



AGENCY OF HUMAN SERVICES
DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING

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April 26, 2017

Dear Providers,

Attached is a memorandum from the Division of Fire Safety concerning the number of individuals that you can have in your home that require assistance during evacuation. If you have more than three individuals that need assistance during an evacuation, you must have permission from the Division of Fire Safety. This memo was originally sent in 2013 and is still in effect.

Joe Benard is the new Deputy Director of the Division of Fire Safety. Pam Cota and I have met with Joe recently. Joe is currently reviewing and updating the memorandum and we will send out the new memorandum when we receive it. Please be aware that all licensed facilities are expected to be in compliance with all state rules and laws.

Thank you,
Suzanne

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To: Department of Disabilities, Aging and Independent Living
Division of Licensing & Protection

From: Department of Public Safety – Division of Fire Safety

Date: March 13, 2013

Re: Residential Care and Assisted Living Facilities Evacuation Capabilities

Providing adequate staffing and evacuation drills is main purpose of this memorandum.

With an aging population and increased demand on Residential Care and Assisted Living Facilities to provide care for residents with a slow or impractical capability, the following requirements are based on the National Fire Protection Association (NFPA) 101 Life Safety Code, Chapter 33. The requirements of Chapter 33 were developed on the assumption that the occupants will normally evacuate the building in fire emergencies.

- Facilities protected by an automatic sprinkler system, having impractical residents must demonstrate that evacuation can be conducted in 13 minutes or less, or at least two (2) or more staff based on number of residents requiring personal assistance, shall be on duty at all times regardless of facility size (small or large). (2012 NFPA 101 Sections 33.2.1.2, 33.7.1.2 & A3.3.76)
- Facilities which are not protected by an automatic sprinkler system, evacuation of residents must be completed in 8 minutes or less, or at least two (2) or more staff based on number of residents requiring personal assistance, shall be on duty at all times regardless of facility size (small or large). (2012 NFPA 101 Sections 33.2.1.2, 33.2.1.3.2.7, 33.7.1.2 & A3.3.76)
- Fire drills must be conducted at least six (6) times annually on a bi-monthly basis with at least two (2) drills conducted when residents are sleeping. Drills shall involve an actual evacuation of all residents to an assembly point as specified in the emergency plan. (2012 NFPA 101 Section 33.7.3)



- Residents with a classification of impractical shall not be required to actively participate in the drill, provided adequate staff is provided to assist at all times in an actual emergency. (2012 NFPA 101 Section 33.7.3.6)
- Only facilities with an automatic sprinkler system shall be permitted to have impractical residents including ERC (Enhanced Residential Care) residents. When increasing the number of impractical residents beyond the number of three (3) the Division of Fire Safety must grant approval for the additional residents. (2012 NFPA 101 Section 33.3.5.2)
- Facilities shall provide a log of fire drills with accurate evacuation times, and list those individuals needing verbal and/or physical assistance to evacuate. (2012 NFPA 101 Section 33.2.1.2.2)
- Resident capabilities will be evaluated at least annually, and for residents with geriatric problems or degenerative diseases, not less than every 6 months. (2012 NFPA 101 Section A.33.1.1)

NFPA 101 A.3.3.76 Evacuation Capability

Translation of drill times to evacuation capability is determined as follows:

- (1) 3 minutes or less – **prompt**
- (2) Over 3 minutes, but not in excess of 13 minutes – **slow**
- (3) More than 13 minutes - **impractical**

Small Facility – not more than 16 residents: (NFPA 101 33.2.1.1.1)

Large Facility – more than 16 residents: (NFPA 101 33.2.1.1.2)