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TENNESSEE DEPARTMENT OF HEALTH

MEMORANDUM

Date: September 26, 2011
To: Andrea Turner, Director of Communications and Media Relations
From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities
Special Meeting-NFPA 72 Door Locking Devices
Subcommittee Meeting.

Date of Meeting: October 19, 2011

Time: 9:00 a.m.-12:00 noon, Central Daylight Time

Place: Poplar Conference Room
227 French Landing, Suite 150
Heritage Place Metrocenter
Nashville, TN 37243

Major Item(s) on Agenda: Discuss in depth for Interpretation the Fire Safety Code NFPA 72 regarding Door Locking Devices.

This memo shall be forwarded from individual programs to the Public Information Office on the 15th day of the preceding month. The Public Information Office will prepare the monthly list of meetings within the Department and have ready for distribution to state media by the 28th day of the preceding month.

AGENDA

**BOARD FOR LICENSING HEALTH CARE FACILITIES
NFPA 72 DOOR LOCKING DEVICE SUBCOMMITTEE MEETING**

**227 French Landing
Heritage Place Metrocenter
Poplar Conference Room, Suite 150
Nashville, TN 37243**

October 19, 2011

9:00 a.m. – 12:00 noon

- 1. Call the meeting to order.**
- 2. Discussion.**
- 3. Public Comments.**
- 4. Adjourn.**

MINUTES
BOARD FOR LICENSING HEALTH CARE FACILITIES
NFPA 72 DOOR LOCKING DEVICES
SUBCOMMITTEE MEETING
October 19, 2011

The Board for Licensing Health Care Facilities NFPA 72 Door Locking Devices Subcommittee meeting was called to order by Ms. Ann Rutherford Reed on October 19, 2011 commencing at 9:00 a.m.

Ms. Reed detailed the origin of this subcommittee. It was established by the Board at the September 14, 2011 Board meeting based upon a request for interpretation regarding Life Safety and NFPA rules and codes regarding emergency egress doors connected to a power supply must unlock upon loss of primary power and cannot be kept closed through the use of a secondary power source.

Ms. Reed called the roll to establish a quorum.

Ms. Sylvia Burton
Mr. Alex Gaddy
Mr. James Weatherington

Present and representing the Office of General Counsel:

Ms. Diona Layden

Also present:

Ms. Ann Rutherford Reed, Director of the Board for Licensing Health Care Facilities
Mr. Vincent Davis, Director, Health Care Facilities
Ms. Wanda Hines, Board Administrator
Mr. Bill Harmon, Facilities Construction Director

A quorum was established by roll call vote.

Ms. Reed instructed the subcommittee members a chairman would need to be chosen. Mr. Weatherington nominated Mr. Gaddy to serve in this capacity and he accepted it.

Ms. Reed familiarized the subcommittee members with the provided paperwork; all current adopted codes by the Board, Mr. Weatherington information, Chris Puri representing THCA's information, and original information presented to the September Board meeting. This is for use by the subcommittee as this issue is reviewed.

Mr. Bill Harmon, Facilities Construction Director, explained the problem Health Care Facilities is having across the state regarding the NFPA codes. The Department is presently under the 2003 codes for nursing homes; 2006 codes are awaiting release from the Governor; and the 2012 NFPA codes are now available to the industry.

Special locking arrangements are permitted by NFPA 72, but the arrangements must unlock upon loss of the power controlling the arrangements on doors which are a means of egress or in the direction of egress. Cases have been found where the door locks are wired directly to the generator and remain locked during disruption to the power source.

Ms. Burton wanted clarification of the definition of power. She understood the interpretation to strictly exclude the generator as power where if you have a generator that takes over as the electrical power then it is a power source.

Mr. Harmon expressed the Department is not trying to be unsympathetic but the regulations interprets to require these doors operate through an alarm system. The doors are wired through the fire alarm panel. If there is a loss of power to the fire alarm the doors should unlock. The fire alarm panel alerts the facility to problems i.e. smoke detector initiated sprinkler head discharged, etc. If the doors remain locked then there is no checking for problems on the part of the facility.

Mr. Gaddy explained in his building if a power loss is experienced it will affect the fire alarm system which causes the doors to automatically go dead which is what they should do until it switches to generator power. Mr. Gaddy indicated the fire alarm system never went out from power. He expressed confusion on the issue presented to the subcommittee.

Ms. Burton stated if a facility has a trouble site indicated by the fire alarm system, the trouble point is found, the alarm is reset after a check of the trouble points; the doors aren't affected unless the alarm actually goes off. With the system in my building, if you press on the door for 15 seconds they automatically open. The staff is trained in the facility's protocol. Ms. Burton felt unlocking doors unnecessarily put residents in jeopardy.

Mr. Harmon emphasized that the fire alarm system panel must be reset manually which also resets the doors. He stated there are variances across the state of different conditions with different fire alarm systems and locking door systems.

Mr. Vincent Davis, Director, interjected that the discussion at the point is not about resetting the fire alarm. The discussion is whether these magnetic locks can be wired directly to what is determined to be the secondary power source like a generator as opposed to a primary source coming in from the outside and when the primary source goes off the doors remain locked because they are connected to the generator. The question is being whether or not that connection to the generator is allowed or not allowed by code?

Ms. Layden questioned when your generator becomes your primary power source then what your secondary power source is because her understanding was that you need both a primary and a secondary power source. Mr. Gaddy stated the fire alarm system has a battery back-up. Mr. Weatherington agreed that all fire alarm systems require battery back-up. Mr. Gaddy stated the true secondary power source is the battery back-up.

Mr. Chris Puri introduced Mr. Tom Jaeger whose expertise includes leadership in NFPA. Mr. Puri wanted to bring Mr. Jaeger into the discussion as a resource on any questions regarding the NFPA codes and requirements.

Mr. Jaeger introduced himself and explained he was a member of the Life Safety Committee for the technical committee on health care occupancies who wrote the standards of the NFPA 72 which are in discussion today. He emphasized he is not representing the committee just himself. Mr. Jaeger explained the primary power is the utility company, the secondary power is the battery in the fire alarm system because the battery is there to provide uninterrupted power which means when normal power goes out that battery immediately kicks in because that fire alarm system is a critical life safety system in the building, and the generator is emergency power and takes ten (10) seconds to power up which is why the battery is essential. In the code, there are manual released locks and automatic released locks. Automatic release locks are required to unlock upon loss of power. Manual release locks such as the magnetic locks with a key pad do not unlock upon loss of power. It was never the intent of the Life Safety Code that any manual of release lock which is the majority of locks used to unlock during a power failure. The committee of the Life Safety Code recognizes the hazards that those locks are there for to protect such as elopement and safety of the residents. Those locks are not powered by the fire alarm system but through the fire alarm system so when the fire alarm system is activated power could be out to those locks. The NFPA sets forth that formal interpretation is issued by the committee that writes the standards but they cannot issue a formal interpretation for any document that is more than one edition away from the current document. NFPA could not issue an interpretation for any standards older than 2006. Mr. Jaeger stated the intent is that the door can lock with emergency power but cannot lock with a secondary power which is the battery in the fire alarm system. This was never the intent of NFPA 72 which deals with fire alarm systems.

Mr. Davis indicated there was a situation where a facility lost power and had a keypad. The generator activated and the doors then relocked, but the facility never checked or no one did a visual assessment of the doors to determine if they had to be reset or anything of that nature with the keypad. Mr. Jaeger stated although there was a keypad the doors immediately relocked and you do not have to reset from the keypad. Once the emergency power is on, the keypad is performing the same function as it did during normal power; it automatically relocks.

Discussion ensued regarding the fire alarm systems and the magnetic doors locks between Mr. Harmon, Mr. Jaeger and the subcommittee members. There was determined to be confusion on the means of locking and unlocking of doors. It was determined there were two different scenarios at hand; doors unlock based on an issue or loss of fire alarm panel power or loss of facility power due to an outside source. Mr. Harmon expressed this should be addressed for all facility types under the questionable 2003 NFPA 72 codes. Mr. Jaeger indicated if you have no generator and only battery back-up that if there is a loss of power in the facility only the fire alarm panel will remain with power. The doors will unlock. Mr. Gaddy stated the interpretation needs to be clear and centered around the definition of secondary and emergency power source. Mr. Puri stated the issue was based on the deficiency citation where the connection of those doors to a system that was connected to the emergency generator. Ms. Reed felt written explained clearly. She questioned if there is an interpretation that the Board needs to give based upon these codes or the need for waiving the codes. Ms. Reed felt at the department level or staff

level there needs to be education with surveyors regarding the set of codes we are currently under on this particular issue. Mr. Puri agreed that should be a part of the solution. From the association and the members' prospective, the reason for the interpretation from the Board is based upon nothing has changed relative to that; all this information has always been there and the deficiency is still being cited. Mr. Puri stated facilities have corrected the deficiency at a significant expense and obviously aren't pleased in finding out they were told the wrong thing relative to correcting. In their eyes, the operations now lower the safety it provides. This is the reason for our position to make sure there is crystal clear clarity so that facilities feel comfortable in articulating the position of the rule and for the Board to give a pronouncement that can be relied upon.

The subcommittee discussed the wording in order to give a clear interpretation as requested regarding doors locking by a primary power source. Mr. Gaddy made a recommendation for an interpretation to use Mr. Jaeger's wording in his dated letter "it is determined it is allowable for licensed facilities to operate special door locking arrangements with generator back up power and when there is a loss of power from the primary electrical power supply, so long as the fire alarm control unit is operationable and powered consistent with NFPA regs." Mr. Harmon was okay with that interpretation but he wanted to add the phrase "where permitted by codes" or something to that effect because there are other facilities that special door locking mechanisms are not allowed by code and this will keep other facilities from thinking they can have door locks as well. The subcommittee was in agreement.

Ms. Reed finalized and reread the interpretation drafted by the subcommittee members. The finalized interpretation stated the following: "Allowable for licensed facilities to operate special door locking arrangements with generator supplied back up power when there is a loss of power from the primary electrical power supply, so long as the fire alarm control unit is operational and powered consistent with NFPA provisions. Does not apply when special door locking arrangements are prohibited by code for that licensed facility type."

Motion was made by Ms. Burton and seconded by Mr. Weatherington to:

ACCEPT THE INTERPRETATIVE GUIDELINES AS WRITTEN ABOVE AND TO PRESENT TO THE FULL BOARD AT THE JANUARY 2012 BOARD MEETING FOR APPROVAL.

Motion was carried by voice vote.

Mr. Puri thanked the subcommittee for their help in providing clarity to this issue regarding the magnetic door locks.

With all business concluded, Mr. Weatherington adjourn the meeting.

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