



Division of Public and Behavioral Health Technical Bulletin



Topic: Sample Safety Policy to Satisfy the State Fire Marshal requirements for allowing 10 Category II residents in Residential Facilities for Groups

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TO: HEALTH CARE PROVIDERS AND THE PUBLIC

This technical bulletin is being provided to assist in the understanding of the State Fire Marshal requirements to allow 10 residents not capable of self-preservation (Category II) residents in Residential Facilities for Groups.

Prior to the Division of Public and Behavioral Health (DBPH) issuing a license for a Residential Facility for Groups, NAC 449.0112(2) requires the Nevada State Fire Marshal (NSFM), or local fire department, to perform an inspection of the facility and issue a satisfactory report of inspection. The NSFM issues a Certificate of Compliance as the satisfactory report of inspection to DPBH. All Residential Facility for Groups facilities are required to obtain a Certificate of Compliance from the State Fire Marshal documenting the occupancy allowances for the property.

History of issue: There has been concern in the industry regarding the designation associated with the small Residential Facilities for Groups, changing the classification from Occupancy R-3 or Occupancy R-4 to Occupancy I-2. This resulted in the State Fire Marshal allowing only 5 Category II residents in a facility.

Current licensed residential facilities requesting a change and any new facilities applying for a license may either:

- 1) Meet the prescriptive requirements of Group I-2 occupancy, or
- 2) Institute the enclosed Safety policy and submit the document to DPBH for review. This sample policy was developed by industry partners along with the NSFM and DPBH as an interim fix until regulations or laws can be changed to address the issue. The policy will be reviewed by HCQC staff during the facility's annual inspection and during the renewal period.

These options were developed as a result of collaborative efforts with the State Fire Marshal's office and the provider community.

The facility types this regulation specifies are as follows:

- Residential facilities for groups

Signed: 
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Date: 11/6/2014

Signed: 
Richard Whitley, MS, Administrator
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Date: 11/6/2014