

HCS HB 952 & 674 -- LONG-TERM CARE FACILITIES AND SPRINKLER
SYSTEM INSTALLERS

SPONSOR: Bruns (Wilson, 130)

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime
Prevention and Public Safety by a vote of 10 to 0.

This substitute requires all long-term care facilities licensed by the Department of Health and Senior Services to install and maintain approved sprinkler systems in accordance with the National Fire Protection Association (NFPA) by August 28, 2007. Residential care facilities and certain single-story assisted living facilities and skilled nursing facilities that were initially licensed and had approved sprinkler systems installed prior to August 28, 2007, must comply with the current regulations by August 28, 2012, when the facilities must comply with NFPA 13, National Electric Code. All long-term care facilities must also be equipped with a complete fire alarm system upon licensure or August 28, 2009, whichever comes first. Each floor of any facility must also be divided by two one-hour rated smoke-stop partitions.

The department may require employees and contract personnel of any long-term care facility to be awake, dressed, and prepared to assist residents in case of an emergency and the facility to have an emergency preparedness plan.

The Electrician/Sprinkler System Installer Statewide Qualification Commission, which expires July 1, 2008, is established to study and review the development of a statewide standard for persons practicing as electricians and persons installing or inspecting sprinkler systems. Members of the commission will include the directors of the departments of Health and Senior Services, Economic Development, and Public Safety and persons appointed by the Governor including one individual who has been practicing as an electrician for the preceding five years, one individual who has been practicing as a sprinkler system installer or inspector for the preceding five years, a member of a local jurisdiction for electricians or sprinkler system installers, two representatives from the relevant skill trade organizations, and one public citizen. The commission must submit a report to the Governor and General Assembly with recommendations in support of or opposition to statewide standards by July 1, 2008.

The substitute also creates the Fire Safety Standards Loan Fund to assist facilities with installing and maintaining approved sprinkler systems.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$0 or Greater than \$683,239 in FY 2008, \$0 or Greater than \$682,741 in FY 2009, and \$0 or Greater than \$697,224 in FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPONENTS: Supporters of House Bill 952 say that the bill is a comprehensive piece of legislation that deals with sprinklers, fire alarms, electrical systems, emergency preparedness, and employees and contract personnel within a facility. The bill implements a number of measures that will increase safety and decrease the possibility of future tragedies in long-term care facilities.

Supporters of House Bill 674 say that every individual in a residential care facility should feel safe and that his or her life is not in danger. The bill will increase the safety for those in residential care facilities.

Testifying for HB 952 were Representative Wilson (130); Bob Corcoran, Mayor of Anderson; Department of Health and Senior Services; State Fire Marshal; AARP Missouri State Office; and Missouri Healthcare Association. Testifying for HB 674 were Representative Dempsey; Missouri Healthcare Association; Missouri Assisted Living Association; Michael Mahler, Sprinkler Fitters Local Union; Missouri State Council of Firefighters; and Missouri AFL/CIO.

OPPONENTS: Those who oppose HB 952 say that most rural facilities have a difficult time staffing their facilities with a 24-hour awake staff. If residents do not need assistance, the facility should not be required to have an awake staff member on duty 24 hours a day.

Testifying against HB 952 was Gayle Halterman, Lathrop and Gage.

OTHERS: Others testifying on HB 952 say that the importance of a good alarm system is undeniable, but the systems are very expensive. Facilities need time to implement the provisions of the bill.

Others testifying on HB 674 say that sprinkler systems need to have an adequate water supply in order to function properly. Technology is available to help facilities sustain the adequate water pressure necessary.

Testifying on HB 952 was Missouri Association of Homes for the Aging. Testifying on HB 674 were State Fire Marshal; and Missouri Association of Homes for the Aging.