

DECLARATION OF EMERGENCY

Department of Public Safety and Corrections Office of State Fire Marshal Uniform Construction Code Council

State Uniform Construction Code
(LAC Chapter 17:I.Chapter 1)

The Department of Public Safety and Corrections, Office of State Fire Marshal, Louisiana State Uniform Construction Code Council, hereafter referred to as the "LSUCCC" or the "Council", has exercised the emergency provision in accordance with R.S. 49:953(B) of the Administrative Procedure Act, to amend LAC 17:I.Chapter 1 in the State Uniform Construction Code as authorized by R.S.40:1730.28. Furthermore, the LSUCCC has found an immediate need to adopt amendments of the current State Uniform Construction Code, 2015 *International Plumbing Code*, Section 422.11, Handwashing Facilities. A letter from Dr. Jimmy Guidry, State Health Officer, Department of Health, was received by the LSUCCC requesting an amendment be adopted by the Council. This amendment will serve to better protect the public and to follow national guidelines from the Center for Disease Control (CDC).

In Dr. Guidry's letter, he states the following: "In the absence of nationally mandated requirements or guidelines regarding handwashing facilities in medical office exam rooms, I've considered the minimum indications for handwashing and antisepsis, as accepted by the Center for Disease Control (CDC). The CDC recognizes hand hygiene in health-care settings, based on the recommendations of the Healthcare Infection Control Practices Advisory Council. It is my recommendation that the following language be added as an exception to the referred to section above as an Emergency Rule Amendment. This should only be acceptable in lieu of handwashing facilities alone, in a healthcare setting such as doctor's offices and clinics where there is no reasonably anticipated exposure to blood or other potentially infectious materials (OPIM)."

The LSUCCC is promulgating this Emergency Rule to provide greater health and safety for the public and for those providing medical care to patients. This rule was first adopted and published in the January 20, 2018 edition of the *Louisiana Register* (Vol. 44, No. 1). The rule became effective on February 1, 2018. This Emergency Rule is being promulgated to amend those provisions. It was favorably voted on by the LSUCCC on November 20, 2019. By the signature of the agency head, Chief H. "Butch" Browning, Jr., it was adopted and became effective on December 3, 2019. It was published in the December 2019 edition of the *Louisiana Register* (Vol. 45, No. 12). This provision was readopted and became effective April 2, 2020. It was published in the April 2020 edition of the *Louisiana Register* (Vol. 46, No. 04), a copy of which is labeled Exhibit "A" and attached hereto. This Emergency Rule is being promulgated to continue the provisions of the April 2, 2020 Emergency Rule. It shall be in effect for the maximum period allowed under the Act (120 days) or until adoption of the final Rule, whichever occurs first. The public welfare dictates that these changes be implemented immediately through the adoption of the Emergency Rule to promote greater access to safer hygiene practices and to insure safety to existing facilities undergoing renovations and for new proposed facilities.

Title 17
CONSTRUCTION
Part I. Uniform Construction Code
Chapter 1. Adoption of the Louisiana State Uniform Construction Code

**§111. *The International Plumbing Code*
(Formerly LAC 55:VI.301.A.5)**

- A. The *International Plumbing Code*, 2015 Edition. The appendices of that code may be adopted as needed, but the specific appendix or appendices shall be referenced by name or letter designation at the time of adoption (per R.S. 40:1730.28, eff. 1/1/16).

Amend	Chapter 4	

Adopt	Section 422.11, Handwashing Facilities.	Medical facilities, including doctor's office and clinics, shall be provided with hand washing facilities within each patient examination and treatment room. The hand wash facility shall be provided with hot and cold water delivered via a mixing faucet.
Amend	Exception	1. In healthcare setting such as doctor's offices and clinics where there is no reasonably anticipated exposure to blood or other potentially infectious materials (OPIM), where hands are not expected to be visibly soiled and clinical situations described in items 1C-J (IA) (74,93,166,169,283,294,312,398) are followed, use of an alcohol-based hand rub for routinely decontaminating hands shall be allowed in lieu of handwashing facilities. The design professional shall provide documentation to the building official specifying the anticipated exposure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(I) and Act836 of the 2014 of the Regular Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, LR 41:2386 (November 2015), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, Uniform Construction Code Council, LR 42:1672(October 2016), LR 44:81 (January 2018), repromulgated LR 45:919 (July 2019).

Adopted and became effective July 22, 2020



Chief H. Butch Browning, Jr.
State Fire Marshal