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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 5. Building Safety Board [129925 - 129960]** ( *Article 5 added by Stats. 1995, Ch. 415, Sec. 9. )*

**129925.** There is in the department a Hospital Building Safety Board that shall be appointed by the director. The board shall advise the director and, notwithstanding Section 13142.6 and except as provided in Section 18945, shall act as a board of appeals in all matters relating to the administration and enforcement of building standards relating to the design, construction, alteration, and seismic safety of hospital building projects submitted to the department pursuant to this chapter.

Further, notwithstanding Section 13142.6, the board shall act as the board of appeals in matters relating to all fire and panic safety regulations and alternate means of protection determinations for hospital building projects submitted to the department pursuant to this chapter.

(Amended by Stats. 2021, Ch. 143, Sec. 314. (AB 133) Effective July 27, 2021.)

**129930.** The board shall consist of 16 members appointed by the director of the department. Of the appointive members, two shall be structural engineers, two shall be architects, one shall be an engineering geologist, one shall be a geotechnical engineer, one shall be a mechanical engineer, one shall be an electrical engineer, one shall be a hospital facilities manager, one shall be a local building official, one shall be a general contractor, one shall be a fire and panic safety representative, one shall be a hospital inspector of record, and three shall be members of the general public.

(Amended by Stats. 2021, Ch. 143, Sec. 315. (AB 133) Effective July 27, 2021.)

**129932.** (a) Each member shall be appointed by the director for a term of four years and shall hold office until the appointment and qualification of his or her successor or until one year has elapsed since the expiration of the term for which he or she was appointed, whichever first occurs. No person shall serve as a member of the board for more than two consecutive terms. The director may remove any member of the board for neglect of duty or other just cause.

(b) The terms of the appointive members of the board who are in office before January 1, 1994, shall expire as follows:

- (1) The terms of two members shall expire January 1, 1994.
- (2) The terms of two members shall expire January 1, 1995.
- (3) The terms of two members shall expire January 1, 1996.
- (4) The terms of two members shall expire January 1, 1997.
- (5) The terms of three members shall expire January 1, 1998.

- (6) The terms of three members shall expire January 1, 1999.

The terms shall expire in the same relative order as the original appointment dates.

(c) Vacancies occurring during a term shall be filled by appointment for the unexpired term.

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

**129935.** Appointive members, except for the public members, shall be qualified by close connection with hospital design and construction and highly knowledgeable in their respective fields with particular reference to seismic safety. Appointive members, except for the public members, shall be appointed from nominees recommended by the governing bodies of the Structural Engineers Association of California; the American Institute of Architects; the Earthquake Engineering Research Institute; the Association of Engineering Geologists; the Consulting Engineers and Land Surveyors of California; the California Association of Local Building Officials; the American Society for Heating, Refrigerating, and Air-Conditioning Engineers, Inc.; the California Association of Hospitals and Health Systems; the Associated General Contractors of California; the American Construction Inspectors' Association; and the California Fire Chiefs' Association. Board members shall be residents of California.

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

**129940.** (a) There shall be six ex officio members of the board, who shall be the director of the department, the State Fire Marshal, the State Geologist, the Executive Director of the California Building Standards Commission, the State Director of Health Services, and the Deputy Director of the Division of Facilities Development in the department, or their officially designated representatives.

(b) The director may also appoint up to three additional ex officio members, with the advice of the chair. On January 1, 1994, director-appointed ex officio members may continue to serve until appointment of their successors by the director.

*(Amended by Stats. 2021, Ch. 143, Sec. 316. (AB 133) Effective July 27, 2021.)*

**129942.** (a) Only appointed members shall vote at board meetings.

(b) Appointed members, ex officio members, and others appointed to a committee, including an appeal committee, by the chair, may vote at committee meetings.

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

**129945.** The chair of the board shall be an appointive member and shall be elected by a majority of the appointive members.

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

**129950.** The board shall be served by an executive director who shall be a member of the department staff.

*(Amended by Stats. 2021, Ch. 143, Sec. 317. (AB 133) Effective July 27, 2021.)*

**129955.** The Building Safety Board shall convene upon request of the chairperson thereof. The chairperson may convene a meeting of the board whenever it may be necessary, in the chairperson's judgment, for the board to meet. The board shall adopt rules of procedure as necessary to enable it to perform its duties. The chairperson shall, at his or her discretion, or upon instructions from the board, designate subcommittees to study and report back to the board upon any technical subject or matter for which an independent review or further study is desired.

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

**129960.** Members of the board shall be reimbursed from the Hospital Building Account in the Architecture Public Building Fund for their reasonable actual expenses in attending meetings conducted to carry out the provisions of this chapter, and they shall receive from that account per diem of one hundred dollars (\$100) for each day actually spent in the discharge of official duties where attendance at one or more publicly scheduled meetings or hearings of the board is required by the board's chairperson. However, they shall receive no other compensation from that account for their services.

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