



SUBJECT

Converting a Senate Bill 1661 Project to a Senate Bill 499 Project

PIN: 45

Effective: 7/09/2010



PURPOSE

The purpose of this Policy Intent Notice (PIN) is to determine eligibility for converting an SB 1661 Project to an SB 499 Project.

BACKGROUND

SB 1661 (Chapter 679, Statutes of 2006, which amended Health & Safety Code § 130060 and added § 130061) and SB 499 (Chapter 601, Statutes of 2009, which amended Health & Safety Code § 130060 and 130061 and added § 130022), provide for up to two years construction extension from the January 1, 2013 deadline, if hospitals meet certain eligibility criteria. SB 1661 and SB 499 have unique criteria and milestones that must be met to maintain eligibility for each extension. Some hospitals have SPC-1 buildings that may be eligible for one of the extensions, while other buildings may be eligible for both.

POLICY

In the event a hospital has a building that is eligible for both the SB 1661 and SB 499 extensions, the hospital may decide which best meets their needs. If the hospital wants to convert from an SB 1661 extension to an SB 499 extension, and the eligible project(s) was submitted as a Phased Plan Review (PPR) with an approved Memorandum of Understanding (MOU), the MOU must be revised to reflect the applicable Health & Safety Code Section (130060 (f) (2) for SB 1661 or 130060 (f) (5) for SB 499). A revised Reverse Phase Schedule must be submitted showing how the hospital will comply with the statutorily mandated milestones. If the project was not a PPR and did not have an MOU, the hospital need only comply with the criteria and the associated milestones to maintain eligibility.

POLICY INTENT NOTICE (PIN)

| QUALIFICATIONS | SB 1661 | SB 499 |
|---------------------------------------------------------------------------------|------------|------------|
| Plans submitted deemed ready to review | By 1/01/09 | By 7/01/10 |
| Submitted for HAZUS 2007 reassessment and remained SPC-1 | | ✓ |
| MILESTONES | | |
| Obtain Building Permit | By 1/01/11 | By 1/01/12 |
| Submit construction timeline | By 1/01/11 | By 1/01/12 |
| Make reasonable progress toward meeting timeline | ✓ | ✓ |
| Factor(s) beyond hospital control that derail timeline | ✓ | ✓ |
| Hospital building under construction at time of extension request | ✓ | ✓ |
| Remove acute care services from non-complying building(s) by extension deadline | ✓ | |
| Certificate of Occupancy issued by extension deadline | | ✓ |

Table 1
SB 1661 & SB 499 Eligibility Criteria for up to a 2-year Extension

A project deemed “ready for review” may include a first final submittal of a new project, a first final submittal of a major increment of an incremented project, a PPR submittal, or any “active” project submitted prior to the deadline (even if the project had been submitted for SB 1661 eligibility or had been submitted prior to the passage of SB 1661).

For additional information on PPR submittals, please refer to:

http://www.oshpd.ca.gov/FDD/Plan_Review/Documents/PPR_White_Paper_final_08-19-08.pdf

Health & Safety Code § 130060 (f) (2) (B) and 130060 (f) (5) (B) requires that the plans submitted deemed ready for review must be for the applicable SPC-1 “hospital building.” The project may be a major increment, including “make ready work”, provided the work is specific to the SPC-1 building or it’s replacement, for which the subsequent extension is requested. Projects for other work on the hospital campus unrelated to the specific SPC-1 building may not be used for purposes of determining eligibility.

| | |
|-----------------|-----------|
| Original Signed | 7/09/2010 |
| Paul Coleman | Date |

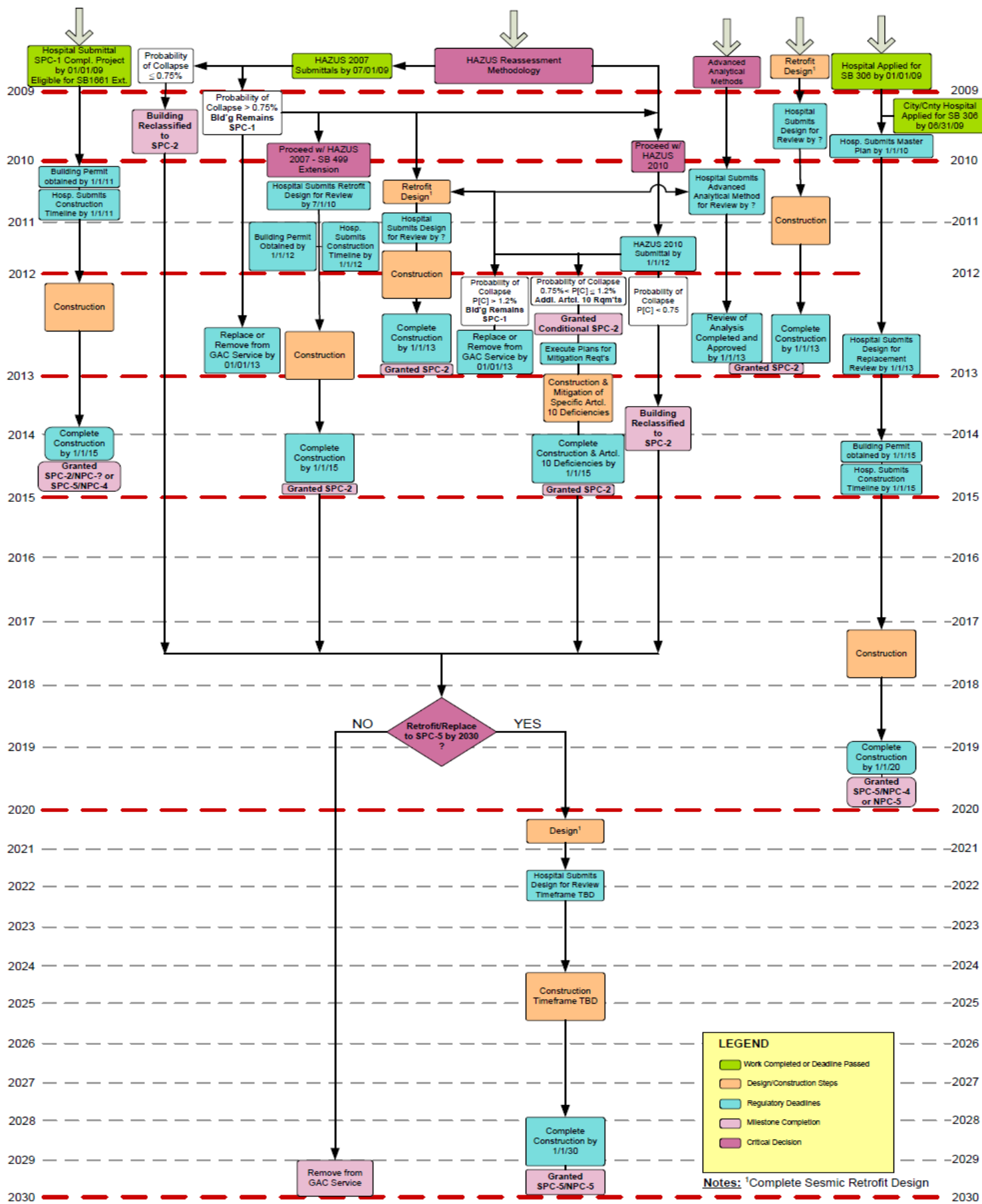


Table 2
SPC-1 Compliance Submittal Timelines