



Emergency Power Plan Compliance – Nursing Homes

December 2019

The date for compliance with generator rule requirements for nursing homes was set for June 1, 2018 with extension by rule until January 1, 2019.

Emergency generator requirements for state licensed nursing homes are outlined in:

- Rule 59A-4.1265 Emergency Environmental Control for Nursing Homes

Failure to comply with requirements will result in licensure sanction.

Rule Implementation

In order to be considered in full compliance with the rule, a facility must do the following:

- Obtain approval from the local emergency management agency.
- Obtain approval from the Agency's Office of Plans & Construction.
- Submit a Consumer Friendly Summary of their emergency environmental control plan.
- Develop and implement written policies and procedures maintained at the physical facility address.
- Notify each resident pursuant to the rule of final implementation of the plan.

Notification of full implementation should be sent to the Long Term Care Services Unit at NH_Emergencyrule@ahca.myflorida.com. The Long Term Care Services Unit can be reached for questions at 850-412-4303.

AHCA Office of Plans and Construction Compliance

If a facility has completed all installation of the permanent generator and is only waiting for the final Office of Plans and Construction survey and approval, the administrator may submit a letter from the licensed electrical engineer of record for the project, cosigned by the administrator, certifying the installation of the permanent generator is complete, in accordance with Agency approved plans, and meets all regulatory requirements. The Office of Plans and Construction will respond with a compliance letter.

Rule Variances

In consideration of the time, resources, and evaluation needs of these projects, the Agency has approved variances to the rule deadline in order to allow for the appropriate execution of generator projects statewide.

The following information will be requested of nursing homes seeking variances past December 31, 2019 from the emergency generator rule:

- A **detailed strategy** for the implementation of the generator project
- The **anticipated date of completion** for the generator project
- Completion of an online **Status Report** of the project
- A **current Office of Plans and Construction (OPC) project**
- A description of the **interim plan** to maintain safe temperatures during power outage
- An **operational generator** onsite (temporary or permanent) to support safe resident temperatures.

Decisions regarding variance requests will be reviewed on a case-by-case basis and consider the provider's efforts to achieve compliance.