

- (2) AT LEAST ONE TELEPHONE IN ORDER TO MAKE AND RECEIVE CALLS;
- (3) FIRE PUMP;
- (4) SEWERAGE PUMP AND SUMP PUMP;
- (5) IF REQUIRED FOR EVACUATION PURPOSES, AN ELEVATOR;
- (6) IF NECESSARY, HEATING EQUIPMENT NEEDED TO MAINTAIN A MINIMUM TEMPERATURE OF 70 DEGREES FAHRENHEIT (24 DEGREES CELSIUS) IN ALL COMMON AREAS OR AREAS OF REFUGE;
- (7) LIFE SUPPORT EQUIPMENT; AND
- (8) NONFLAMMABLE MEDICAL GAS SYSTEMS.

(F) (1) IF THE EMERGENCY POWER SYSTEM DOES NOT PROVIDE HEAT TO ALL PATIENT ROOMS OR TOILET ROOMS IN THE EVENT OF A LOSS OF ELECTRICITY FROM THE MAIN SOURCE OF POWER, THE FACILITY SHALL PROVIDE COMMON AREAS OR AREAS OF REFUGE FOR ALL PATIENTS.

(2) THE DEPARTMENT SHALL ADOPT REGULATIONS REGARDING THE REQUIREMENTS FOR DESIGNATING PARTS OF THE FACILITY AS COMMON AREAS OR AREAS OF REFUGE.

(G) AN ASSISTED LIVING PROGRAM FACILITY SHALL BE EXEMPT FROM THE REQUIREMENTS OF THIS SECTION IF THE FACILITY CAN SAFELY TRANSFER RESIDENTS THROUGH AN ENCLOSED CORRIDOR TO A BUILDING THAT IS EQUIPPED WITH AN ELECTRICAL POWER GENERATOR THAT SATISFIES THE REQUIREMENTS OF THIS SECTION.

(H) (1) THE DEPARTMENT MAY GRANT A FACILITY A WAIVER FROM THE REQUIREMENTS OF THIS SECTION IF THE FACILITY:

(I) PROVIDES EVIDENCE TO THE DEPARTMENT THAT THE REQUIREMENTS OF THIS SECTION WILL CREATE AN UNDUE FINANCIAL BURDEN ON THE FACILITY AND WILL REQUIRE THE FACILITY TO CEASE OPERATION; AND

(II) DISCLOSES TO THE RESIDENTS OF THE FACILITY THAT THE FACILITY DOES NOT HAVE AN EMERGENCY ELECTRICAL POWER GENERATOR THAT MEETS THE REQUIREMENTS OF THIS SECTION.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A WAIVER GRANTED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED A PERIOD OF 3 YEARS.

(3) THE DEPARTMENT MAY EXTEND A WAIVER GRANTED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR AN ADDITIONAL PERIOD OF 2 YEARS BEYOND THE PERIOD SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved May 16, 2006.