

Chapter 212-44 WAC
CHILD BIRTH CENTERS—STANDARDS FOR FIRE PROTECTION

Last Update: 10/20/80

WAC

212-44-001	Purpose.
212-44-005	Definitions.
212-44-010	Applicability.
212-44-015	Compliance.
212-44-020	Inspection.
212-44-025	Approval.
212-44-030	Right of appeal.
212-44-035	Local codes.
212-44-040	Standards.
212-44-045	Construction requirements.
212-44-050	Modernization or renovation.
212-44-055	Additions.
212-44-065	Design, operation.
212-44-067	Exiting.
212-44-069	Vertical openings.
212-44-072	Fire extinguishers.
212-44-073	Lighting.
212-44-077	Protection from hazards.
212-44-080	Fire alarm.
212-44-090	Fire and evacuation plan.
212-44-100	Equipment maintenance.
212-44-105	Severability.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

212-44-060	Mixed occupancies. [Order FM-77-3, § 212-44-060, filed 12/8/77.] Repealed by WSR 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-070	Compartmentation. [Order FM-77-3, § 212-44-070, filed 12/8/77.] Repealed by WSR 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-075	Smoke detection. [Order FM-77-3, § 212-44-075, filed 12/8/77.] Repealed by WSR 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-085	Sprinkler protection. [Order FM-77-3, § 212-44-085, filed 12/8/77.] Repealed by WSR 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.
212-44-095	Fire drills. [Order FM-77-3, § 212-44-095, filed 12/8/77.] Repealed by WSR 80-15-077 (Order FM 80-1), filed 10/20/80. Statutory Authority: RCW 18.46.110.

WAC 212-44-001 Purpose. The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 18.46.110, with respect to all facilities to be licensed by the department of social and health services and maintained and operated to provide birth services.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-001, filed 10/20/80; Order FM-77-3, § 212-44-001, filed 12/8/77.]

WAC 212-44-005 Definitions. The following definitions shall apply to this regulation:

(1) "Maternity home" means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, That this regulation shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(2) "Licensing agency" means the Washington state department of social and health services.

(3) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration

and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(4) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(5) "Fire chief" means the chief of the fire department providing fire protection services to the child birth centers.

(6) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes statewide building and fire prevention codes and mandates enforcement by each city, town and county.

(7) "Ambulatory" means physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(8) "Birth center" or "child birth center" means a type of maternity home which is a house, building, or equivalent, organized to provide facilities and staff to support a birth service: Provided, That the birth service includes or is limited to low-risk maternal clients during the intrapartum period.

(9) "Birthing room" means a room designed, equipped and arranged to provide for the care of a woman and newborn and to accommodate her support person(s) during the process of vaginal birth (the three stages of labor and recovery of a woman and newborn).

(10) "Birth service" means the prenatal, intrapartum, and postpartum care provided for individuals with uncomplicated pregnancy, labor, and vaginal birth, to include the newborn care during the recovery period.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-005, filed 10/20/80; Order FM-77-3, § 212-44-005, filed 12/8/77.]

WAC 212-44-010 Applicability. This regulation applies to all facilities licensed or subject to licensure as child birth centers by the department of social and health services.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-010, filed 10/20/80; Order FM-77-3, § 212-44-010, filed 12/8/77.]

WAC 212-44-015 Compliance. All facilities licensed as child birth centers shall comply with the provisions of this regulation.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-015, filed 10/20/80; Order FM-77-3, § 212-44-015, filed 12/8/77.]

WAC 212-44-020 Inspection. The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions

necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance.

[Order FM-77-3, § 212-44-020, filed 12/8/77.]

WAC 212-44-025 Approval. Upon the completion of the inspection, if the facility is in reasonable compliance with the applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency.

[Order FM-77-3, § 212-44-025, filed 12/8/77.]

WAC 212-44-030 Right of appeal. A facility aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force.

[Order FM-77-3, § 212-44-030, filed 12/8/77.]

WAC 212-44-035 Local codes. Approvals are issued or denied on the basis of the applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-035, filed 10/20/80; Order FM-77-3, § 212-44-035, filed 12/8/77.]

WAC 212-44-040 Standards. The following standards shall be applicable to all child birth centers built or licensed after the effective date of this regulation.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-040, filed 10/20/80; Order FM-77-3, § 212-44-040, filed 12/8/77.]

WAC 212-44-045 Construction requirements. (1) New construction or major remodeling shall comply with the Group B, Division 2 requirements of the 1976 Uniform Building Code. This classification is advisory, but not binding on local building officials charged with the administration and enforcement of the State Building Code Act.

(2) New and existing buildings not over two stories in height, to be occupied as a child birth center, may be of any recognized construction type: Provided, That the building has been maintained to the extent that the fire and life safety features have not been reduced.

(3) Buildings three stories in height shall be of at least one hour fire-resistive construction.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-045, filed 10/20/80; Order FM-77-3, § 212-44-045, filed 12/8/77.]

WAC 212-44-050 Modernization or renovation. No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-050, filed 10/20/80; Order FM-77-3, § 212-44-050, filed 12/8/77.]

WAC 212-44-055 Additions. Any addition shall be separated from any existing nonconforming structure as required in Table 5B of the Uniform Building Code.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-055, filed 10/20/80; Order FM-77-3, § 212-44-055, filed 12/8/77.]

WAC 212-44-065 Design, operation. All child birth centers shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency endangering the residents or patients. The protection of residents or patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and separation; (2) provision for detection, alarm and evacuation; and (3) fire prevention and the planning, training and drilling in programs for the notification of fire and the safe evacuation of residents or patients from the building or affected fire area.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-065, filed 10/20/80; Order FM-77-3, § 212-44-065, filed 12/8/77.]

WAC 212-44-067 Exiting. (1) Not less than two exits shall be accessible from every part of each floor being used for birth services or uses incidental thereto, including floor levels below the street floor.

(2) Exits shall be remote from each other and shall be arranged to minimize the possibility that both may be blocked by any emergency.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-067, filed 10/20/80.]

WAC 212-44-069 Vertical openings. Every stairway, elevator shaft, light and ventilation shaft, chute, and other opening between

stories shall be enclosed or protected to prevent the spread of fire or smoke from one floor to another.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-069, filed 10/20/80.]

WAC 212-44-072 Fire extinguishers. At least one approved fire extinguisher suitable for use on fires in ordinary combustibles shall be provided on each floor level. Additional fire extinguishers may also be required due to area, travel distance or special hazards.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-072, filed 10/20/80.]

WAC 212-44-073 Lighting. (1) Illumination of the means of egress shall be continuous during the time that conditions of occupancy require that the means of egress be available for use.

(2) Automatic emergency lighting shall be provided and so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as the failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s) including accidental opening of a switch controlling normal lighting facilities.

(3) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged condition. Electric storage batteries used in such lights or units shall be approved for their intended use and shall comply with the National Electrical Code, NFPA 70.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-073, filed 10/20/80.]

WAC 212-44-077 Protection from hazards. Any area used for general storage, and boiler or furnace rooms shall be separated from other parts of the building by construction having a fire-resistance rating conforming to the general construction requirements of the building type.

Central heating plants and other fuel-burning appliances shall be properly maintained and cleaned at frequent intervals. The surrounding area shall be kept free of rubbish and combustible storage.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-077, filed 10/20/80.]

WAC 212-44-080 Fire alarm. Every child birth center shall have an electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm throughout the building or affected portion thereof.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-080, filed 10/20/80; Order FM-77-3, § 212-44-080, filed 12/8/77.]

WAC 212-44-090 Fire and evacuation plan. The administration of every child birth center shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-090, filed 10/20/80; Order FM-77-3, § 212-44-090, filed 12/8/77.]

WAC 212-44-100 Equipment maintenance. Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other item of equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturer's recommendation and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person.

[Order FM-77-3, § 212-44-100, filed 12/8/77.]

WAC 212-44-105 Severability. If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 18.46.110. WSR 80-15-077 (Order FM 80-1), § 212-44-105, filed 10/20/80; Order FM-77-3, § 212-44-105, filed 12/8/77.]