

# **Agency for Health Care Administration**

## **Emergency Power Requirements & Preparedness Updates**

Molly McKinstry, Deputy Secretary  
Division of Health Quality Assurance

April 3, 2018



# Health Care Facility Impact

- Power Outage
  - 350 Nursing Homes (683 licensed)
  - 1,677 Assisted Living Facilities (3,109)
  - 2,029 Total Facilities
- Evacuations
  - 88 Nursing Homes
  - 635 Assisted Living Facilities
  - 862 Total Facilities



# Long Term Care Impact

- Half of Long Term Care Providers had No Power in Excess of 2 Days
- 90 Long Term Care Providers Returned Post-evacuation Before Full Power was Restored



# Emergency Power Rules

Refer to Rules for Requirements

- Nursing Homes

- AHCA Rule 59A-4.1265
- HB 7099

[http://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Long\\_Term\\_Care/docs/Nursing\\_Homes/59A-4.1265\\_EmergencyEnvironmentalControlFoNNursingHomes.pdf](http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Long_Term_Care/docs/Nursing_Homes/59A-4.1265_EmergencyEnvironmentalControlFoNNursingHomes.pdf)

- Assisted Living Facilities

- DOEA Rule 58A-5.036
- SB 7028

[http://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Assisted\\_Living/docs/alf/58A-5.036EmergencyEnvironmentalControlForAssistedLivingFacilities.pdf](http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Assisted_Living/docs/alf/58A-5.036EmergencyEnvironmentalControlForAssistedLivingFacilities.pdf)





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## Assisted Living Facility

An assisted living facility (ALF) is designed to provide personal care services in the least restrictive and most home-like environment. These facilities can range in size from one resident to several hundred and may offer a wide variety of personal and nursing services designed specifically to meet an individual's personal needs.

Facilities are licensed to provide routine personal care services under a "Standard" license, or more specific services under the authority of "Specialty" licenses. ALFs meeting the requirements for a Standard license may also qualify for specialty licenses. The purpose of "Specialty Licenses" is to allow individuals to "age in place" in familiar surroundings that can adequately and safely meet their continuing healthcare needs.

## Emergency Power Related Rules

- [Rule 58A-5.036, F.A.C., Emergency Environmental Control for Assisted Living Facilities](#) (Final rule text ratified by the Legislature.)
- [Emergency Rule 58AER17-1](#) and related documents
  - [Q&As](#)
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## Notices/Updates





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## Long Term Care Unit

The Long Term Care Unit provides licensing and regulation for the following entities:

- [Nursing Homes\\*](#)
- [Intermediate Care Facilities\\*](#)
- [Homes for Special Services\\*](#)
- [Prescribed Pediatric Extended Care Facilities\\*](#)
- [Transitional Living Facilities\\*](#)

**NOTE:** All facilities with an asterick (\*) after the name, are available on the [Online Licensing Application](#).

### Emergency Power Related Rules

- [Rule 59A-4.1265, F.A.C., Emergency Environmental Control for Nursing Homes](#) (Final rule text ratified by the Legislature.)
- [Emergency Rule 59AER17-1](#) and related documents
  - [Q&As](#)
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- [Emergency Rule 59AER17-2](#)



# Emergency Power Rules: Time Line

Final Rules Ratified by the Legislature via Legislative Bills

March 26, 2018	Rules Effective Upon Governor Scott's Signature of Bills
April 25, 2018	Emergency Power Plans Due 30 Days after Effective Date of Rules
June 1, 2018	Emergency Power Plans Implemented
January 1, 2019	Implementation Extension Under Certain Conditions



# Emergency Power Rule Requirements

- Emergency power plan is part of the Comprehensive Emergency Management Plans (CEMPs)
- Emergency power source maintained at the facility
- Must support internal temperatures of 81 degrees or less
  - Safe temperatures at all times for residents
  - Nursing homes - no less than 30 square feet per resident
  - ALF – no less than 20 square feet per resident, may use 80% of licensed capacity to calculate, resident choice/facility monitors
  - Facilities on same campus may share resources



# Emergency Power Rule - Fuel

- Support internal temperatures for 96 hours
- Nursing Homes
  - 72 hours onsite fuel or piped gas
  - Bring additional 24 hours of fuel onsite (to achieve 96 hours) upon declaration of an emergency
  - If fuel storage is restricted by regulations and piped gas is not available, must replenish 24 hours prior to depletion
- Assisted Living Facilities
  - 72 hours onsite fuel or piped gas for 17+ beds
  - 48 hours onsite fuel or piped gas for 16 or less beds
  - Bring additional fuel onsite (to achieve 96 hours) upon declaration of an emergency
  - If fuel storage is restricted by regulations, must replenish 24 hours prior to depletion
  - Carbon monoxide detectors are required



# Nursing Home Deadlines

- Implement plans by June 1, 2018
- Extend until January 1, 2019 for certain delays
  - Must still arrange for safe temperatures
  - Have an alternative power source onsite or contract for delivery within 24 hours of state of emergency
  - May evacuate if in an evacuation zone
  - Does not supersede evacuation orders
- Additional extensions by Rule Variance



# Nursing Home Review Process

- AHCA Office of Plans and Construction reviews nursing home mechanical plans
- Local Emergency Management Agencies review EPP for compliance – notify AHCA
  - Facility must correct deficiencies in 10 days
- Facility notifies residents – submission/approval
- Facility provides AHCA consumer friendly summary
- AHCA posts summaries online



# OPC Generator Project Checklist



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## Office of Plans and Construction

### 2017 Nursing Home Emergency Rule information Regarding Generators

[Nursing Home Generator Project Checklist \[127KB, PDF\]](#)

#### Scott Waltz, Chief

Office of Plans and Construction  
Division of Health Quality Assurance  
Telephone: (850) 412-4477  
Fax: (850) 922-6483

The Office of Plans and Construction is primarily responsible for ensuring that hospitals, nursing homes, ambulatory surgical centers, and Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) are safe, functional, and provide safety-to-life for the patients and residents.

This Office reviews and approves facilities' plans and specifications and surveys their construction. These licensed health care facilities must notify the Office of Plans and Construction in writing at the address below before any equipment replacements, renovations, additions, or new facilities are created. Plans and specifications for such activities must be approved before any construction begins. Architects, engineers and other specially trained plans and construction personnel survey facilities under construction and, when necessary, write reports for required corrections to the construction before approval of the project is given. See [Information for Project Review Packet](#) for more detailed instructions regarding the submissions of plans to this office.

Office of Plans and Construction  
2727 Mahan Drive, Mail Stop #24  
Tallahassee, FL 32308

[http://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Long\\_Term\\_Care/Index\\_LTCU.shtml](http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Long_Term_Care/Index_LTCU.shtml)





RICK SCOTT  
GOVERNOR

JUSTIN M. SENIOR  
SECRETARY



## Office of Plans and Construction

### Nursing Home Generator Project Checklist

All systems must be reviewed and inspected by the Agency's Office of Plans and Construction  
Listed below are specific submission requirements to comply with the Rule 59A-4.1265, Florida Administrative Code.  
See [Project Review Packet](#) for general submission requirements.

Submit a [Plan Review Application Form](#), Construction Documents signed and sealed by the Engineer of record along with a review fee of \$2000.00. Include the following information for replacement of a Level 1/Class 48 Generator or installation of an Optional Standby Generator intended to serve the demand load for a minimum of 96-hours:

#### 1. Functional Program/Scope of Work

- A project narrative indicating the work to be completed, systems affected, and construction phasing (some phases may run concurrently).
- Sequence of Operation describing how the essential electrical system will be maintained throughout the project. Include electrical demolition, temporary generator installation and final connection.
- If the new generator installation will not be completed prior to the date mandated by Rule 59A-4.1265 (June 1, 2018), include a description of the temporary arrangements the facility will implement to insure residents are housed in an area that meets the safe indoor air temperature requirement for a minimum of 96 hours following the loss of power.
- Description of emergency power plan to include which areas of the facility will be occupied by residents following the loss of normal power.
- If residents are to be relocated, an analysis of the HVAC equipment's ability to provide the required cooling.

#### 2. Plans, Specifications, and Supporting Documents

- Site Plan** with the existing conditions; indicate the location of the existing generator, temporary generator connection during transition period (if needed), and the location of the new generator.
- Documentation verifying compliance with the disaster preparedness construction standards of the Florida Building Code Section 450.4 (Level 1 systems only).
- Provide an updated **listing of all applicable codes and standards** and their respective edition date to reflect those adopted by the [Florida State Fire Marshall's Rule—Chapters 69A-3.012 Florida Administrative Code](#).
- Demolition Plan** that indicates the existing conditions including the existing equipment, wiring and all necessary rerouting, removal or relocation of the devices and equipment as required in the area of the scope of work. Indicate the connection of any temporary generator. [Provide notes on the contract documents indicating the temporary emergency generator must meet all the requirements for a permanent generator \(Level 1 systems only\).](#)
- Power Plan** with all the electrical equipment involved in the new Generator installation. Include riser diagrams depicting the existing condition and proposed changes including all new electrical equipment added. All pertinent



# Assisted Living Facility Deadlines

- Implement plans by June 1, 2018
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  - May evacuate if in an evacuation zone
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# Assisted Living Facility Review Process

- Local Authority Having Jurisdiction reviews ALF building/mechanical plans
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# Next Steps

- Local Emergency Management Coordination
  - Facilities' Comprehensive Emergency Management Plan Status
  - Local Collaboration to Address Concerns
  - Improve Self-Sufficiency
  - CEMP Rule Changes
  - Facility Hardening



# Comprehensive Emergency Management Plans

- Rules being revised for all AHCA Programs
- Align where possible with Federal Requirements
- Previous workshop comments will be considered
- Provide input on areas where guidance is needed, such as enforcement
- Unique plans for each provider versus uniformity for residential/ non-residential



# Facility Hardening

- Facility Hardening and Sustainability
  - Support Appropriate Sheltering in Place
  - Enable Safe Return after Evacuation
  - Implementing Federal Rules for Emergency Preparedness for Certified Providers
    - Applies to nursing homes and other federal certified providers (not ALFs)



# Emergency Status System

- Florida Health Stat Rewrite
- Emergency Status System (ESS)
- Phased Releases May, 2018 – July, 2018
- Provider/ AHCA/ DOH and Partner Enrollment
- Targeted Training
- Real-Time Provider Updates



# Emergency Status System

- Facility Information (address, beds, special programs)
- Contact Staff Names / Phones
- Resident/Patient Characteristics
- Generator Details / Status
- Impact/ Damage
- Needs – General
- Contact Made – Calls/ Visits



# **AHCA.myflorida.com**

# **FloridaHealthFinder.gov**

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