

SENATE, No. 1328

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires health care facilities be built according to Type I or Type II construction standards.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing certain standards for health care facilities
2 construction and supplementing P.L.1975, c.217 (C.52:27D-
3 119 et seq.).

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. As used in this section:

9 Health care facility" means the facility or institution, whether
10 public or private, that is engaged principally in providing services
11 for health maintenance organizations, diagnosis, or treatment of
12 human disease, pain, injury, deformity, or physical condition,
13 including, but not limited to, a general hospital, special hospital,
14 mental hospital, public health center, diagnostic center, treatment
15 center, rehabilitation center, extended care facility, skilled nursing
16 home, nursing home, intermediate care facility, assisted living
17 facility, tuberculosis hospital, chronic disease hospital, maternity
18 hospital, outpatient clinic, dispensary, home health care agency,
19 residential health care facility, dementia care home, and
20 bioanalytical laboratory (except as specifically excluded hereunder),
21 or central services facility serving one or more such institutions but
22 excluding institutions that provide healing solely by prayer and
23 excluding such bioanalytical laboratories as are independently
24 owned and operated, and are not owned, operated, managed, or
25 controlled, in whole or in part, directly or indirectly by any one or
26 more health care facilities, and the predominant source of business
27 of which is not by contract with health care facilities within the
28 State of New Jersey and which solicit or accept specimens and
29 operate predominantly in interstate commerce.

30 b. Except as provided for in subsection c. of this section, a
31 health care facility shall be built with noncombustible materials as
32 defined by section 703.5 of the 2018 International Building Code or
33 fire resistive materials in accordance with the requirements of Type
34 I or Type II construction as defined by section 602.2 of the 2018
35 International Building Code.

36 c. Combustible materials shall only be used in the construction
37 of a health care facility if permitted under section 603 of the 2018
38 International Building Code. The use of fire-retardant treated wood
39 shall be prohibited in the construction of a health care facility.

40 d. The commissioner, pursuant to the Administrative Procedure
41 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt regulations
42 necessary to effectuate the provisions of this section, and may adopt
43 a health care facility construction subcode or propose amendments
44 to revise the appropriate model code adopted pursuant to section 5
45 of P.L.1975, c.217 (C.52:27D-123), for the purpose of establishing
46 adequate and appropriate standards for health care facility
47 construction.

1 2. This act shall take effect immediately.

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STATEMENT

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6 This bill would require that a health care facility be built with
7 noncombustible materials as defined by section 703.5 of the 2018
8 International Building Code, or fire resistive materials, in
9 accordance with the requirements of Type I or Type II construction
10 as defined by section 602.2 of the 2018 International Building
11 Code.

12 Type I construction requires the use of fire resistant materials to
13 prevent fires from burning and spreading at an accelerated pace.
14 Type I structures are constructed of concrete and protected steel
15 coated with a fire-resistant material, most often a concrete mixture,
16 and are designed to resist fire for an extended amount of time.
17 Type II construction requires the use of noncombustible materials to
18 reduce the likelihood of a fire. The walls and roofs of a type II
19 structure are constructed of non-combustible materials, specifically
20 reinforced masonry.

21 Due to the limited mobility of health care facility patients,
22 specifically those in hospitals and nursing homes, these facilities
23 should be built to Type I or Type II construction standards to reduce
24 the likelihood of a fire and provide sufficient evacuation time for
25 patients in the event of a fire.