

By Senator Webster

9-1100A-04

1 A bill to be entitled
2 An act relating to uniform firesafety standards
3 in nursing homes; amending s. 633.022, F.S.;
4 requiring that each nursing home licensed under
5 part II of ch. 400, F.S., be protected by an
6 approved, supervised automatic sprinkler
7 system; providing schedules for the
8 installation of the automatic sprinkler system
9 in hazardous and nonhazardous areas of a
10 nursing home; authorizing the Department of
11 Financial Services to grant extensions for
12 specified periods for installing a sprinkler
13 system in nonhazardous areas of a nursing home;
14 prohibiting extensions for installing a
15 sprinkler system in hazardous areas of a
16 nursing home; authorizing the department to
17 adopt rules; directing the department to
18 enforce the sprinkler system standards;
19 providing that nursing homes that violate the
20 act are subject to administrative sanctions;
21 providing an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Subsection (4) is added to section 633.022,
26 Florida Statutes, to read:

27 633.022 Uniform firesafety standards.--The Legislature
28 hereby determines that to protect the public health, safety,
29 and welfare it is necessary to provide for firesafety
30 standards governing the construction and utilization of
31 certain buildings and structures. The Legislature further

1 determines that certain buildings or structures, due to their
2 specialized use or to the special characteristics of the
3 person utilizing or occupying these buildings or structures,
4 should be subject to firesafety standards reflecting these
5 special needs as may be appropriate.

6 (4)(a) Notwithstanding any law to the contrary, a
7 nursing home licensed under part II of chapter 400 must be
8 protected by an approved, supervised automatic sprinkler
9 system in accordance with section 9 of National Fire
10 Protection Association (NFPA) Pamphlet 101, Life Safety Code,
11 2003 edition, according to the following schedule:

12 1. Each hazardous area, as defined by section
13 19.3.2.1.5 of National Fire Protection Association (NFPA)
14 Pamphlet 101, Life Safety Code, 2003 edition, of a nursing
15 home must be protected by an approved, supervised automatic
16 sprinkler system by December 31, 2007; and

17 2. The entire area of a nursing home must be protected
18 by an approved, supervised automatic sprinkler system by
19 December 31, 2009.

20 (b) The department may grant two 1-year extensions for
21 compliance with subparagraph (a)2., if the department
22 determines that the nursing home has been prevented from
23 complying with subparagraph (a)2. for reasons beyond the
24 nursing home's control. An extension may not be granted for
25 complying with the time limits in subparagraph (a)1.

26 (c) The department may adopt rules to administer and
27 enforce this section. The department shall enforce this
28 subsection and any nursing home in violation of this
29 subsection may be subject to administrative sanctions.

30 Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Requires that all nursing homes be protected by an approved, supervised automatic sprinkler system. Requires the installation of sprinkler systems in hazardous areas by December 31, 2007, and in nonhazardous areas by December 31, 2009. Authorizes the Department of Financial Services to grant two 1-year extensions for installing sprinkler systems in nonhazardous areas of a nursing home. Prohibits extensions for installing sprinkler systems in hazardous areas of nursing homes. Authorizes the department to adopt rules. Directs the department to enforce the sprinkler system standards. Provides for administrative sanctions.