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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 107. HEALTH CARE ACCESS AND INFORMATION [127000 - 130079]** ( *Heading of Division 107 amended by Stats. 2021, Ch. 143, Sec. 28. )*

**PART 7. FACILITIES DESIGN REVIEW AND CONSTRUCTION [129675 - 130079]** ( *Part 7 added by Stats. 1995, Ch. 415, Sec. 9. )*

**CHAPTER 1. Health Facilities [129675 - 130070]** ( *Chapter 1 added by Stats. 1995, Ch. 415, Sec. 9. )*

**ARTICLE 2. Definitions [129700 - 129745]** ( *Article 2 added by Stats. 1995, Ch. 415, Sec. 9. )*

**129700.** Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

(*Added by Stats. 1995, Ch. 415, Sec. 9. Effective January 1, 1996.*)

**129705.** "Architect" means a person who is certified and holds a valid license under Chapter 3 (commencing with Section 5500) of Division 3 of the Business and Professions Code.

(*Added by Stats. 1995, Ch. 415, Sec. 9. Effective January 1, 1996.*)

**129710.** "Construction or alteration" includes any construction, reconstruction, or alteration of, or addition to, any hospital building.

(*Added by Stats. 1995, Ch. 415, Sec. 9. Effective January 1, 1996.*)

**129715.** "Director" means the Director of the Department of Health Care Access and Development.

(*Amended by Stats. 2021, Ch. 143, Sec. 279. (AB 133) Effective July 27, 2021.*)

**129720.** "Engineering geologist" means a person who is validly certified under Chapter 12.5 (commencing with Section 7800) of Division 3 of the Business and Professions Code.

(*Added by Stats. 1995, Ch. 415, Sec. 9. Effective January 1, 1996.*)

**129725.** (a) (1) "Hospital building" includes any building not specified in subdivision (b) that is used, or designed to be used, for a health facility of a type required to be licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2.

(2) Except as provided in paragraph (7) of subdivision (b), hospital building includes a correctional treatment center, as defined in subdivision (j) of Section 1250, the construction of which was completed on or after March 7, 1973.

(b) "Hospital building" does not include any of the following:

(1) Any building where outpatient clinical services of a health facility licensed pursuant to Section 1250 are provided that is separated from a building in which hospital services are provided. If any one or more outpatient clinical services in the building provides services to inpatients, the building shall not be included as a "hospital building" if those services provided to inpatients represent no more than 25 percent of the total outpatient services provided at the building. Hospitals shall maintain on an ongoing basis, data on the patients receiving services in these buildings, including the number of patients seen, categorized by their inpatient or outpatient status. Hospitals shall submit this data annually to the State Department of Public Health.

(2) A building used, or designed to be used, for a skilled nursing facility or intermediate care facility if the building is of single-story, wood-frame, or light steel frame construction.

(3) A building of single-story, wood-frame, or light steel frame construction where only skilled nursing or intermediate care services are provided if the building is separated from a building housing other patients of the health facility receiving higher levels of care.

(4) A freestanding structure of a chemical dependency recovery hospital exempted under subdivision (c) of Section 1275.2.

(5) A building licensed to be used as an intermediate care facility/developmentally disabled habilitative with six beds or less and an intermediate care facility/developmentally disabled habilitative of 7 to 15 beds that is a single-story, wood-frame, or light steel frame building.

(6) A building subject to licensure as a correctional treatment center, as defined in subdivision (j) of Section 1250, the construction of which was completed before March 7, 1973.

(7) (A) A building that meets the definition of a correctional treatment center, pursuant to subdivision (j) of Section 1250, for which the final design documents were completed or the construction of which was initiated before January 1, 1994, operated by or to be operated by the Department of Corrections and Rehabilitation, or by a law enforcement agency of a city, county, or a city and county.

(B) In the case of reconstruction, alteration, or addition to, the facilities identified in this paragraph, and paragraph (6) or any other building subject to licensure as a general acute care hospital, acute psychiatric hospital, correctional treatment center, or nursing facility, as defined in subdivisions (a), (b), (j), and (k) of Section 1250, operated or to be operated by the Department of Corrections and Rehabilitation, or by a law enforcement agency of a city, county, or city and county, only the reconstruction, alteration, or addition, itself, and not the building as a whole, nor any other aspect thereof, shall be required to comply with this chapter or the regulations adopted pursuant thereto.

(8) A freestanding building used, or designed to be used, as a congregate living health facility, as defined in subdivision (i) of Section 1250.

(9) A freestanding building used, or designed to be used, as a hospice facility, as defined in subdivision (n) of Section 1250.

*(Amended by Stats. 2013, Ch. 76, Sec. 131. (AB 383) Effective January 1, 2014.)*

**129730.** (a) Space for the following functions shall be considered "outpatient clinical services," when provided in a freestanding building that is separated from a hospital building where inpatient hospital services are provided: administrative space; central sterile supply; storage; morgue and autopsy facilities; employee dressing rooms and lockers; janitorial and housekeeping facilities; and laundry.

(b) The outpatient portions of the following services may also be delivered in a freestanding building and shall be considered "outpatient clinical services:" surgical; chronic dialysis; psychiatry; rehabilitation; occupational therapy; physical therapy; maternity; dentistry; and chemical dependency.

(c) Services that duplicate basic services, as defined in subdivision (a) of Section 1250, or services that are provided as part of a basic service, but are not required for facility licensure may also be provided in a freestanding building.

(d) The department shall not approve any plans that propose to locate any function listed in subdivision (a) in a freestanding building until the State Department of Health Services certifies to the department that it has received and approved a plan acceptable to the State Department of Health Services that demonstrates how the health facility will continue to provide all basic services in the event of any emergency when the freestanding building may no longer remain functional.

(e) Services listed in subdivisions (b) and (c) are subject to the same 25-percent inpatient limitation described in Section 129725.

*(Amended by Stats. 2021, Ch. 143, Sec. 280. (AB 133) Effective July 27, 2021.)*

**129735.** "Light steel frame construction" means building construction using bearing walls composed of light gauge steel studs for its primary vertical support systems.

*(Added by Stats. 1995, Ch. 415, Sec. 9. Effective January 1, 1996.)*

**129740.** "Department" means the Department of Health Care Access and Information.

*(Amended by Stats. 2021, Ch. 143, Sec. 281. (AB 133) Effective July 27, 2021.)*

**129745.** "Structural engineer" means a person who is validly certified to use the title structural engineer under Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code.

*(Added by Stats. 1995, Ch. 415, Sec. 9. Effective January 1, 1996.)*