Categorical Waivers offered by CMS

Current S&C	Prior S&C	Provision	Description	Code Requirement	Conditions
September 26, 2014 S&C 14-45-LSC		Power strip use in patient care areas	Resident rooms in long-term care or other residential care facilities that do not use line-operated electrical appliances for diagnostic, therapeutic, or monitoring purposes are not subject to the more restrictive NFPA 99 requirements regarding the use of power strips in patient care areas/rooms. Resident rooms using line-operated patient-care-related electrical equipment in the patient care vicinity must comply with the NFPA 99 power strip requirement and may elect to utilize this categorical waiver.	NFPA 99-2012 and compliance with all other NFPA 99-1999 and 2000 LSC electrical system and equipment provisions	CMS is permitting a categorical waiver to allow for the use of power strips in existing and new health care facility patient care areas, if the provider/supplier is in compliance with all applicable 2012 LSC power strip requirements and with all other 2000 LSC electrical system and equipment provisions.
April 19, 2013 S&C 13-25-LSC/ASC		Relative humidity in the OR	Lowers the relative humidity (RH) requirement for operating rooms and other anesthetizing locations from at least 35 percent to at least 20 percent.	NFPA 99-2012, 5-4.1.1 and Addendum D of the ASHRAE 170-2008	To use this waiver, a facility must demonstrate that it meets the minimum RH standard of ≥20 percent. The waiver does not apply when more stringent RH control levels are required by state or local laws and regulations; or where reduction in RH would negatively affect ventilation system performance.
August 30, 2013 S&C 13-58-LSC		Medical gas master alarms	Allows substitution of a centralized computer system for one Category 1 medical gas master alarm.	NFPA 99-2012, 5.1.9.4 and compliance with all other applicable NFPA 99-1999 medical gas master alarm provisions	The organization must demonstrate that it complies with all other applicable NFPA 99-1999 medical gas master alarm provisions, as well as with section 5.1.9.4 of NFPA 99-2012.
August 30, 2013 S&C 13-58-LSC		Openings in exit enclosures	Permits existing openings in exit enclosures to mechanical equipment spaces if they are protected by fire-rated door assemblies.	NFPA 101-2012, 7.1.3.2.1(9)(c) and all other applicable NFPA 101-2000 exit provisions	The mechanical equipment space must be in a building protected with an approved supervised automatic sprinkler systems, must be used only for non-fuel-fired mechanical equipment, must contain NO storage of combustible materials, and must be protected by a fire rated door assembly.

August 30, 2013 S&C 13-58-LSC		Emergency generators and standby power systems	Reduces the annual diesel-powered generator exercising requirement from two (2) continuous hours to one hour and 30 minutes.	NFPA 110-2010, 8.4.2.3 and all other applicable NFPA 110-1999 operational inspection and testing provisions	The annual load test is only required when the monthly diesel generator test does not comply with minimum loading requirements to avoid wet stacking.
August 30, 2013 S&C 13-58-LSC		Door locking arrangements	Allows door locking arrangements in areas where there are clinical needs, security risks or specialized protective measures required for safety.	NFPA 101-2012, 18/19.2.2.2.2 through 18/19.2.2.2.6 as well as all other applicable NFPA 101-2000 door provisions	
August 30, 2013 S&C 13-58-LSC		Multiple delayed egress locks	Allows more than one delayed-egress lock in the egress path where the clinical needs require specialized security measures or when a patient requires specialized protective measures for safety.	NFPA 101-2012, 18/19.2.2.2.4 and compliance with all other applicable NFPA 101-2000 door provisions	The facility must also use compensating safety measures specified in those sections that facilitate rapid removal of occupants.
August 30, 2013 S&C 13-58-LSC		Suites	Accommodates the use of suites by allowing: (1) one of the required means of egress from sleeping and non-sleeping suites to be through another suite, provided adequate separation exists between suites; (2) one of the two required exit access doors from sleeping and non-sleeping suites to be into an exit stair, exit passageway, or exit door to the exterior; and (3) an increase in sleeping room suite size up to 10,000 sq. ft.	NFPA 101-2012, 18/19.2.5.7 and compliance with all other applicable NFPA 101-2000 suite provisions	Corridor wall and door requirements for the outer boundary of the suite must meet the requirements for the smoke zone. One or more egress routes may be required, depending on the size of the suite.

August 30, 2013 S&C 13-58-LSC		Extinguishing requirements	Allows for the reduction in the testing frequencies for sprinkler system vane-type and pressure switch type waterflow alarm devices to semiannual, and electric motor-driven pump assemblies to monthly.	NFPA 25-2011, 5.3 and 8.3 and all other applicable NFPA 25-1998 (as referenced in section 9.7.5 of the NFPA 101-2000)	
August 30, 2013 S&C 13-58-LSC		Clean waste and patient record recycling containers	Allows the increase in size of containers used solely for recycling clean waste or for patient records awaiting destruction outside of a hazardous storage area to be a maximum of 96 gallons.	NFPA 101-2012, 18/19.7.5.7.2	The container must pass an FM fire test.
August 30, 2013 S&C 13-58-LSC	March 9, 2012 (S&C 12-21-LSC). Previous Guidance criteria found in S&C 10-18-LSC is still applicable.	Items in the corridor	Allows emergency medical equipment such as crash carts and patient lift and transportation devices to be placed in the exit corridor without "in-use" restrictions. Also permits fixed furniture in the corridor.	NFPA 101-2012, 18/19.2.3-18/19.2.3.4	The "not in-use" restriction, intended for items left unattended or not moved for more than 30 minutes, still applies to non-medical equipment placed in the exit corridor, such as housekeeping carts and computers on wheels. Facilities wishing to use this waiver can follow the same process as the waivers above provided they are in compliance with all other requirements outlined in the March 9, 2012 memo (S&C 12-21-LSC).
August 30, 2013 S&C 13-58-LSC	March 9, 2012 (S&C 12-21-LSC).	Kitchens open to the corridor	Allows certain types of alternative cooking arrangements including kitchens, serving less than 30 residents, to be open to corridors as long as they are contained within smoke compartments with no more than 30 beds.	NFPA 101-2012, 18/19.3.2.5, 18/19.3.2.5.2, 18/19.3.2.5.3, 18/19.3.2.5.4	Facilities wishing to use this waiver can follow the same process as the waivers above provided they are in compliance with all other requirements outlined in the March 9, 2012 memo (S&C 12-21-LSC).
August 30, 2013 S&C 13-58-LSC	March 9, 2012 (S&C 12-21-LSC).	Gas fireplaces in common areas	Allows the installation of direct vent gas fireplaces in smoke compartments containing patient sleeping rooms and the installation of solid fuel burning fireplaces in areas other than patient sleeping areas.	NFPA 101-2012, 18/19.5.2, 18/19.5.2.3(2), (3) and (4)	Facilities wishing to use this waiver can follow the same process as the waivers above provided they are in compliance with all other requirements outlined in the March 9, 2012 memo (S&C 12-21-LSC).

August 30, 2013 S&C 13-58-LSC	March 9, 2012 (S&C 12-21-LSC).	Installation of combustible decorations	Increases the amount of wall space that may be covered by combustible decorations.	NFPA 101-2012, 18/19.7.5, 18/19.7.5.6	Facilities wishing to use this waiver can follow the same process as the waivers above provided they are in compliance with all other requirements outlined in the March 9, 2012 memo (S&C 12-21-LSC).

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