



**Department of Permitting Services**  
 Division of Fire Prevention and Code Compliance  
 255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850

**CODE INTERPRETATION/POLICY**


<b>Policy Name: Existing Group Home with 8 or less residents</b>		
<b>Code/Year</b> Life Safety Code (LSC) 2015 IBC 2015 State of Maryland Memos'	<b>Section of Code</b> Chapter 33  Chapter 3, Sec 310.6 Memo 01-90-248 & Memo 06-2003, Chapter 33, LSC 2000 Edition	<b>Title of Code Section/Subsection</b> Existing Residential Board & Care (including small assisted living) Existing Residential Group Home R-4 Domiciliary Care Homes Existing Residential Board & Care (including small assisted living)
<p><b>Statement/Background of Issue</b></p> <p>The purpose of this policy is to establish performance based criteria for existing 6-8 resident assisted living facilities that, due to aging in place or other <i>in situ</i> conditions, may have residents that are no longer capable of self-preservation to continue operations without requiring a change of use permit.</p>		
<p><b>Division(s) Interpretation/Policy</b></p> <ol style="list-style-type: none"> <li>1. Will not require a Change of use permit from R-3 or R-4 to I-2</li> <li>2. Minimum type of construction VB or V (0,0,0) is acceptable</li> <li>3. Any opening (open stairway) between the first floor and the basement must be protected by a twenty (20) minute fire rated door or solid core door at top or bottom of the opening.</li> <li>4. The building must be protected throughout with an approved automatic supervised sprinkler system in compliance with NFPA 13, NFPA 13R or NFPA13D, served by municipal water supply, and tested annually in accordance with NPFA 25.</li> <li>5. Attic must have heat detectors.</li> <li>6. Building must have fully monitored Fire Alarm System.</li> <li>7. Facility Management must have an approved evacuation plan by Fire Marshal and must be Posted.</li> <li>8. Sleeping areas for individuals' incapable of self-preservation (including slow or impractical evacuation) must be located on the level of exit discharge.</li> </ol>		

Definition of an individual incapable of self- preservation is

“A person who because of age, physical or mental disability, medical or therapeutic intervention, medication, etc. is unable to act to protect themselves from harm during an emergency situation without assistance. Specific examples include but are not limited to:

- a). Individuals who are irreversibly bedridden
- b). Non-ambulatory residents that require staff assistance to evacuate the building
- c). Individuals on life-sustaining equipment

It is incumbent upon the care provider to identify persons who are incapable of self-preservation. It is recommended that if a resident’s capabilities are indistinct, that the provider seek out the recommendation of the resident’s primary care doctor.”

<b>Interpretation/Policy No.</b> DPS/FPCC 04-2018	<b>Date: 04-19-2018</b>	<b>Division Chief</b>  Hemal Mustafa
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