cms.gov/SurveyCertificationGenInfo/Downloads/SCLetter10_18.pdf</p> <p>SUMMARY: This memorandum updates and revises information first conveyed in Survey and Certification letter 04-41, issued on August 12, 2004 by CMS, which provided guidance on corridor width requirements associated with the installation of wall-mounted computer touch screens in health care facilities.</p>	<p>K-72 http://www.cms.hhs.gov/Medicalcare/CMS-Forms/CMS-Forms-Items/CMS009335.html</p>
May 21, 2010	10-20-ASC	<p>Ambulatory Surgical Center (ASC) Waiting Area Separation Requirements http://www.cms.gov/SurveyCertificationGenInfo/downloads/SCLetter10_20.pdf</p> <p>SUMMARY: This memorandum clarifies CMS requirements for ASC waiting areas, including the prohibition on the sharing of waiting areas with other entities.</p>	N/A

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July 23, 2010	10-26-LSC	42CFR 483.470(i) Evacuation Drills for Intermediate Care Facilities for the Mentally Retarded (ICFs/MR) Certified Under the Life Safety Code NFPA 101,2000 Edition http://www.cms.gov/Surveycertificationgeninfo/downloads/scletter10_26.pdf SUMMARY: Self-evacuation during an emergency, full evacuation drills, and exceptions to full evacuation drills.	K-50 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html
December 17, 2010 Revised February 18, 2011	11-05-LSC	Hospital and Critical Access Hospital (CAH) Facility Life Safety Code (LSC) Occupancy Classification Update http://www.cms.gov/Surveycertificationgeninfo/downloads/SCLetter11_05.pdf SUMMARY: Hospital/CAH LSC Occupancy Classification: Hospital and CAH component facilities may be classified as new or existing Health Care, Ambulatory Health Care, Business, or other occupancies, as allowed by provisions of the LSC.	N/A
December 17, 2010	11-07-LSC	Interior Finish Documentation Requirements for Multiple Providers-Hospitals, Ambulatory Surgical Centers, Nursing Homes, Religious Non-Medical Health Care Institutions, Programs of All-Inclusive Care for the Elderly (PACE) Facilities, Critical Access Hospitals, Intermediate Care Facilities for the Intellectually Disabled (ICF-ID), and End Stage Renal Dialysis (ESRD) Facilities http://www.cms.gov/Surveycertificationgeninfo/downloads/SCLetter11_07.pdf SUMMARY: The purpose of this memorandum is to clarify the Centers for Medicare & Medicaid Services (CMS) policy regarding existing interior finish and the requirements for documenting flame spread rating of existing interior finish materials.	K-14,15 http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/CMS-Forms-Items/CMS009335.html
November 10, 2011	12-04-NH	Alert: Smoking Safety in Long Term Care Facilities http://www.cms.gov/Surveycertificationgeninfo/downloads/SCLetter12_04.pdf SUMMARY: This memo reviews current interpretive guidelines for F323 reemphasizing adequate supervision of all residents.	K-66

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December 2, 2011	12-07 Hospital	<p>Clarification of Hospital Equipment Maintenance Require http://www.cms.gov/Surveycertificationgeninfo/downloads/SCLetter12_07.pdf</p> <p>SUMMARY: Section 482.41(c)(2) requires that hospital facilities, supplies, and equipment must be maintained to ensure an acceptable level of safety and quality. This memorandum updates the guidance in Appendix A of the State Operations Manual related to hospital facility and medical equipment maintenance.</p>	N/A
March 9, 2012	12-21- LSC	<p>Instructions Concerning Waivers of Specific Requirements of the 2012 Edition of the National Fire Protection Association (NFPA) 101, the Life Safety Code (LSC), in Health Care Facilities-Clarification Effective Immediately https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/SCLetter12_21-.pdf</p> <p>SUMMARY: Updates to Previous Instructions. This letter addresses updates to the Centers for Medicare & Medicaid Services policy regarding Capacity of the Means of Egress, Cooking Facilities, Heating, Ventilating, and Air Conditioning, and Furnishings, Mattresses, and Decorations.</p>	N/A https://www.cms.gov/manuals/Downloads/som107ap_i_lsc.pdf

CMS Policy & Memos to States and Regions Link

<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Policy-and-Memos-to-States-and-Regions.html>

CMS Forms Link

<http://www.cms.hhs.gov/Medicare/CMS-Forms/CMS-Forms/index.html?redirect=/cmsforms/>