

# Regulatory Advisory

*A service to members, advisories are produced whenever there is a significant development that affects the job you do in your community.*

## The Joint Commission Proposes a New Chapter on Life Safety Your Comments are Needed!

### A Message to ASHE Members:

The Joint Commission (TJC) is seeking public comment on a proposed new Chapter in their standards, Life Safety (LS). **You are encouraged to seize this opportunity to review and comment on the proposed standards.**

As part of TJC's Standards Improvement Initiative, a new chapter has been created that will be used to assess compliance with the Life Safety Code. While this may appear to be a huge increase in requirements, **please don't panic** Most of the new Standards and Elements of Performance (EPs) in the new LS chapter are items that healthcare organizations are currently responsible for.

Hospitals are currently required to comply with the 2000 Edition of the Life Safety Code. The new LS chapter will continue to require compliance. Currently organizations document significant portions of their compliance through the Statement of Conditions Part III and, current Standard EC 5.20, EP 1 which states; *"Each building in which patients are housed or receive care, treatment or services complies with the LSC, NFPA® 101."*

The ASHE Advocacy Team has conducted a detailed analysis of the new standard. It appears that this new chapter is actually nothing more than the NFPA Life Safety Code put in The Joint Commission (TJC) standards language. Our assessment is that with a couple of minor exceptions, TJC is true to their statement that:

*"This chapter consists of current Life Safety Code (LSC) requirements found in the Environment of Care (EC) Chapter. There are no new requirements."*

TJC further states that *"These requirements are written so as to be consistent with those issued by the Centers for Medicare and Medicaid Services (CMS), and those published in the National Fire Protection Agency's (NFPA) Life Safety Code (101-2000)."*

### Highlights of the new Life Safety (LS) Chapter include:

- The LS Chapter will take effect January 1, 2009.
- TJC will continue to require compliance with the 2000 edition of NFPA's Life Safety Code (LSC), so nothing has changed with regard to meeting this series of standards
- The proposed LS Chapter is an extraction of basic elements from the LSC so that CMS and TJC survey results will be more consistently reported. The CMS K-Tag document was used heavily in the creation of this new LS Chapter.
- Many of the EPs in the new LS Chapter are already required in the current EC.5.20 and SOC Part 3. TJC states that this will enhance organizations' ability to self-assess using the Periodic Performance Review (PPR) process.

- Organizations will still submit the eSOC with Basic Building Information and any Plans for Improvement.

## The Issue

ASHE has two primary causes for concern.

- The expansion of the number of Elements of Performance and the current scoring system of TJC.

ASHE has been assured that the scoring system will be modified so that numerous minor deficiencies with the LSC will not cause anything more than a Request for Information. As of the issuance of this Advisory, TJC has not disclosed details of the new scoring process, however, they have stated, "A new decision process currently in development will ensure that the scoring of multiple LS EPs will not, in and of itself, trigger an adverse decision. ***In the proposed model for 2009 the volume of survey findings will not determine an adverse decision.***"

- How the use of a Building Maintenance Program will effect scoring

In the Introduction to LS 1.10, a description of a Building Maintenance Program (BMP) is provided, and nine types of deficiencies are listed that "can be managed using this program...". There are several EPs that contain a note regarding using a BMP. As an example LS.2.10 EP 5 states; *"An acceptable method for managing non-functioning latching and cling devices it through an effective Building Maintenance Program."*

ASHE's concern is that as with the entire scoring system for this chapter, it is not clear how the presence of a BMP might affect scoring of items covered by the BMP.

ASHE will continue to work and communicate with the TJC to assure the scoring system will not be punitive or overly burdensome to accredited healthcare organizations. ASHE is strongly recommending TJC issue the new scoring rules prior to closing the comment period for the new Life Safety Chapter so accredited organizations can comment on the entire package of proposed changes.

## ASHE NEEDS YOUR HELP!

JC has provided a narrow window of opportunity for comment. The proposed EC Standards are available for comment through January 22. ASHE encourages you to review the proposed LS Chapter and comment on the changes.

## A Call to Action

Please take this opportunity to discuss these proposed revisions to the existing EC standards within your organization and take the time to comment to the Joint Commission. ASHE will submit comments detailing our overall concerns. But it is critical that The Joint Commission also hears directly from the professionals that work with these standards every day - each ASHE member!

## How to Review and Comment on the new LS Chapter

### Step 1

There are TJC Life Safety Chapters for various occupancy types. Click here to access the TJC

LS Chapters.

Review the proposed chapter. Open a blank MS Word or other type of text document. Record your comments as you review the chapter(s) The ASHE Advocacy Team has performed an analysis of the proposed LS chapter and prepared a series of comments for TJC. [Click here](#) to access the ASHE comments.

## Step 2

- Use the Joint Commission on-line survey

[Click here](#) to access the TJC website. There are a series of basic demographic questions you will answer. You will then be presented with 7 questions to respond to regarding the LS Chapter. The last survey item states "Please provide any additional comments related to your response in this section." A box is provided to insert your comments. Copy and paste your comments into the box.

Or

- E-mail your comments to TJC at [standardsimprovement@jointcommission.org](mailto:standardsimprovement@jointcommission.org)

Or

- Send your comments to TJC at

**The Joint Commission**  
Division of Standards & Survey Methods  
Attn: Jeff Conway  
One Renaissance Blvd.  
Oakbrook Terrace, IL 60181

If you agree with [ASHE's comments](#) you may state in your response to TJC, "I support the comments submitted by ASHE regarding the LS Chapter."

If you would prefer not to respond directly to TJC but have comments that you would like to have considered, submit your comments to ASHE at [tadams@aha.org](mailto:tadams@aha.org) and ASHE will submit them on your behalf.

For questions or comments contact Tim Adams at [tadams@aha.org](mailto:tadams@aha.org) or 312-422-3804.