

(PRE-FILED)

By: **Delegate Costa**
 Requested: September 9, 2004
 Introduced and read first time: January 12, 2005
 Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Assisted Living Program Facilities - Emergency Electrical Power Generator**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to
 4 require certain facilities offering assisted living program services to have a
 5 certain emergency electrical power generator on the premises; providing for the
 6 power and system requirements of the emergency power generator; requiring a
 7 facility to conduct a certain test of the emergency power generator a certain
 8 number of times each month; requiring an emergency power system to provide
 9 lighting to certain areas in a facility; requiring emergency electrical power to be
 10 provided to certain areas and equipment; requiring certain facilities to provide
 11 common areas or areas of refuge for certain patients under certain
 12 circumstances; requiring the Department to adopt certain regulations regarding
 13 common areas and areas of refuge; and generally relating to assisted living
 14 program facilities and emergency electrical power generators.

15 BY adding to
 16 Article - Health - General
 17 Section 19-1808
 18 Annotated Code of Maryland
 19 (2000 Replacement Volume and 2004 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Health - General**

23 19-1808.

24 (A) THE DEPARTMENT SHALL REQUIRE THAT EACH ASSISTED LIVING
 25 PROGRAM FACILITY THAT PROVIDES SERVICES TO SIX OR MORE INDIVIDUALS HAVE
 26 AN EMERGENCY ELECTRICAL POWER GENERATOR ON THE PREMISES.

27 (B) THE DEPARTMENT SHALL REQUIRE THAT EACH FACILITY PROVIDE
 28 EMERGENCY ELECTRICAL POWER AS PROVIDED IN THIS SECTION.

1 (C) (1) THE EMERGENCY POWER SOURCE SHALL BE A GENERATING SET
2 AND PRIME MOVER LOCATED ON THE FACILITY PREMISES WITH AUTOMATIC
3 TRANSFER.

4 (2) AN EMERGENCY POWER SYSTEM SHALL MEET THE FOLLOWING
5 REQUIREMENTS:

6 (I) IN THE EVENT OF FAILURE OF THE NORMAL ELECTRIC
7 SERVICE, THE EMERGENCY ELECTRICAL POWER SHALL BE ACTIVATED
8 IMMEDIATELY;

9 (II) THE EMERGENCY GENERATOR SET SHALL COME TO FULL
10 SPEED AND LOAD ACCEPTANCE WITHIN 10 SECONDS; AND

11 (III) THE EMERGENCY GENERATOR SHALL HAVE THE CAPABILITY
12 OF 48 HOURS OF OPERATION FROM FUEL STORED ON-SITE.

13 (3) (I) THE EMERGENCY POWER SYSTEM SHALL BE TESTED ONE TIME
14 EACH MONTH.

15 (II) THE EMERGENCY POWER SYSTEM TEST SHALL REQUIRE THAT
16 THE GENERATOR BE EXERCISED FOR A MINIMUM OF 30 MINUTES UNDER NORMAL
17 EMERGENCY FACILITY CONNECTED LOAD.

18 (III) THE TEST SHALL BE RECORDED IN A PERMANENT LOG BOOK
19 MAINTAINED FOR THAT PURPOSE.

20 (D) THE EMERGENCY POWER SYSTEM SHALL PROVIDE LIGHTING IN THE
21 FOLLOWING AREAS OF THE FACILITY:

22 (1) AREAS OF EGRESS AND PROTECTION AS REQUIRED BY THE STATE
23 FIRE PREVENTION CODE AND LIFE SAFETY CODE 101 ADOPTED BY THE STATE FIRE
24 MARSHAL'S OFFICE;

25 (2) NURSES' STATION;

26 (3) DRUG DISTRIBUTION STATION OR UNIT DOSE STATION;

27 (4) AN AREA FOR EMERGENCY TELEPHONE USE;

28 (5) BOILER OR MECHANICAL ROOM;

29 (6) KITCHEN;

30 (7) EMERGENCY GENERATOR LOCATION AND SWITCH GEAR LOCATION;

31 (8) ELEVATOR, IF OPERABLE ON EMERGENCY POWER;

32 (9) AREAS WHERE LIFE SUPPORT EQUIPMENT IS USED;

33 (10) IF APPLICABLE, COMMON AREAS OR AREAS OF REFUGE; AND

1 (11) IF APPLICABLE, TOILET ROOMS OF COMMON AREAS OR AREAS OF
2 REFUGE.

3 (E) EMERGENCY ELECTRIC POWER SHALL BE PROVIDED FOR THE
4 FOLLOWING:

5 (1) NURSES' CALL SYSTEM;

6 (2) AT LEAST ONE TELEPHONE IN ORDER TO MAKE AND RECEIVE CALLS;

7 (3) FIRE PUMP;

8 (4) SEWERAGE PUMP AND SUMP PUMP;

9 (5) IF REQUIRED FOR EVACUATION PURPOSES, AN ELEVATOR;

10 (6) IF NECESSARY, HEATING EQUIPMENT NEEDED TO MAINTAIN A
11 MINIMUM TEMPERATURE OF 70 DEGREES FAHRENHEIT (24 DEGREES CELSIUS) IN
12 ALL COMMON AREAS OR AREAS OF REFUGE;

13 (7) LIFE SUPPORT EQUIPMENT; AND

14 (8) NONFLAMMABLE MEDICAL GAS SYSTEMS.

15 (F) (1) IF THE EMERGENCY POWER SYSTEM DOES NOT PROVIDE HEAT TO
16 ALL PATIENT ROOMS OR TOILET ROOMS IN THE EVENT OF A LOSS OF ELECTRICITY
17 FROM THE MAIN SOURCE OF POWER, THE FACILITY SHALL PROVIDE COMMON AREAS
18 OR AREAS OF REFUGE FOR ALL PATIENTS.

19 (2) THE DEPARTMENT SHALL ADOPT REGULATIONS REGARDING THE
20 REQUIREMENTS FOR DESIGNATING PARTS OF THE FACILITY AS COMMON AREAS OR
21 AREAS OF REFUGE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2005.