

Joe Lombardo
Governor



Richard Whitley, MS
Director

**DEPARTMENT OF
HEALTH AND HUMAN SERVICES**
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Helping people. It's who we are and what we do.



Cody Phinney, MPH
Administrator

Ihsan Azzam,
Ph.D., M.D.
Chief Medical Officer

May 9, 2024

Memorandum

To: Jon Pennell, Chairperson
State Board of Health

From: Cody Phinney, Administrator
Division of Public and Behavioral Health

RE: Renown South Meadows Medical Center

Subject: Case #764: Renown South Meadows Medical Center Request for Variance to NAC 449.3154.2, *Guidelines for Design and Construction of Hospital and Outpatient Facilities*, Section 2.1-3.7.2.2, "Space Requirements;" and Section 2.1-7.2.2.1 "Corridor Width."

Staff Review

Nevada Administrative Code (NAC) 449.3154.2 states,

[...]

"Except as otherwise provided in this section, any new construction, remodeling or change in the use of a hospital must comply with the applicable provisions of the guidelines adopted by reference in paragraphs (c) and (d) of subsection 1 of NAC 449.0105, unless the remodeling is limited to refurbishing an area of the hospital, including, without limitation, painting the area, replacing the flooring in the area, repairing windows in the area and replacing window or wall coverings in the area."

NAC 449.0105.1(c) states,

[...]

"1. The State Board of Health hereby adopts by reference:

(c) *Guidelines for Design and Construction of Hospitals and Outpatient Facilities*, in the form most recently published by the Facility Guidelines Institute, unless the Board gives notice that the most recent revision is not suitable for this State pursuant

measured 4 feet from one patient care station cubicle curtain to another patient care station cubicle curtain.

Intent of the Regulation:

The intent of the regulation is to provide open and unobstructed aisles and corridors for the transfer of patients from pre-procedure bay to procedure room and back to the post-procedure bay. The specific clearance measurements are written as such to provide outpatient facilities a safe means of transporting patients throughout the suite.

Degree of risk to public health and safety:

The minimum clearance of 8 feet was created based on providing staff with an open and unobstructed aisle between patient care stations when the patient care station bays face each other. This measurement would be independent (in addition to) of clearances between the foot of gurney and the cubicle curtain. The notion of bays facing each other would be viewed as foot of gurney, within a bay, to foot of gurney, within another bay; or foot of gurney, within a bay, to side of gurney, within a bay.

The minimum aisle width of 6 feet was created based on providing staff with an open and unobstructed aisle when transporting stretchers and gurneys throughout an outpatient suite. A “standard” bed/gurney size is 36 inches wide and 80 inches in length (measured from headboard to footboard). This clearance would be viewed to allow two stretchers or gurneys to travel through an aisle at the same time, which has a low probability.

The following areas were measured as follows:

- Bay #1 and Bay #2 face an exterior wall.
 - o Bay #1 – The foot of the gurney measured 6.25 feet to the corner of a Nurse’s Station; and the foot of the gurney measured 8 feet to an exterior wall.
 - o Bay #2 – The foot of the gurney measured 8 feet to an exterior wall. The foot of the gurney measured 5.42 feet to a support column. An opening between Bay #2’s cubicle curtain and Bay #4’s cubicle curtain measured 36 inches. Bay #2 and Bay #4 do not face each other.
- Bay #3 – The foot of the gurney faces the anatomical left side of the gurney within Bay #2. The distance from the foot of the gurney within Bay #3 to the left side of the gurney within Bay #2 measured 13.66 feet. An opening between Bay #3’s cubicle curtain and Bay #4’s cubicle curtain measured 5.58 feet.
- Bay #4 – The foot of the gurney faces an open aisle and does not face another bay.
- Bay #5 – The foot of the gurney faces the anatomical left side of the gurney within Bay #3. The distance from the foot of the gurney within Bay #5 to the left side of the

option due to the structural engineer raising concerns with regards of the amount of work required to maintain stability within the building.

Staff Recommendation

Staff recommends that the Board of Health approve Case #764, Renown South Meadows Medical Center request for variance to NAC 449.3154.2, *Guidelines for Design and Construction of Outpatient Facilities*, Section 2.1-3.7.2.2, “Space Requirements;” and Section 2.1-7.2.2.1 “Corridor Width.”

Public Comments:

None

Presenter:

Michael Kupper, Health Facilities Inspector III
Bureau of Healthcare Quality and Compliance

Attachments:

RSMMC OPIR Bay Clearance - Floor Plan
RSMMC OPIR Suite Code Compliance Plan - Egress Pathways

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NOTICE OF PUBLIC HEARING

RENOWN SOUTH MEADOWS MEDICAL CENTER, 10101 DOUBLE R BLVD, RENO, NV 89521, IS REQUESTING A VARIANCE, #764, FROM THE NEVADA STATE BOARD OF HEALTH REGULATIONS.

NOTICE IS HEREBY GIVEN THAT RENOWN SOUTH MEADOWS MEDICAL CENTER, 10101 DOUBLE R BLVD, RENO, NV 89521, has requested a variance from Nevada Administrative Code (NAC) 449.3154.2 The Facility Guidelines Institute, *Guidelines for Design and Construction of Outpatient Facilities*, 2018 Edition.

A public hearing will be conducted on June 7, 2024, at 9:00 am by the Nevada State Board of Health to consider this request. This meeting will be held online and at physical locations, listed below.

Physical Locations:

Southern Nevada Health District (SNHD)
Red Rock Trail Rooms A and B
280 S. Decatur Boulevard; Las Vegas, Nevada 89107

Nevada Division of Public and Behavioral Health (DPBH)
Hearing Room No. 303, 3rd Floor
4150 Technology Way; Carson City, Nevada 89706

Meeting Link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDI0M2VINDItNzU5NS00YjFhLThmMDUtMWEzOTA1NWUxODRj%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22e2f9f008-841c-437d-b037-927c30ea003e%22%7d

Please Note: If you experience technical difficulties connecting online, please call into the meeting to participate by phone.

Join by Phone:

1-775-321-6111
Phone Conference ID Number: 443 843 916#

Secretary, State Board of Health
Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89706

Anyone wishing to testify for more than five minutes on the proposed variance must petition the Board of Health at the above address. Petitions shall contain the following: 1) a concise statement of the subject(s) on which the petitioner will present testimony; 2) the estimated time for the petitioner's presentation.

This notice has also been posted at the following locations:

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH (DPBH), 4150 TECHNOLOGY WAY, CARSON CITY, NV
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH WEBSITE:

<http://dpbh.nv.gov/Boards/BOH/Meetings/Meetings/>

BEFORE THE STATE BOARD OF HEALTH

IN THE MATTER OF)

RENOWN SOUTH MEADOWS MEDICAL CENTER)

VARIANCE REQUEST: CASE #764)

The Nevada State Board of Health ("Board"), having considered the application of Renown South Meadows Medical Center for a variance and all other related documents submitted in support of the application in the above referenced matter, makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

1. The Division of Public and Behavioral Health received a request from Renown South Meadows Medical Center for a variance from Nevada Administrative Code (NAC) 449.3154.2.
2. NAC 449.3154.2 states:

"Except as otherwise provided in this section, any new construction, remodeling or change in the use of a hospital must comply with the applicable provisions of the guidelines adopted by reference in paragraphs (c) and (d) of subsection 1 of NAC 449.0105, unless the remodeling is limited to refurbishing an area of the hospital, including, without limitation, painting the area, replacing the flooring in the area, repairing windows in the area and replacing window or wall coverings in the area."

Further, NAC 449.0105(1)(c) states:

The State Board of Health hereby adopts by reference:

- "1. The State Board of Health hereby adopts by reference: [...]
(c) *Guidelines for Design and Construction of Hospitals and Outpatient Facilities*, in the form most recently published by the Facility Guidelines Institute, unless the Board

discharge. There is no risk of health imposed on patients, staff, or the public by granting this variance request. The existing layout has created "pinch points" (areas not meeting the required widths/clearances). However, the facility demonstrated the ability to safely transport patients via gurney through these "pinch points" with a clear and unobstructed pathway from bay to the IR room and/or the CT room, and back to the bay. The cubicle curtains around specific bays created openings less than the FGI requires. However, the cubicle curtains are not fixed objects and are capable of being moved. The facility provided their Infection Control Risk Assessment (ICRA), which included cleaning cubicle curtains once every three months unless visibly soiled. The entire OPIR suite would be cleaned each night due to the facility being an Outpatient facility, with patients admitted and discharged within the same day. If there was a time where a patient required overnight recovery time, the patient would be admitted to the hospital. This would allow the suite to be thoroughly cleaned each and every night.

5. RSMCC dealt with challenging existing conditions in preparing this treatment center. The OPIR was built within an existing building, with the Pre-procedure and Post-procedure bays located near an exterior wall. Further delay would result in undue hardship as inpatient acute care continues to be stressed. These outpatient services can provide relief to inpatient acute care wait times.

In order for the facility to meet full compliance of the FGI, with regards to minimum clearances for aisles, the facility would be required to remove an interior wall. This would involve expanding the patient prep/recovery bays into the existing waiting room and being required to use a shared waiting room within the Medical Testing area. Removing and building a new interior wall would 1) create a substantial delay in providing patients in the community with this service and 2) would cost the facility approximately \$1.68 million (M).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause appearing, therefore, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the variance from NAC 449.3154(2) is APPROVED as presented; specifically, the hospital will be allowed to have corridors with reduced widths due to the existing structural columns.

DATED this 7 day of June, 2024

Cody Phinney, MPH, Administrator

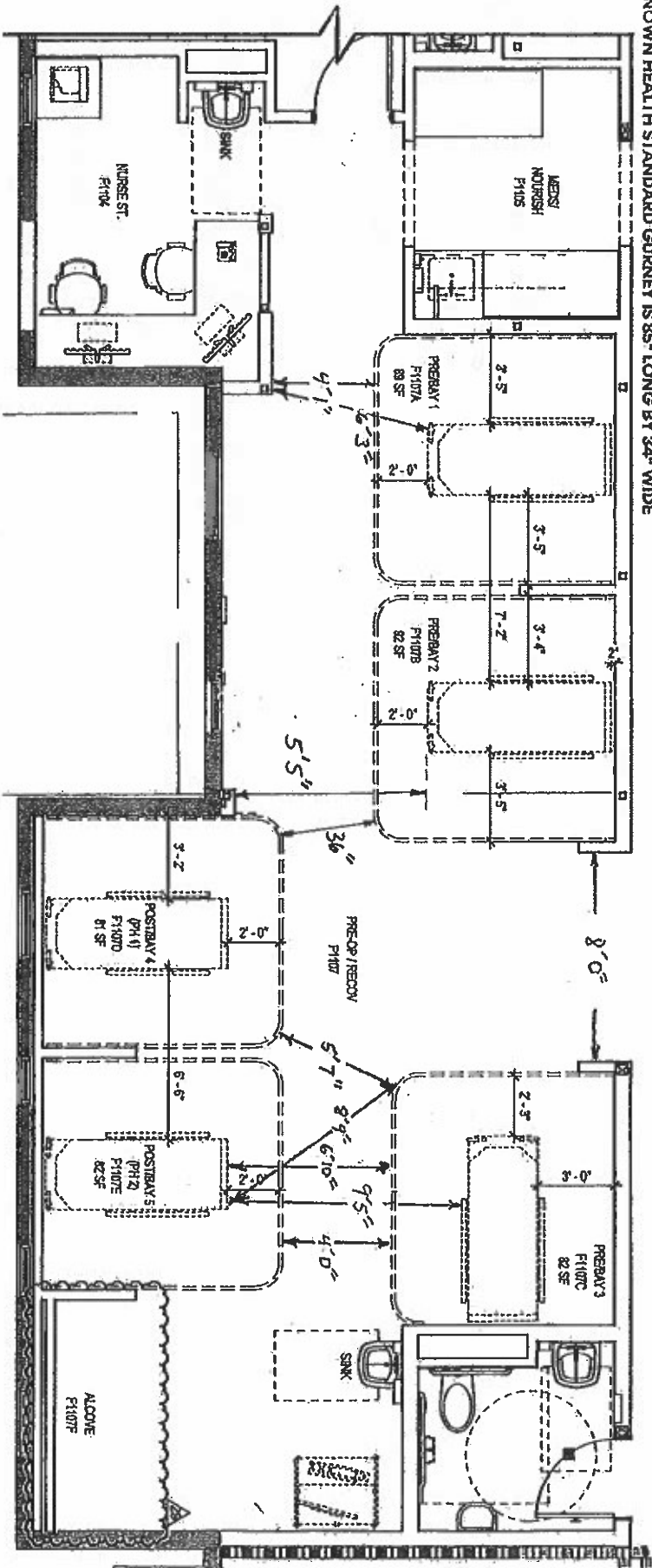
Department of Health and Human Services

SOUTH MEADOWS CAPRI OUTPATIENT INTERVENTIONAL RADIOLOGY CENTER - PREP/RECOVERY BAYS
RESPONSE PACKET FOR EMAIL DATED, 01/23/2024 FROM MR. STEVE GERLEMEN - 2024-01-24

COMMENT NO. 03 - SUPPLEMENTAL INFORMATION
PATIENT CARE AREA CLEARANCES AS SHOWN ON SHEET A17-01F OF THE ORIGINAL SUBMITTAL PACKAGE TO IN217 ARCHITECTURE

PER FGI OUTPATIENT 2-1-2.2.2(2) - "CORRIDORS USED FOR STRETCHER AND GURNIEY TRANSPORT SHALL HAVE A MINIMUM CORRIDOR OR AISLE WIDTH OF 6 FEET."

RENEWN HEALTH STANDARD GURNIEY IS 85" LONG BY 34" WIDE



3 PRE-OP / RECOVERY BAYS CLEARANCES
1/4" = 1'-0"

NEVADA STATE BOARD OF HEALTH
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
4150 Technology Way, Suite 300
CARSON CITY, NV 89706

APPLICATION FOR VARIANCE

Please check the appropriate box that pertains to the NAC for which you are requesting a variance.

Division Administration
(NAC 439, 441A, 452, 453A, & 629)

Health Care Quality & Compliance
(NAC 449, 457, 459 & 652)

Child, Family & Community Wellness
(NAC 392, 394, 432A, 439, 441A, & 442)

Health Statistics, Planning,
Epidemiology and Response
(NAC 440,450B, 452, 453, 453A, & 695C)

Public Health & Clinical Services
(NAC 211, 444, 446, 447, 583, & 585)

Date: 4.26.2024

Name of Applicant: Renown South Meadows, Tammy Oliver Phone: 775-982-6126

Mailing Address: 10101 Double R Blvd

City: Reno State: NV Zip: 89509

We do hereby apply for a variance to _____ of the Nevada
chapter/section NAC 449.3154.2

Administrative Code (NAC). (For example: NAC 449.204)

Title of section in
question: 2018 FGI Outpatient: 2.1-7.2.2.1 Corridor Width | 2.1-3.7.2.2 Space Requirements

Statement of existing or proposed conditions in violation of the NAC:

Renown Health is requesting a variance to obtain approval on a proposed condition in violation of the required aisle width designed in the South Meadows Hospital Outpatient Interventional Radiology (OPIR) patient prep and recovery bays and/or cubicles. The South Meadows Hospital Outpatient Interventional Radiology is built in an existing building previously serving our community as South Meadows Hospital Outpatient Rehabilitation Therapy. The patient care area is defined as a Patient Care Non-Sleeping Suite per Life Safety Code which exceeds 2500 sq.ft. and meets the requirements of two exit exterior access doors remotely located from each other, and an additional means of egress from the suite to another suite.

The proposed condition in violation is between the bays and/or cubicles that face each other foot-to-foot, foot-to-side, or foot-to-head. An aisle is required to assure there will be enough room to accommodate passage of gurney, equipment, and personnel. Renown Health recognizes the proposed condition is in violation in prep and recovery bays and/or cubicles area and will remove bay 6 out of service, as it does not assure there will be enough room to accommodate gurney, equipment, and personnel. For the remaining non-compliant conditions, a variance is requested.

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APPLICATION FOR VARIANCE

Date of initial operation (if existing): Area has not started operations.

ATTENTION: Please read this section closely. Your request for variance will be examined against these criteria:

Any person who, because of unique circumstances, is unduly burdened by a regulation of the State Board of Health and thereby suffers a hardship and the abridgement of a substantial property right may apply for a variance from a regulation. (NAC 439.200(1))

1. The State Board of Health will grant a variance from a regulation only if it finds from the evidence presented at the hearing that:
 - (a) There are circumstances or conditions which:
 - (1) Are unique to the applicant;
 - (2) Do not generally affect other persons subject to the regulation;
 - (3) Make compliance with the regulation unduly burdensome; and
 - (4) Cause a hardship to and abridge a substantial property right of the applicant; and
 - (b) Granting the variance:
 - (1) Is necessary to render substantial justice to the applicant and enable him to preserve and enjoy his property; and
 - (2) Will not be detrimental or pose a danger to public health and safety.
2. Whenever an applicant for a variance alleges that he suffers or will suffer economic hardship by complying with the regulation, he must submit evidence demonstrating the costs of his compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable. (NAC 439.240)

Therefore, it is important for your variance request to be as complete as possible. It is your responsibility to attach documentation supportive of your variance request.

Statement of degree of risk of health

Renown Health will sustain regulatory compliance of a Non-Patient Sleeping Suite by maintaining safe means of access and keeping clear of obstructions for fire rescue, employee health and safety, and patient health and safety with established gurney movements while transporting patients. Safe means of access will be kept clear to allow safe movement, prompt occupant escape from the building, horizontal evacuation, and prompt medical rescue while navigating equipment.

The South Meadows Outpatient Interventional Radiology Hospital Outpatient Department, patient care area, is a Patient Non-Sleeping Suite primarily used for outpatient services. No adjacent permanent fixed objects are between bays. Sustainment of code compliance for the building includes the construction materials, interior finishes, structural fire resistance, fire-rated barriers and doors, dampeners for prevention of the spread of fire, smoke compartment, fire alarm system, fully sprinklered, fire detection, gas monitoring system, access-controlled area, horizontal evacuation, fire response plan, emergency operation plan, regulatory emergency

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APPLICATION FOR VARIANCE

Please state in detail the circumstances or conditions which demonstrate that:

1. An exceptional and undue hardship results from a strict application of the Regulation:

This project is critical to patients in the Reno/Sparks community as it is one of the few centers in the area. The interventional radiology suite was expected to serve 24 patients daily, and the CT scan suite was projected to serve six patients daily. The Imaging suites require the patient prep and recovery bays and/or cubicles. The variance is requesting approval for 5 prep/recovery bays which will therefore service 15 IR cases plus 1-2 CT cases (depending on the type of case).

The anticipated patient volume is derived from the critical need in the Reno/Sparks community for this type of outpatient service, reducing the burden on trauma services and resultant delays of care. Patient services provided in this new department will include biopsies and other much needed services. The current wait time for these services can be up to 4-weeks. The trauma center can then focus on patients with high acuity ER/ICU conditions (examples: strokes, embolisms, aneurysms) .

Renown Health dealt with challenging existing conditions in preparing this treatment center. Further delay would result in undue hardship as inpatient acute care continues to be stressed. These outpatient services can provide relief to inpatient acute care wait times. Renown Health has already hired staff and committed significant funding for the capital improvements as part of Renown's ongoing investment to the community as a non-profit.

2. The variance, if granted, would not:

A. Cause substantial detriment to the public welfare.

Renown Health can provide safe patient care and safe means of access upon approval of application for variance that will not pose a risk of danger to the public welfare of patients, employees, and visitors.

B. Impair substantially the purpose of the regulation from which the application seeks a variance.

No impairment to the purpose of the regulation that substantially impact the safe means of access that Renown Health seeks application for variance.

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APPLICATION FOR VARIANCE

- _ 3. Plat map showing locations of all pertinent items and appurtenances
See attachment D
- _ 4. Well log (if applicable)
N/A
- _ 5. Applicable lab reports
N/A
- _ 6. Applicable engineering or construction/remodeling information
- _ 7. Other items (see following pages)
Attachment A – Life Safety Drawing
Attachment B – Suites Drawing
Attachment C – Risk Assessment
Attachment D – Plat Map

This application must be accompanied by evidence demonstrating the costs of your compliance with regulations or specific statutory standards. Your request will be placed on the Board of Health agenda 40 days or more after receipt in this office if accompanied by the required fee (NAC 439.210). The application and supporting documentation will form the basis for the Division of Public and Behavioral Health staff report and recommendation(s) to the Board. Failure to respond to the above statements may cause the Board to deny consideration of the application at the requested Board meeting.

Please schedule this hearing during:

The next regularly scheduled Board of Health meeting, regardless of location.

The next scheduled meeting in Carson City.

The next scheduled meeting in Las Vegas.

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4150 Technology Way, Suite 300
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APPLICATION FOR VARIANCE

**PLEASE SUBMIT YOUR APPLICATION FOR VARIANCE BY USING
ANY OF THE FOLLOWING METHODS:**

MAIL TO:

Cody Phinney, Administrator
Division of Public and Behavioral Health
4150 Technology Way, Suite 300
Carson City, NV 89706

FAX:

775-687-7570

EMAIL:

DPBH@health.nv.gov