



COMMISSIONER  
Jon Weizenbaum

October 15, 2013

To: Assisted Living Facilities

Subject: Provider Letter 13-43 – Adoption of the 2000 Edition of National Fire Protection Association (NFPA) 101, the Life Safety Code (LSC), for Assisted Living Facilities and of Minimum Construction Classification Requirements for Existing Wood Frame Large Type B Assisted Living Facilities (Replaces Provider Letter 13-17)

The Texas Department of Aging and Disability Services (DADS) is issuing this letter to notify providers that DADS intends to adopt the 2000 edition of the NFPA 101, the LSC, effective January 6, 2014, for assisted living facilities. The adoption of the 2000 edition requires rule changes that will be developed following published department procedures with opportunities for comment from stakeholders.

Once the 2000 edition is adopted, newly constructed facilities must comply with the LSC occupancy chapter for new construction. Facilities licensed prior to January 6, 2014, under the 1988 edition must comply with the chapter in the 2000 edition for existing occupancies.

In addition, DADS has determined that licensed large Type B assisted living facilities of combustible construction may at present meet the minimum construction type requirements in Chapter 19 of the LSC 2000 edition. This interim change is because of the confusion caused by the revised definitions of rated construction in the model building codes and NFPA-recognized fire resistance tested assemblies. Prior to the 1994 edition of the Uniform Building Code (UBC), a single layer of 5/8" thick gypsum board was considered acceptable for the ceiling membrane of a ceiling-roof assembly. The 1994 UBC changed that requirement to two layers for a total thickness of 1-1/4 inches. (Accepted assemblies were either two layers of 5/8" thick Type X gypsum board or a single layer of 5/8" thick Type C gypsum board attached to the wood trusses with metal channels.) Also, tested assemblies either had no openings in the ceiling membrane or they required matching a UL roof-ceiling assembly, duct openings to be protected by fire dampers at the ceiling plane, fire-rated recessed fixtures, or fire-rated covers over non-rated recessed light fixtures. Enforcement of the required minimum fire-rated ceiling-roof assemblies was not consistent between local and state interpretations of the available systems.

The following changes begin on the effective date of this letter.

- Currently licensed large Type B assisted living facilities with wood frame construction may have the construction type permitted for Type V (combustible construction) in 19.1.6.2 of NFPA 101, 2000 edition. Currently licensed single-story large Type B assisted living facilities may be Type V (000) and existing two-story facilities may be Type V (111).

Provider Letter No 13-43

October 15, 2013

Page 2

- Large Type B facilities seeking licensure after January 6, 2014 must meet the requirements of 18.1.6.2 of the 2000 edition LSC.

As of the intended effective date of January 6, 2014 for the revised rules, all assisted living facilities must meet the 2000 edition of the Life Safety Code whether the initial license issue date was prior to or after January 6, 2014.

If you have questions about construction rules or how they may apply to your facility, please contact an architect in the DADS Architectural unit at (512) 438-2371.

Sincerely,

*[signature on file]*

Mary T. Henderson  
Assistant Commissioner  
Regulatory Services