



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
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March 24, 2008

MEMORANDUM

TO: Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services and Public Housing

Honorable Lorraine R. Inouye, Chair  
Senate Committee on Intergovernmental and Military  
Affairs

FROM: Lillian B. Koller, Director

SUBJECT: S.C.R. 93/S.R. 53, - URGING THE STATE BUILDING CODE  
COUNCIL TO EXPEDITIOUSLY ADOPT PROVISIONS IN THE  
INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO  
PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN  
ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES.

Hearing: Monday, March 24, 2008, 2:00 p.m.  
Conference Room 229, State Capitol

**PURPOSE:** The purpose of these Senate resolutions are to  
urge the State Building Code Council to expeditiously adopt  
provisions in the International Building Code, 2006 Edition,  
relating to physical assistance in evacuation for residents in  
assisted living facilities or similar facilities.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS)  
strongly supports both of these resolutions.

These resolutions are consistent with the recommendations made to  
the SCR 144 Task Force by LRS Architects Inc., hired by DHS to study  
this issue.

The recommendations from LRS Architects are the result of an analysis of the types of residents allowed in assisted living residences in all fifty States. The analysis noted that forty-six States allow for assisted self-preservation for residents in assisted living facilities.

DHS wholeheartedly agrees with the recommendations contained in the LRS Architects and SCR 144 Task Force Reports.

The State of Hawaii has a major need to expand its capacity for providing long-term care. The citizens of Hawaii prefer to receive that long-term care in their home or their community whenever possible. Apartments in assisted living facilities allow residents to preserve their independence while receiving necessary support services in the community.

The recommendations to revise the State Building Code, chapter 107-E, Hawaii Revised Statutes (HRS), which include the latest edition of the International Building Code (IBC), would be a major step forward in increasing long-term care capacity in the community. The report from LRS Architects notes that, "despite the IBC limiting residents in assisted living to those who can exit a building without any physical assistance from staff, almost all States (46 States) allow assistance with evacuation in their regulations."

Also, the recommendations proposed in S.C.R. 93, to adopt provisions in the IBC so that they are consistent with the National Fire Protection Association - Life Safety Codes (NFPA), would allow assistance in evacuation, while requiring compartmentalization with smoke barriers, and commercial sprinklers similar to what is required for nursing facilities.

**These recommended amendments would allow us the flexibility that 46 other States have found important to their long-term care strategies.**

These recommendations will provide clarity to potential developers of assisted living facilities in this State and will provide a clear road map to current facilities who wish to modify their buildings to meet these new standards.

These changes will allow more residents of assisted living facilities the opportunity to remain in the community, "aging in place," rather than having to move to a more restrictive placement as their health diminishes.

To provide further clarity regarding the provisions that the Legislature urges the State Building Code Council to adopt, we suggest the following amended language be inserted into page 2, line 18 to 20 so that it reads:

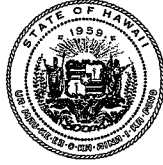
"...House of Representatives concurring, that the State Building Code Council is urged to expeditiously adopt the provisions in the International Building Code, 2006 edition, relating to physical assistance in evacuation for residents in assisted living facilities or similar facilities {;} and insert into the IBC the recommended amendments to the IBC stated in the Department of Human Services' Report to the Legislature as required by Senate Concurrent Resolution 144, Senate Draft 1, adopted by the 2007 Hawaii State Legislature, Appexdix A, pages 23-27; and"

We urge the Legislature to convey the recommendations identified in the SCR 144 Task Force report and that of S.C.R. 93 to the State

Building Code Council and strongly recommend the Council's adoption of these amendments to the IBC.

Thank you for this opportunity to testify.

LINDA LINGLE  
GOVERNOR



RUSS K. SAITO  
Comptroller

BARBARA A. ANNIS  
Deputy Comptroller

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TESTIMONY  
OF  
RUSS K. SAITO, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEES  
ON  
HUMAN SERVICES AND PUBLIC HOUSING  
AND  
INTERGOVERNMENTAL AND MILITARY AFFAIRS  
ON  
March 24, 2008

S.C.R 93, S.R. 53

URGING THE STATE BUILDING CODE COUNCIL TO EXPEDITIOUSLY ADOPT PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES.

Chair Chun Oakland, Chair Inouye, and members of the Committees, thank you for the opportunity to testify on S.C.R. 93 and S.R. 53.

The Department of Accounting and General Services supports the intent of S.C.R. 93, S.R. 53. It resolves:

"...that the State Building Code Council is urged to expeditiously adopt provisions in the International Building Code, 2006 edition, relating to physical assistance in evacuation for residents in assisted living facilities or similar facilities;"

The State Building Code Council (SBUC) is currently in the process of adopting the 2006 International Building Code (IBC). Adding the provisions in this resolution should be a reasonably achievable task.

To put the implementation time frame into perspective, the 2006 IBC and provision must first be unanimously approved by the four county building officials on the SBUC, after which the SBUC will approve the changes and after which the Chapter 91 HRS rule making process will be initiated. The approved codes will be issued as rules of the Comptroller.

Thank you for the opportunity to testify on this matter