



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

January 14, 2011

AFL 11-09

TO: Acute Psychiatric Hospitals (APH)
General Acute Care Hospitals (GACH)
Intermediate Care Facilities (ICF)
Intermediate Care Facilities/Developmentally Disabled (ICF/DD)
Skilled Nursing Facilities (SNF)
Special Hospitals (SH)

SUBJECT: Diesel Generators: Health Facilities

AUTHORITY: Health and Safety Code Section 41514.1
Title 22 California Code of Regulations Sections 70841 (GACH),
71645 (APH), 72641 (SNF), 73639 (ICF) and 76651 (ICF/DD)

This letter is being sent to inform you of new legislation effective January 1, 2011.

Current law (Health and Safety Code (HSC) Section 41514.1) sets standards under which a health facility is to test each of its diesel backup generators. These standards require testing to occur 12 times a year with testing intervals of not less than 20 days and not more than 40 days. The tests shall be conducted for at least 30 continuous minutes pursuant to either of the following:

1. A dynamic load that is at least 30 percent of the nameplate rating of the generator.
2. A test conducted at less than 30 percent of the nameplate rating of the generator, if the health facility revises its existing documented management plan to conform with the National Fire Protection Association 110: Standard for Emergency and Standby Power Systems, 2005 Edition, testing and maintenance activities. These activities shall include inspection procedures for assessing the prime mover's exhaust gas temperature against the minimum temperature recommended by the manufacturer.

If a diesel backup generator cannot be tested pursuant to the requirements of either of the above, then it shall be tested for 30 continuous minutes at the intervals described above. This should be performed with available Emergency Power Supply Systems load and

tested annually with supplemental loads of all of the following in the following order for a total of two continuous hours:

- (1) 25 percent of nameplate rating for 30 minutes.
- (2) 50 percent of nameplate rating for 30 minutes.
- (3) 75 percent of nameplate rating for 60 minutes.

Realizing that this new legislation creates a conflicting standard for facilities whose emergency generators are diesel powered, and until the Department can promulgate regulations to update the Title 22 California Code of Regulations requirements, facilities utilizing a diesel generator may request a program flexibility from the local district office in order to use the Air Resources Board standards at HSC Section 41514.1 to meet the licensure requirement.

If you have questions regarding this issue, please contact your local district office.

Sincerely,

Original Signed by Pamela Dickfoss

Pamela Dickfoss
Acting Deputy Director
Center for Health Care Quality