

From: Scott, James D. (LARA) [<mailto:ScottJ6@michigan.gov>]
Sent: Friday, January 20, 2017 10:51 AM
To: Tom Longanbach
Cc: Dyke, Teri Lee (LARA); Horvath, Larry (LARA); Remus, Laura (LARA); Hale, Edward (LARA); spettitt@straubpettityaste.com; kdube@benziemaples.org; Roepke, Michelle M. (LARA); Osborn, Kim (LARA)
Subject: RE: The Maples occupancy opportunity

Tom,

Yes the information provided in the email from Stu Pettitt is correct.

Based on our construction inspection of the facility and the Life Safety Code inspection of the new building completed on 7/7/16, the building was approved for occupancy under the state codes on 8/15/16.

As noted in paragraph 3 of Mr. Pettitt's email, the facility does not meet the prescriptive requirements of NFPA 101 Life Safety Code because of the combustibile roof decking. This deficiency will be cited each year during the annual certification survey under the Life Safety Code. As noted in the S & C letter 17-15-LSC which was attached to Mr. Pettitt's email, and highlighted by him in the implementation section of the letter, for facilities that do not meet the prescriptive fire safety requirements of the 2012 LSC, they may use the 2013 FSES to achieve compliance with the Medicare and Medicaid fire safety requirements. The subsequent paragraph of the S & C letter (also highlighted) explains the steps which must be followed to be determined to be in compliance. Paragraph 6 Indicates that a facility that achieves a passing score on the 2013 FSES will be considered to meet the fire safety requirements for certification into the Medicare and Medicaid programs.

I have reviewed the FSES submitted with your email, and have noted that it shows a passing score for each smoke zone in the facility.

Since the facility will be considered to be in compliance, a waiver will not be necessary.

I hope that this addresses your questions.

Sincerely,

Jim

James D. Scott, P.E., Section Manager
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Health Facility Licensing, Permits and Support Division
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From: Tom Longanbach [<mailto:TLonganbach@benzieco.net>]
Sent: Thursday, January 12, 2017 10:23 AM
To: Scott, James D. (LARA) <ScottJ6@michigan.gov>
Subject: FW: The Maples occupancy opportunity
Importance: High

Can you verify that this email is true?

Thomas N. Longanbach

Thomas N. Longanbach
Chair Benzie County Building Authority
tlonganbach@benzieco.net
231-882-0015

From: Stu Pettitt [<mailto:spettitt@straubpettitttaste.com>]
Sent: Tuesday, January 10, 2017 5:15 PM
To: 'Edgar Roy III'
Cc: Tom Longanbach; Mitch Deisch
Subject: The Maples occupancy opportunity
Importance: High

Ed:

After CMS adopted and implemented the 2012 edition of the National Fire Protection Association (NFPA) 101 – Life Safety Code (LSC) effective July 5, 2016, related forms and procedures continued to be developed including the adoption of the 2013 edition of the National Fire Protection Association (NFPA) 101A – Alternative Approaches to Life Safety. This included updated Fire Safety Evaluation System (FSES) requirements and forms. The new CMS-2786T Forms were issued in October 2016 and are different than the previous edition of the forms.

On January 8, 2017, Ed Hale asked me to fill out updated 2013 NFPA 101A FSES forms for The Maples to reflect the changes and adjustments. The new FSES forms have been completed and emailed to Ed Hale. See attached CMS-2786T Forms. A passing safety score is now achieved for all building zones and all safety parameters thus indicating that “the level of safety is at least equivalent to that prescribed by

NFPA 101, Life Safety Code, for health care occupancies.” In performing this evaluation, it should be noted that I consulted with both Ed Hale and Jim Scott to make sure all assumptions were correct. Especially important is the determination that The Maples is considered an EXISTING facility. See highlighted sentence in attached CMS notice 16-29-LSC.

At future CMS inspections of The Maples, the facility will be cited for the deficient combustible roof decking based on the prescriptive requirements of NFPA 101 Life Safety Code. However, the FSES evaluation forms would be submitted again as part of the Plan of Correction to meet performance requirements based on the NFPA 101A Alternative Approaches to Life Safety which would mean the facility is code compliant. See highlighted paragraphs in attached CMS notice 17-15-LSC. This all means that no waiver will be required which was confirmed verbally by Jim Scott. I understand that Kathy Dube is communicating with Jim Scott and is hoping that he will state that same determination.

The bottom line is:

1. The Maples facility is now safe to occupy per code requirements.
2. No waiver will be required in the future concerning the roof decking.

I think we are done here! Thanks.

Stu

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