



**SUBJECT**

Request for Reopening a Closed Project

**PIN: 56**

**Effective: 2/7/2014**

**Revised: 2/13/2014**



**PURPOSE**

This Policy Intent Notice (PIN) establishes a policy for submitting requests to reopen a project in order to close it in compliance. It also provides an assessment of the application fee to be charged to the health facility for each request.

**BACKGROUND**

It is important for the hospital to have a project closed in compliance for many reasons including, but not limited to the following:

- Substantiate seismic compliance
- Receive reimbursement from FEMA after a disaster
- Meet requirements for disclosure upon the sale or purchase of a building or facility
- Remove acute care services from a hospital building
- Place a building under the local jurisdiction
- Meet Department of Public Health (DPH) licensing and certification requirements
- Meet requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act

Projects, however, are sometimes closed without compliance under the following circumstances:

- Inactive Closure – projects with periods of inactivity which exceed the regulatory time frames during plan review or construction.
- Non-CAC Compliance Closure – projects for which administrative paper work has not been received after construction is final, such as Verified Compliance Reports or Final Certified Cost.
- Non-CBSC Compliance Closure – projects that have outstanding California Building Standards Code (CBSC) violations which remain uncorrected. These project closures are also reported to DPH, Licensing and Certification for appropriate action.

Hospitals may want to resolve issues of noncompliance for projects that were closed under one of the above three conditions in order to bring the project in to full compliance and closure. Currently, there is no provision in statute or regulations for “reopening” a closed project, therefore the Facilities Development Division will follow this policy when a hospital submits a request to “reopen” a project that was closed without compliance.

**POLICY**

Hospitals may request to have a noncompliant closed project “reopened” for the purpose of obtaining compliance and closure by submitting it as a “new project” using the *Application for New Project* OSH-FD-121. A filing fee will be assessed as specified in this policy.

- Projects which can be reopened and closed with administrative paperwork only, such as missing Verified Compliance Report(s) and/or Final Certified Cost(s), may be submitted as a new project. A \$250.00 application fee will be charged but no additional fee will be assessed as there is no construction work related with the project.

Exception: Projects that require the Office to conduct more extensive research involving archival materials, files, documents, plans and/or other instruments of service to determine and verify the reason for “closure without compliance” will be evaluated on a case-by-case basis. The fee for these projects will be based on “time and material”.

- Projects which require that construction work be accomplished must be submitted as a new project and must comply with the code in effect at the time the project is submitted (reference OSHPD Code Application Notice (CAN) 1-0, Enforceable Codes). The fee will be based on the construction cost, and in no case will it be less than the \$250.00 minimum application fee.
- All other projects must be evaluated by the office on a case-by-case basis and the fee will be based on “time and material”. These projects, include, but are not limited to, projects for which construction was not completed but the space has been subsequently remodeled such that the original project cannot be reopened and the construction completed in accordance with the intent of the original drawings.

<u>Original signed</u>	<u>2/13/14</u>
Paul Coleman	Date