

DEPARTMENT OF PUBLIC SAFETY

Division of Fire Prevention and Control

8 CCR 1507-31

BUILDING, FIRE, AND LIFE SAFETY CODE ENFORCEMENT AND CERTIFICATION OF INSPECTORS FOR HEALTH FACILITIES LICENSED BY THE STATE OF COLORADO

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Section 24-33.5-1203.5, C.R.S., the Director of the Colorado Division of Fire Prevention and Control shall promulgate rules as necessary to carry out the duties of the Division of Fire Prevention and Control. This rule is proposed pursuant to this authority and is intended to be consistent with the requirements of the State Administrative Procedures Act, Section 24-4-101, et seq., C.R.S. The Director of the Division of Fire Prevention and Control is authorized to promulgate rules to establish and enforce standards for the inspection, certification, and use of these apparatuses by the provisions of section 24-33.5-2303, C.R.S.

A modification to C.R.S. 24-33.5-1203(1)(p.5), effective on July 1, 2021, changes the expectations of the Division. Specifically, the Division is now required by the statute to conduct construction plan reviews and inspections of health facility buildings and structures, enforce the codes in accordance with sections 24-33.5-1212.5 and 24-33.5-1213, and issue certificates of compliance for “facilities certified or potentially eligible for certification by the federal centers for medicare and medicaid services.” 24-33.5-1203(1)(p.5), C.R.S.

The purpose of this emergency rule making is to establish the above-cited changes to C.R.S. 24-33.5-1203(1)(p.5) in rule. It was declared by the General Assembly in House Bill 19-1237, that in order to promote the public health and welfare of the people of Colorado, it is in the public interest to establish and streamline minimum standards and rules for behavioral health entities operating in the State of Colorado and to provide the authority for the administration and enforcement of such minimum standards and rules. The absence of accurate implementing rules to carry out the purpose of the statute would be contrary to this declaration. For these reasons, it is imperatively necessary that the proposed rules be adopted.



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Division of Fire Prevention and Control

9/13/21

Date of Adoption