

From: [Spaulding, Allen \(DOH\)](#)
To: [Brown, Richard \(DES\)](#)
Cc: [Williams, John \(DOH\)](#)
Subject: Minority Report - Code Change Proposal B05
Date: Tuesday, September 11, 2018 1:43:22 PM
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Dear Mr. Brown and members of the BFP committee,

Please consider this minority report at the September 13th committee meeting. I also plan on being available via phone to answer questions.

Construction Review Services (CRS) submitted a code amendment to the 2018 IBC, Section 308.3.3. This proposal was submitted to address recent legislative and judicial direction that increased the scope of services and types of residents served in Residential Treatment facilities (RTF's). This challenges the legitimacy of a single occupancy group approach under our current state amendment (I-1, condition 2). Instead, we proposed an RTF could be one of several different occupancies, based on risk, sub categories of service and licensure. While TAG members understood the need and concept, ultimately the TAG did not vote to support the amendment.

The variety of resident characteristics and associated risks no longer support a single occupancy classification approach. However, the current licensing rules do not distinguish between the different sub categories of services. This may change in the future. If so, we commit to revisiting the proposal during the off-cycle or next version of the rule. In the meantime, CRS remains committed to working with both the council and local jurisdictions to look at alternative approaches to adequately protect residents in these facilities.

Respectfully submitted,

Allen Spaulding, CBO

Department of Health

Construction Review Services

Email: al.spaulding@doh.wa.gov

360-236-2952 | www.doh.wa.gov/crs

