

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1287

S.P. 418

In Senate, March 11, 2003

An Act To Amend the Life Safety Requirements for Residential Care Facilities

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President DAGGETT of Kennebec.
Cosponsored by Representative FLETCHER of Winslow and
Senators: BROMLEY of Cumberland, GAGNON of Kennebec, HATCH of Somerset,
STRIMLING of Cumberland.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 22 MRSA §7855, sub-§4**, as enacted by PL 2001, c. 596,
Pt. A, §1 and affected by Pt. B, §25, is amended to read:

6 **4. Requirements for residential care facilities.**
7 Residential care facilities must comply with the following
8 provisions chapters of the National Fire Protection Association
9 Life Safety Code relating to new and existing residential board
10 and care occupancies adopted by the Department Commissioner of
11 Public Safety, ~~Office of the State Fire Marshal~~. Residential
12 care facilities must comply as follows.

14 A. A residential care facility that has one to 3 beds must
15 comply with the one-family and 2-family dwelling chapter of
16 the Life Safety Code.

18 A-1. A residential care facility with 4 to 6 beds, whose
19 residents have prompt evacuation capability, as defined in
20 the Life Safety Code, must comply with the one-family and
21 2-family dwellings chapter of the Life Safety Code if that
22 residential care facility was licensed under that chapter
23 prior to October 1, 2002.

24 B. ~~Except as provided in paragraph A-1,~~ a residential
25 care facility with 4 to 16 beds must comply with the
26 sections of the Life Safety Code that apply to small
27 facilities and with the chapter relating to new residential
28 board and care occupancy chapter if that facility is a new
29 facility that was constructed on or after July 25, 2002 or
30 with the existing residential board and care occupancy
31 chapter if that facility is ~~an existing facility~~ was
32 licensed before July 25, 2002.

34 C. A residential care facility with more than 16 beds must
35 comply with the sections of the Life Safety Code that apply
36 to large facilities and with the chapter relating to new
37 residential board and care occupancy chapter if that
38 facility is a new facility constructed on or after July 25,
39 2002 or with the chapter relating to existing residential
40 board and care occupancy chapter if that facility is ~~an~~
41 existing facility was licensed before July 25, 2002.

44
45 **SUMMARY**

46 This bill clarifies certain changes to the life safety
47 requirements for residential care facilities. In 2002, the
48 Legislature directed the Office of the State Fire Marshal to
49 adopt various chapters of the National Fire Protection
50

2 Association Life Safety Code, depending on the size of the
facility and the ability of residents to evacuate. During the
implementation of the new requirements, several situations were
4 identified as being unintended and unnecessary. This bill
corrects those situations.