

Comparison chart of business and ambulatory occupancy requirements

ASHE offers the following comparison for facilities that will be required to upgrade their facility occupancy from business to ambulatory to comply with the new Conditions of Participation from the Centers for Medicare & Medicaid Services. In this comparison, an asterisk indicates explanatory information can be found in Annex A of NFPA 101: Life Safety Code®. For additional information, see NFPA 101.

Provision	Code Section	Existing Business Occupancy (Chapter 39)	Existing Ambulatory Health Care Occupancy (Chapter 21)	Differences	Frequency and Cost Impact
Mixed/Multiple Occupancies	39.1.3 and 21.1.3	39.1.3.1.1 All multiple occupancies shall be in accordance with 6.1.14 and 39.1.3.39.1.3.1.2 Where there are differences in the specific requirements in this chapter and provisions for mixed occupancies or separated occupancies as specified in 6.1.14.3 and 6.1.14.4, the requirements of this chapter shall apply.	21.1.3 Multiple Occupancies. 21.1.3.1 Multiple occupancies shall be in accordance with 6.1.14. 21.1.3.2* Sections of ambulatory health care facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions: (1) They are not intended to serve ambulatory health care occupants for purposes of treatment or customary access by patients incapable of self-preservation. (2) They are separated from areas of ambulatory health care occupancies by construction having a minimum 1-hour fire resistance rating. 21.1.3.3 All means of egress from ambulatory health care occupancies that traverse nonambulatory health care spaces shall conform to the requirements of this Code for ambulatory health care occupancies, unless otherwise permitted by 21.1.3.4. 21.1.3.4 Exit through a horizontal exit into other contiguous occupancies that do not conform with ambulatory health care egress provisions but that do comply with requirements set forth in the appropriate occupancy chapter of this Code shall be permitted, provided that the occupancy does not contain high hazard contents. 21.1.3.5 Egress provisions for areas of ambulatory health care facilities that correspond to other occupancies shall meet the corresponding requirements of this Code for such occupancies, and, where the clinical needs of the occupant necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use. 21.1.3.6 Any area with a hazard of contents classified higher than that of the ambulatory health care occupancy and located in the same building shall be protected as required in 21.3.2. 21.1.3.7 Non-health care-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing ambulatory health care occupancies.	Ambulatory health care is required to be separated from assembly occupancies by 2-hour fire resistance rating while business occupancies only require a 1-hour separation. Most notable ambulatory health care occupancies will have to be separated from adjacent business occupancies by 1-hour fire resistance rated construction.	High frequency. Constructing new fire resistance rated barriers poses a high cost impact.
Minimum Construction Requirements	39.1.6 and 21.1.6	39.1.6 Minimum Construction Requirements. (No requirements.)	21.1.6 Minimum Construction Requirements. 21.1.6.1 Ambulatory health care occupancies shall be limited to the building construction types specified in Table 21.1.6.1, unless otherwise permitted by 21.1.6.6. (See 8.2.1.) 21.1.6.2 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met: (1) Such levels are under the control of the ambulatory health care facility. (2) Any hazardous spaces are protected in accordance with Section 8.7. 21.1.6.3 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 21.1.6.4. 21.1.6.4 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures. 21.1.6.5 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction. 21.1.6.6 In existing buildings, the authority having jurisdiction shall be permitted to accept construction systems of lesser fire resistance than those required by 21.1.6.1 through 21.1.6.5, provided that it can be demonstrated to the authority's satisfaction that prompt evacuation of the facility can be achieved in case of fire or that the exposing occupancies and materials of construction present no threat of fire penetration from such occupancy to the ambulatory health care facility or to the collapse of the structure.	Ambulatory health care occupancies constructed of Type II(000), Type II(200) and Type V(000) construction greater than one story in height are required to be sprinkler protected unless the authority having jurisdiction chooses to permit a lesser construction type provided an evaluation is conducted. Floor levels below the level of exit discharge and not under control of an ambulatory health care facility require a 1-hour fire-resistance rated floor separation.	Moderate frequency. Some buildings over one story in height would have to be sprinkler protected if constructed of any noncombustible materials. Retroactively rating a floor assembly is costly and may not be practical and poses a high cost impact.
Means of Egress Requirements	39.2 and 21.2	39.2.1.1 All means of egress shall be in accordance with Chapter 7 and this chapter. 39.2.1.2 If, owing to differences in grade, any street floor exits are at points above or below the street or the finished ground level, such exits shall comply with the provisions for exits from upper floors or floors below the street floor. 39.2.1.3 Stairs and ramps serving two or more floors below a street floor occupied for business use shall be permitted in accordance with 39.2.1.3.1 and 39.2.1.3.2. 39.2.1.3.1 Where two or more floors below the street floor are occupied for business use, the same stairs, escalators, or ramps shall be permitted to serve each. 39.2.1.3.2 An inside open stairway, inside open escalator, or inside open ramp shall be permitted to serve as a required egress facility from not more than one floor level below the street floor. 39.2.1.4 Floor levels that are below the street floor; are used only for storage, heating, and other service equipment; and are not subject to business occupancy shall have means of egress in accordance with Chapter 42.	21.2 Means of Egress Requirements. 21.2.1 General. Every aisle, passageway, corridor, exit discharge, exit location, and access shall be in accordance with Chapter 7, unless otherwise modified by 21.2.2 through 21.2.11. 21.2.2 Means of Egress Components. 21.2.2.1 Components of means of egress shall be limited to the types described in 39.2.2.	No change	None

Provision	Code Section	Existing Business Occupancy (Chapter 39)	Existing Ambulatory Health Care Occupancy (Chapter 21)	Differences	Frequency and Cost Impact
Doors	39.2.2.2 and 21.2.2.2	<p>39.2.2.2 Doors.</p> <p>39.2.2.2.1 Doors complying with 7.2.1 shall be permitted.</p> <p>39.2.2.2.2* Locks complying with 7.2.1.5.5 shall be permitted only on principal entrance/exit doors.</p> <p>39.2.2.2.3 Elevator lobby exit access door-locking arrangements in accordance with 7.2.1.6.3 shall be permitted.</p> <p>39.2.2.2.4 The re-entry provisions of 7.2.1.5.8 shall not apply to any of the following:</p> <ol style="list-style-type: none"> (1) Existing business occupancies that are not high-rise buildings (2) Existing high-rise business occupancy buildings that are protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1) (3) Existing high-rise business occupancy buildings having approved existing means for providing stair re-entry <p>39.2.2.2.5 Delayed-egress locks complying with 7.2.1.6.1 shall be permitted.</p> <p>39.2.2.2.6 Access-controlled egress doors complying with 7.2.1.6.2 shall be permitted.</p> <p>39.2.2.2.7 Horizontal or vertical security grilles or doors complying with 7.2.1.4(3) shall be permitted to be used as part of the required means of egress from a tenant space.</p> <p>39.2.2.2.8 Approved existing horizontal sliding or vertical rolling fire doors shall be permitted in the means of egress where they comply with all of the following conditions:</p> <ol style="list-style-type: none"> (1) They are held open by fusible links. (2) The fusible links are rated at not less than 165°F (74°C). (3) The fusible links are located not more than 10 ft. (3050 mm.) above the floor. (4) The fusible links are in immediate proximity to the door opening. (5) The fusible links are not located above a ceiling. (6) The door is not credited with providing any protection under this Code. 	<p>21.2.2.2 Special locking arrangements complying with 7.2.1.6 shall be permitted.</p> <p>21.2.2.3 Elevator lobby exit access door locking in accordance with 7.2.1.6.3 shall be permitted.</p> <p>21.2.2.4 Any door required to be self-closing shall be permitted to be held open only by an automatic release device that complies with 7.2.1.8.2. The required manual fire alarm system and the systems required by 7.2.1.8.2 shall be arranged to initiate the closing action of all such doors throughout the smoke compartment or throughout the entire facility.</p> <p>21.2.2.5 Where doors in a stair enclosure are held open by an automatic release device as permitted in 21.2.2.4, initiation of a door-closing action on any level shall cause all doors at all levels in the stair enclosure to close.</p> <p>21.2.2.6* A door in a horizontal exit shall not be required to swing in the direction of egress travel as specified in 7.2.4.3.8.1.</p>	No significant change	None
Capacity of Means of Egress	39.2.3 and 21.2.3	<p>39.2.3 Capacity of Means of Egress.</p> <p>39.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.</p> <p>39.2.3.2 The clear width of any corridor or passageway serving an occupant load of 50 or more shall be not less than 44 in. (1120 mm.).</p> <p>39.2.3.3 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of open stairs, ramps, escalators, and moving walks discharging through the street floor.</p>	<p>21.2.3 Capacity of Means of Egress.</p> <p>21.2.3.1 The capacity of any required means of egress shall be determined in accordance with the provisions of 39.2.3.</p> <p>21.2.3.2 The clear width of any corridor or passageway required for exit access shall be not less than 44 in. (1,120 mm.).</p> <p>21.2.3.3 Where minimum corridor width is 6 ft. (1,830 mm.), projections not more than 6 in. (150 mm.) from the corridor wall, above the handrail height, shall be permitted for the installation of hand-rub dispensing units in accordance with 21.3.2.6.</p> <p>21.2.3.4 Doors in the means of egress from diagnostic or treatment areas, such as X-ray, surgical, or physical therapy, shall provide a clear width of not less than 32 in. (810 mm.), unless such doors are existing 34 in. (865 mm.) doors.</p>	Existing business occupancies serving an occupant load of less than 50 persons are permitted to have an exit access width of 28 inches. Ambulatory health care occupancies require an exit access width of 44 inches.	Moderate frequency. Widening existing corridors poses a high cost impact and may not be practical.
Number of Means of Egress	39.2.4 and 21.2.4	<p>39.2.4 Number of Means of Egress.</p> <p>39.2.4.1 Means of egress shall comply with all of the following, except as otherwise permitted by 39.2.4.2 through 39.2.4.6:</p> <ol style="list-style-type: none"> (1) The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.6. (2) Not less than two separate exits shall be provided on every story. (3) Not less than two separate exits shall be accessible from every part of every story. <p>39.2.4.2 Exit access, as required by 39.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 39.2.5.3.</p> <p>39.2.4.3 A single exit shall be permitted for a room or area with a total occupant load of less than 100 persons, provided that all of the following criteria are met:</p> <ol style="list-style-type: none"> (1) The exit shall discharge directly to the outside at the level of exit discharge for the building. (2) The total distance of travel from any point, including travel within the exit, shall not exceed 100 ft. (30 m.). (3) The total distance of travel specified in 39.2.4.3(2) shall be on the same story, or, if traversing of stairs is necessary, such stairs shall not exceed 15 ft. (4,570 mm.) in height, and both of the following also shall apply: (a) Interior stairs shall be provided with complete enclosures to separate them from any other part of the building, with no door openings therein. (b) A single outside stair in accordance with 7.2.2 shall be permitted to serve all stories permitted within the 15 ft. (4,570 mm.) vertical travel limitation. <p>39.2.4.4 Any business occupancy three or fewer stories in height, and not exceeding an occupant load of 30 people per story, shall be permitted a single separate exit to each story, provided that all of the following criteria are met:</p> <ol style="list-style-type: none"> (1) The exit shall discharge directly to the outside. (2) The total travel distance to the outside of the building shall not exceed 100 ft. (30 m.). 	<p>21.2.4 Number of Means of Egress.</p> <p>21.2.4.1 The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.6.</p> <p>21.2.4.2 Not less than two exits of the types described in 39.2.2 that are remotely located from each other shall be provided for each floor or fire section of the building.</p> <p>21.2.4.3 Any patient care room and any patient care suite of rooms of more than 2,500 ft.² (232 m.²) shall have not less than two exit access doors remotely located from each other.</p> <p>21.2.4.4 Not less than two exits of the types described in 39.2.2 shall be accessible from each smoke compartment.</p> <p>21.2.4.5 Egress from smoke compartments addressed in 21.2.4.4 shall be permitted through adjacent compartments but shall not require return through the compartment of fire origin.</p>	Ambulatory health care occupancies do not permit the various arrangements allowing buildings with only a single exit but require two exits from each floor or fire section of building. Patient care areas greater than 2,500 sq. ft. require two remotely located means of egress.	High frequency. Providing an additional exit or a second means of egress poses a high cost impact.

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		<p>(3) Interior exit stairs shall be enclosed in accordance with 7.1.3.2, and both of the following also shall apply: (a) The stair shall serve as an exit from no other stories. (b) A single outside stair in accordance with 7.2.2 shall be permitted to service all stories.</p> <p>39.2.4.5 A single means of egress shall be permitted from a mezzanine within a business occupancy, provided that the common path of travel does not exceed 75 ft. (23 m.), or 100 ft. (30 m.) if protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1).</p> <p>39.2.4.6 A single exit shall be permitted for a single-tenant space or building two or fewer stories in height, provided that both of the following criteria are met: (1) The building is protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1). (2) The total travel to the outside does not exceed 100 ft. (30 m.).</p> <p>39.2.4.7 A single exit shall be permitted for a single-tenant building three or fewer stories in height and not exceeding an occupant load of 15 people per story, provided that all of the following criteria are met: (1) The building is protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1) and an automatic smoke detection system in accordance with Section 9.6. (2) Activation of the building sprinkler and smoke detection system shall provide occupant notification throughout the building. (3) The total travel to the outside does not exceed 100 ft. (30 m.).</p>			
Arrangement of Means of Egress	39.2.5 and 21.2.5	<p>39.2.5 Arrangement of Means of Egress.</p> <p>39.2.5.1 Means of egress shall be arranged in accordance with Section 7.5.</p> <p>39.2.5.2* Dead-end corridors shall not exceed 50 ft. (15 m.).</p> <p>39.2.5.3* Limitations on common path of travel shall be in accordance with 39.2.5.3.1, 39.2.5.3.2, and 39.2.5.3.3.</p> <p>39.2.5.3.1 Common path of travel shall not exceed 100 ft. (30 m.) on a story protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1).</p> <p>39.2.5.3.2 Common path of travel shall not be limited in a single-tenant space with an occupant load not exceeding 30 people.</p> <p>39.2.5.3.3 In buildings other than those complying with 39.2.5.3.1 or 39.2.5.3.2, common path of travel shall not exceed 75 ft. (23 m.).</p>	21.2.5 Arrangement of Means of Egress. See 39.2.5.	No change	None
Travel Distance	21.2.6	<p>39.2.6 Travel Distance to Exits. Travel distance shall comply with 39.2.6.1 through 39.2.6.3.</p> <p>39.2.6.1 Travel distance shall be measured in accordance with Section 7.6.</p> <p>39.2.6.2 Travel distance to an exit shall not exceed 200 ft. (61 m.) from any point in a building, unless otherwise permitted by 39.2.6.3.</p> <p>39.2.6.3 Travel distance shall not exceed 300 ft. (91 m.) in business occupancies protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.</p>	<p>21.2.6 Travel Distance to Exits.</p> <p>21.2.6.1 Travel distance shall be measured in accordance with Section 7.6.</p> <p>21.2.6.2 Travel distance shall comply with 21.2.6.2.1 and 21.2.6.2.2.</p> <p>21.2.6.2.1 The travel distance between any point in a room and an exit shall not exceed 150 ft. (46 m.).</p> <p>21.2.6.2.2 The maximum travel distance in 21.2.6.2.1 shall be permitted to be increased by 50 ft. (15 m.) in buildings protected throughout by an approved automatic sprinkler system in accordance with Section 9.7.</p>	<p>Ambulatory health care occupancies limit travel distance to 200 ft. (sprinkler protected) and 150 ft. (non-sprinkler protected). Travel distance limitation in business occupancies is 300 ft. (sprinkler protected) and 200 ft. (non-sprinkler protected).</p>	High frequency. Reduced travel distance limitation may require major redesign of egress system which may not be practical and poses a high cost impact.
Discharge from Exits	39.2.7 and 21.2.7	39.2.7 Discharge from Exits. Exit discharge shall comply with Section 7.7.	21.2.7 Discharge from Exits. See 39.2.7.	No change	None
Illumination of the Means of Egress	39.2.8 and 21.2.8	39.2.8 Illumination of Means of Egress. Means of egress shall be illuminated in accordance with Section 7.8.	21.2.8 Illumination of Means of Egress. Means of egress shall be illuminated in accordance with Section 7.8.	No change	None
Emergency Lighting and Essential Electrical Systems	39.2.9 and 21.2.9	<p>39.2.9.1 Emergency lighting shall be provided in accordance with Section 7.9 in any building where any one of the following conditions exists: (1) The building is three or more stories in height. (2) The occupancy is subject to 100 or more occupants above or below the level of exit discharge. (3) The occupancy is subject to 1,000 or more total occupants.</p> <p>39.2.9.2 Emergency lighting in accordance with Section 7.9 shall be provided for all underground and limited access structures, as defined in 3.3.271.11 and 3.3.271.3, respectively.</p>	<p>21.2.9 Emergency Lighting and Essential Electrical Systems.</p> <p>21.2.9.1 Emergency lighting shall be provided in accordance with Section 7.9.</p> <p>21.2.9.2 Where general anesthesia or life-support equipment is used, each ambulatory health care facility shall be provided with an essential electrical system in accordance with NFPA 99: <i>Health Care Facilities Code</i>, unless otherwise permitted by one of the following: (1) Where battery-operated equipment is provided and acceptable to the authority having jurisdiction (2) Where a facility uses life-support equipment for emergency purposes only</p>	<p>Ambulatory health care occupancies require emergency lighting in all buildings. Business occupancies do not require emergency lighting in buildings of less than four stories in height with less than 100 occupants above/below level of exit discharge and less than 1,000 total occupants.</p> <p>Ambulatory health care occupancies that administer general anesthesia require an essential electrical system per NFPA 99 and an emergency generator in most cases. Business occupancies do not require an essential electrical system.</p>	High frequency. Many small providers may not have an emergency lighting or an essential electrical system, which poses a high cost impact.
Marking of Means of Egress	39.2.10 and 21.2.10	39.2.10 Marking of Means of Egress. Means of egress shall have signs in accordance with Section 7.10.	21.2.10 Marking of Means of Egress. Means of egress shall have signs in accordance with Section 7.10.	No change	None

Provision	Code Section	Existing Business Occupancy (Chapter 39)	Existing Ambulatory Health Care Occupancy (Chapter 21)	Differences	Frequency and Cost Impact
Protection of Vertical Openings	39.3.1 and 21.3.1	39.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6, unless otherwise permitted by any of the following: (1) Unenclosed vertical openings in accordance with 8.6.9.1 or 39.2.4.7 shall be permitted. (2) Exit access stairs in accordance with 39.2.4.6 or 39.2.4.7 shall be permitted to be unenclosed. (3) Unprotected vertical openings shall be permitted in buildings complying with all of the following: (a) Where protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1) (b) Where no unprotected vertical opening serves as any part of any required means of egress (c) Where required exits consist of exit doors that discharge directly to the finished ground level in accordance with 7.2.1, outside stairs in accordance with 7.2.2, smokeproof enclosures in accordance with 7.2.3, or horizontal exits in accordance with 7.2.4. 39.3.1.2 Floors that are below the street floor and are used for storage or other than a business occupancy shall have no unprotected openings to business occupancy floors.	21.3.1 Protection of Vertical Openings. See 39.3.1.	No change	None
Protection of Hazardous Areas	39.3.2.1 and 21.3.2.1	39.3.2.1* General. Hazardous areas including, but not limited to, areas used for general storage, boiler or furnace rooms, and maintenance shops that include woodworking and painting areas shall be protected in accordance with Section 8.7. 39.3.2.2* High Hazard Contents Areas. High hazard contents areas, as classified in Section 6.2, shall meet all of the following criteria: (1) The area shall be separated from other parts of the building by fire barriers having a minimum 1-hour fire resistance rating, with all openings therein protected by self-closing fire door assemblies having a minimum 34-hour fire protection rating. (2) The area shall be protected by an automatic extinguishing system in accordance with 9.7.1.1(1) or 9.7.1.2.	21.3.2 Protection from Hazards. See 39.3.2.	No change	None
Protection of Labs	21.3.2.2	No requirements	21.3.2.2 Laboratories. Laboratories employing quantities of flammable, combustible, or hazardous materials that are considered a severe hazard shall be protected in accordance with NFPA 99: <i>Health Care Facilities Code</i> .	Ambulatory health care occupancies containing quantities of flammable, combustible, or hazardous materials that are considered a severe hazard must be protected in accordance with NFPA 99.	Moderate frequency. Level of protection cost required depends on quantities of materials in laboratory that pose a moderate (sprinkler protection) to high (construction of fire-resistance rated barriers) cost impact.
Protection of Anesthetizing Locations	21.3.2.3	No requirements	21.3.2.3 Anesthetizing Locations. Anesthetizing locations shall be protected in accordance with NFPA 99: <i>Health Care Facilities Code</i> .	Ambulatory health care occupancies require anesthetizing locations to be protected in accordance with NFPA 99. Compliance with NFPA 99 is not required for business occupancies.	High frequency. Compliance with NFPA 99 for medical gas and vacuum systems and essential electrical system poses a high cost impact.
Cooking Facilities	39.3.2.3 and 21.3.2.4-21.3.2.5	39.3.2.3 Cooking Equipment. Cooking equipment shall be protected in accordance with 9.2.3, unless the cooking equipment is one of the following types: (1) Outdoor equipment (2) Portable equipment not flue-connected (3) Equipment used only for food warming	21.3.2.4 Cooking Facilities. Cooking facilities shall be protected in accordance with 9.2.3, unless otherwise permitted by 21.3.2.5. 21.3.2.5 Domestic Cooking Equipment. Where domestic cooking equipment is used for food warming or limited cooking, protection or separation of food preparation facilities shall not be required.	No change	None
Alcohol-Based Hand Rub Dispensers	21.3.2.6	No requirements	21.3.2.6* Alcohol-Based Hand Rub Dispensers. Alcohol-based hand-rub dispensers shall be protected in accordance with 8.7.3.1, unless all of the following conditions are met: (1) Where dispensers are installed in a corridor, the corridor shall have a minimum width of 6 ft. (1,830 mm.). (2) The maximum individual dispenser fluid capacity shall be as follows: (a) 0.32 gal. (1.2 L) for dispensers in rooms, corridors, and areas open to corridors (b) 0.53 gal. (2.0 L) for dispensers in suites of rooms (3) Where aerosol containers are used, the maximum capacity of the aerosol dispenser shall be 18 oz. (0.51 kg) and shall be limited to Level 1 aerosols as defined in NFPA 30B: <i>Code for the Manufacture and Storage of Aerosol Products</i> . (4) Dispensers shall be separated from each other by horizontal spacing of not less than 48 in. (1,220 mm.). (5) Not more than an aggregate 10 gal. (37.8 L) of alcohol-based hand rub solution or 1,135 oz. (32.2 kg) of Level 1 aerosols, or a combination of liquids and Level 1 aerosols not to exceed, in total, the equivalent of 10 gal. (37.8 L) or 1,135 oz. (32.2 kg), shall be in use outside of a storage cabinet in a single smoke compartment, except as otherwise provided in 21.3.2.6(6). (6) One dispenser per room complying with 21.3.2.6(2) or (3), and located in the room, shall not be required to be included in the aggregated quantity specified in 21.3.2.6(5). (7) Storage of quantities greater than 5 gal. (18.9 L) in a single smoke compartment shall meet the requirements of NFPA 30: <i>Flammable and Combustible Liquids Code</i> . (8) Dispensers shall not be installed in the following locations: (a) Above an ignition source within a 1 in. (25 mm.) horizontal distance from each side of the ignition source (b) To the side of an ignition source within a 1 in. (25 mm.) horizontal distance from the ignition source (c) Beneath an ignition source within a 1 in. (25 mm.) vertical distance from the ignition source (9) Dispensers installed directly over carpeted floors shall be permitted only in sprinklered smoke compartments. (10) The alcohol-based hand rub solution shall not exceed 95 percent alcohol content by volume.	Ambulatory health care occupancies require alcohol-based hand rub to meet guidelines for spacing, location, sizing, and liquid composition.	High frequency. Provisions likely will only require relocation of dispensers, which poses a low cost impact.

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			(11) Operation of the dispenser shall comply with the following criteria: (a) The dispenser shall not release its contents except when the dispenser is activated, either manually or automatically by touch-free activation. (b) Any activation of the dispenser shall occur only when an object is placed within 4 in. (100 mm.) of the sensing device. (c) An object placed within the activation zone and left in place shall not cause more than one activation. (d) The dispenser shall not dispense more solution than the amount required for hand hygiene consistent with label instructions. (e) The dispenser shall be designed, constructed, and operated in a manner that ensures that accidental or malicious activation of the dispensing device is minimized. (f) The dispenser shall be tested in accordance with the manufacturer's care and use instructions each 21.3.3 Interior Finish. See 39.3.3.		
Interior Finish	39.3.3 and 21.3.3	39.3.3 Interior Finish. 39.3.3.1 General. Interior finish shall be in accordance with Section 10.2. 39.3.3.2 Interior Wall and Ceiling Finish. 39.3.3.2.1 Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A or Class B in exits and in exit access corridors. 39.3.3.2.2 Interior wall and ceiling finishes shall be Class A, Class B, or Class C in areas other than those specified in 39.3.3.2.1. 39.3.3.3 Interior Floor Finish. (No requirements.)	21.3.3 Interior Finish. See 39.3.3.	No change	None
Detection, Alarm, and Communication Systems	39.3.4.1 and 21.3.4.1	39.3.4.1 General. A fire alarm system in accordance with Section 9.6 shall be provided in all business occupancies where any one of the following conditions exists: (1) The building is three or more stories in height. (2) The occupancy is subject to 100 or more occupants above or below the level of exit discharge. (3) The occupancy is subject to 1,000 or more total occupants.	21.3.4.1 General. Ambulatory health care facilities shall be provided with fire alarm systems in accordance with Section 9.6, except as modified by 21.3.4.2 through 21.3.4.4.	Ambulatory health care occupancies require a fire alarm system in all buildings. Business occupancies do not require a fire alarm system in buildings of less than four stories in height with less than 100 occupants above/below level of exit discharge and less than 1,000 total occupants.	Moderate frequency. Many existing business occupancies may currently be provided with a fire alarm system, however, providing a new fire alarm system poses a high cost impact.
Initiation	39.3.4.2 and 21.3.4.2	39.3.4.2 Initiation. Initiation of the required fire alarm system shall be by one of the following means: (1) Manual means in accordance with 9.6.2.1(1) (2) Means of an approved automatic fire detection system that complies with 9.6.2.1(2) and provides protection throughout the building (3) Means of an approved automatic sprinkler system that complies with 9.6.2.1(3) and provides protection throughout the building	21.3.4.2 Initiation. Initiation of the required fire alarm systems shall be by manual means in accordance with 9.6.2 and by means of any detection devices or detection systems required.	No change	None
Notification	39.3.4.3 and 21.3.4.3	39.3.4.3 Occupant Notification. During all times that the building is occupied (see 7.2.1.1.3), the required fire alarm system, once initiated, shall perform one of the following functions: (1) It shall activate a general alarm in accordance with 9.6.3 throughout the building, and both of the following also shall apply: (a) Positive alarm sequence in accordance with 9.6.3.4 shall be permitted. (b) A presignal system in accordance with 9.6.3.3 shall be permitted. (2) Occupant notification shall be permitted to be made via a voice communication or public address system in accordance with 9.6.3.9.2.	21.3.4.3 Notification. Positive alarm sequence in accordance with 9.6.3.4 shall be permitted.	No change	None
Emergency Forces Notification	39.3.4.4 and 21.3.4.3.2	39.3.4.4 Emergency Forces Notification. Emergency forces notification shall be accomplished in accordance with 9.6.4 when the existing fire alarm system is replaced.	21.3.4.3.2 Emergency Forces Notification. 21.3.4.3.2.1 Fire department notification shall be accomplished in accordance with 9.6.4. 21.3.4.3.2.2 Smoke detection devices or smoke detection systems equipped with reconfirmation features shall not be required to automatically notify the fire department, unless the alarm condition is reconfirmed after a period not exceeding 120 seconds.	No significant change	None
Fire Safety Functions	21.3.4.4	No requirements	21.3.4.4 Fire Safety Functions. Operation of any activating device in the required fire alarm system shall be arranged to accomplish automatically, without delay, any control functions required to be performed by that device. (See 9.6.5.)	Ambulatory health care occupancies contain additional fire alarm provisions.	Low frequency. Reprogramming of the fire alarm control panel and any associated equipment if needed poses a low cost impact.
Extinguishment Requirements	39.3.5 and 21.3.5	39.3.5 Extinguishment Requirements. Portable fire extinguishers shall be provided in every business occupancy in accordance with 9.7.4.1.	21.3.5 Extinguishment Requirements. See 39.3.5. 21.3.5.1 Isolated hazardous areas shall be permitted to be protected in accordance with 9.7.1.2. 21.3.5.2 For new installations in existing ambulatory health care facilities, where more than two sprinklers are installed in a single area for protection in accordance with 9.7.1.2, water flow detection shall be provided to sound the building fire alarm or to notify, by a signal, any constantly attended location, such as PBX, security, or emergency room, at which the necessary corrective action shall be taken. 21.3.5.3 Portable fire extinguishers shall be provided in ambulatory health care facilities in accordance with 9.7.4.1.	Ambulatory health care occupancies require areas protected by 2 to 6 sprinklers connected to the domestic water supply to be provided with a water flow device connected to the fire alarm system. Business occupancies do not require a water flow device.	Low frequency. Likely a small amount of these areas require a water flow device and pose a low cost impact.
Corridors	39.3.6 and 21.3.6	39.3.6 Corridors. (No requirements)	21.3.6 Corridors. (No requirements.)	No change	None

Provision	Code Section	Existing Business Occupancy (Chapter 39)	Existing Ambulatory Health Care Occupancy (Chapter 21)	Differences	Frequency and Cost Impact
Subdivision of Building Space	39.3.7 and 21.3.7	39.3.7 Subdivision of Building Spaces. (No special requirements)	21.3.7 Subdivision of Building Space. 21.3.7.1 Ambulatory health care facilities shall be separated from other tenants and occupancies and shall meet all of the following requirements: (1) Walls shall have not less than a 1-hour fire resistance rating and shall extend from the floor slab below to the floor or roof slab above. (2) Doors shall be constructed of not less than 1 3/4 in. (44 mm.) thick, solid-bonded wood core or the equivalent and shall be equipped with positive latches. (3) Doors shall be self-closing and shall be kept in the closed position, except when in use. (4) Any windows in the barriers shall be of fixed fire window assemblies in accordance with Section 8.3. 21.3.7.2 Every story of an ambulatory health care facility shall be divided into not less than two smoke compartments, unless otherwise permitted by one of the following: (1) This requirement shall not apply to facilities of less than 5,000 ft. ² (465 m. ²) that are protected by an approved automatic smoke detection system. (2) This requirement shall not apply to facilities of less than 10,000 ft. ² (929 m. ²) that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with Section 9.7. (3) An area in an adjoining occupancy shall be permitted to serve as a smoke compartment for an ambulatory health care facility if all of the following criteria are met: (a) The separating wall and both compartments meet the requirements of 21.3.7. (b) The ambulatory health care facility is less than 22,500 ft. ² (2100 m. ²). (c) Access from the ambulatory health care facility to the other occupancy is unrestricted. 21.3.7.5 Required smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 12-hour fire resistance rating, unless otherwise permitted by 21.3.7.6. 21.3.7.6 Smoke dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems where adjacent smoke compartments are protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7. 21.3.7.7 Windows in the smoke barrier shall be of fixed fire window assemblies in accordance with Section 8.3. 21.3.7.9* Doors in smoke barriers shall be not less than 1 3/4 in. (44 mm.) thick, solid-bonded wood core or the equivalent and shall be self-closing or automatic-closing in accordance with 21.2.2.4. 21.3.7.10 Latching hardware shall not be required on smoke barrier cross-corridor doors, and doors shall not be required to swing in the direction of egress travel.	Ambulatory health care occupancies must be provided with smoke compartments with size limitations that may depend on the level of smoke detection and sprinkler protection. Also required are 1-hour fire resistance rated tenant separations. Business occupancies do not require smoke compartments or tenant separations.	High frequency. Constructing new smoke barriers and fire resistance rated tenant separations poses a high cost impact and may not be practical to construct.
Special Provisions	39.4 and 21.4	39.4 Special Provisions. 39.4.1 Limited Access or Underground Buildings. See Section 11.7. 39.4.2 High-Rise Buildings. 39.4.2.1 All high-rise business occupancy buildings shall be provided with a reasonable degree of safety from fire, and such degree of safety shall be accomplished by one of the following means: (1) Installation of a complete, approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1) (2) Installation of an engineered life safety system complying with all of the following: (a) The engineered life safety system shall be developed by a registered professional engineer experienced in fire and life safety systems design. (b) The life safety system shall be approved by the authority having jurisdiction and shall be permitted to include any or all of the following systems: i. Partial automatic sprinkler protection ii. Smoke detection alarms iii. Smoke control iv. Compartmentation v. Other approved systems 39.4.2.2* A limited, but reasonable, time shall be permitted for compliance with any part of 39.4.2.1, commensurate with the magnitude of expenditure and the disruption of services. 39.4.2.3 In addition to the requirements of 39.4.2.1 and 39.4.2.2, all buildings, regardless of height, shall comply with all other applicable provisions of this chapter. 39.4.3 Air Traffic Control Towers. 39.4.3.1 Air traffic control towers shall comply with the requirements of this chapter and Section 11.3. 39.4.3.2 The requirements of Section 11.8 shall not apply to air traffic control towers.	21.4 Special Provisions. See Section 39.4.	No change	None
Building Services	39.5.1 and 21.5.1	39.5.1 Utilities. Utilities shall comply with the provisions of Section 9.1.	21.5.1 Utilities. 21.5.1.1 Utilities shall comply with the provisions of Section 9.1. 21.5.1.2 Existing installations shall be permitted to be continued in service, provided that the systems do not present a serious hazard to life.	No change	None
Elevators, Escalators, and Conveyors	39.5.3 and 21.5.3	39.5.3 Elevators, Escalators, and Conveyors. Elevators, escalators, and conveyors shall comply with the provisions of Section 9.4.	21.5.3 Elevators, Escalators, and Conveyors. Elevators, escalators, and conveyors shall comply with the provisions of Section 9.4.	No change	None
Rubbish Chutes, Incinerators, and Laundry Chutes	39.5.4 and 21.5.4	39.5.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with the provisions of Section 9.5.	21.5.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with the provisions of Section 9.5.	No change	None

Provision	Code Section	Existing Business Occupancy (Chapter 39)	Existing Ambulatory Health Care Occupancy (Chapter 21)	Differences	Frequency and Cost Impact
Heating, Ventilation, and Air-Conditioning	39.5.2 and 21.5.2	39.5.2 Heating, Ventilating, and Air-Conditioning. Heating, ventilating, and air-conditioning equipment shall comply with the provisions of Section 9.2.	21.5.2 Heating, Ventilating, and Air-Conditioning. 21.5.2.1 Heating, ventilating, and air-conditioning shall comply with the provisions of Section 9.2 and shall be in accordance with the manufacturer's specifications, unless otherwise modified by 21.5.2.2. 21.5.2.2 If fuel-fired, heating devices shall comply with all of the following: (1) They shall be chimney connected or vent connected. (2) They shall take air for combustion directly from the outside. (3) They shall be designed and installed to provide for complete separation of the combustion system from the atmosphere of the occupied area. 21.5.2.2.1 Any heating device shall have safety features to immediately stop the flow of fuel and shut down the equipment in case of either excessive temperature or ignition failure. 21.5.2.2.2 Approved, suspended unit heaters shall be permitted in locations other than means of egress and patient treatment areas, provided that both of the following criteria are met: (1) Such heaters are located high enough to be out of the reach of persons using the area. (2) Such heaters are equipped with the safety features required by 21.5.2.2.1.	Ambulatory health care occupancies require fuel-fired heating devices to be vented or connected to a chimney, supply combustion air directly from outside, separation of the combustion system from the occupied area and emergency shutdown criteria. Business occupancies do not contain any requirements.	Moderate frequency. Modifying/replacing existing HVAC systems will be required in some buildings posing a moderate cost impact.
Operating Features	39.7.1 and 21.7	39.7.1 Emergency Plans. Emergency plans complying with Section 4.8 shall be provided in high-rise buildings. 39.7.2 Drills. In all business occupancy buildings occupied by more than 500 persons, or by more than 100 persons above or below the street level, employees and supervisory personnel shall be periodically instructed in accordance with Section 4.7 and shall hold drills periodically where practicable. 39.7.3 Extinguisher Training. Designated employees of business occupancies shall be periodically instructed in the use of portable fire extinguishers.	21.7* Operating Features. 21.7.1 Evacuation and Relocation Plan and Fire Drills. 21.7.1.1 The administration of every ambulatory health care facility shall have, in effect and available to all supervisory personnel, written copies of a plan for the protection of all persons in the event of fire, for their evacuation to areas of refuge, and for their evacuation from the building when necessary. 21.7.1.2 All employees shall be periodically instructed and kept informed with respect to their duties under the plan required by 21.7.1.1. 21.7.1.3 A copy of the plan required by 21.7.1.1 shall be readily available at all times in the telephone operator's location or at the security center. 21.7.1.4* Fire drills in ambulatory health care facilities shall include the transmission of a fire alarm signal and simulation of emergency fire conditions. 21.7.1.5 Patients shall not be required to be moved during drills to safe areas or to the exterior of the building. 21.7.1.6 Drills shall be conducted quarterly on each shift to familiarize facility personnel (nurses, interns, maintenance engineers, and administrative staff) with the signals and emergency action required under varied conditions. 21.7.1.7 When drills are conducted between 9:00 p.m. and 6:00 a.m. (2100 hours and 0600 hours), a coded announcement shall be permitted to be used instead of audible alarms. 21.7.1.8 Employees of ambulatory health care facilities shall be instructed in life safety procedures and devices. 21.7.2 Procedure in Case of Fire. 21.7.2.1* Protection of Patients. 21.7.2.1.1 For ambulatory health care facilities, the proper protection of patients shall require the prompt and effective response of ambulatory health care personnel. 21.7.2.1.2 The basic response required of staff shall include the following: (1) Removal of all occupants directly involved with the fire emergency (2) Transmission of an appropriate fire alarm signal to warn other building occupants and summon staff (3) Confinement of the effects of the fire by closing doors to isolate the fire area (4) Relocation of patients as detailed in the facility's fire safety plan 21.7.2.2 Fire Safety Plan. A written fire safety plan shall provide for all of the following: (1) Use of alarms (2) Transmission of alarms to fire department (3) Response to alarms (4) Isolation of fire (5) Evacuation of immediate area (6) Evacuation of smoke compartment (7) Preparation of floors and building for evacuation (8) Extinguishment of fire 21.7.2.3 Staff Response. 21.7.2.3.1 All personnel shall be instructed in the use of and response to fire alarms. 21.7.2.3.2 All health care personnel shall be instructed in the use of the code phrase to ensure transmission of an alarm under any of the following conditions: (1) When the individual who discovers a fire must immediately go to the aid of an endangered person (2) During a malfunction of the building fire alarm system 21.7.2.3.3 Personnel hearing the code announced shall first activate the building fire alarm using the nearest fire alarm box and then shall execute immediately their duties as outlined in the fire safety plan.	Ambulatory health care occupancies require fire drills to be conducted on a quarterly basis and a written fire response plan and staff training related to the plan. Business occupancies do not require fire drills in buildings with an occupant load of less than 500 people or 100 people above or below the level of exit discharge.	High frequency. Staff hours associated with the fire drills will have a moderate cost impact.
Maintenance of Exits	21.7.3	No requirements	21.7.3 Maintenance of Exits. 21.7.3.1 Proper maintenance shall be provided to ensure the dependability of the method of evacuation selected. 21.7.3.2 Ambulatory health care occupancies that find it necessary to lock exits shall, at all times, maintain an adequate staff qualified to release locks and direct occupants from the immediate danger area to a place of safety in case of fire or other emergency	No significant change	None

Provision	Code Section	Existing Business Occupancy (Chapter 39)	Existing Ambulatory Health Care Occupancy (Chapter 21)	Differences	Frequency and Cost Impact
Smoking	21.7.4	No requirements	21.7.4* Smoking. Smoking regulations shall be adopted and shall include not less than the following provisions: (1) Smoking shall be prohibited in any room, ward, or compartment where flammable liquids, combustible gases, or oxygen is used or stored and in any other hazardous location, and such areas shall be posted with signs that read NO SMOKING or shall be posted with the international symbol for no smoking. (2) In ambulatory health care facilities where smoking is prohibited and signs are placed at all major entrances, secondary signs with language that prohibits smoking shall not be required. (3) Smoking by patients classified as not responsible shall be prohibited. (4) The requirement of 21.7.4(3) shall not apply where the patient is under direct supervision. (5) Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted. (6) Metal containers with self-closing cover devices into which ashtrays can be emptied shall be readily available to all areas where smoking is permitted.	No significant change	None
Furnishings, Mattresses and Decorations	39.7.5 and 21.7.5	39.7.5 Upholstered Furniture and Mattresses. The provisions of 10.3.2 shall not apply to upholstered furniture and mattresses.	21.7.5 Furnishings, Mattresses, and Decorations. 21.7.5.1* Draperies, curtains, and other loosely hanging fabrics and films serving as furnishings or decorations in ambulatory health care occupancies shall be in accordance with the provisions of 10.3.1, and the following also shall apply: (1) Such curtains shall include cubicle curtains. (2) Such curtains shall not include curtains at showers. 21.7.5.2 Newly introduced upholstered furniture shall comply with 10.3.2.1 and one of the following provisions: (1) The furniture shall meet the criteria specified in 10.3.3. (2) The furniture shall be in a building protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1). 21.7.5.3 Newly introduced mattresses shall comply with 10.3.2.2 and one of the following provisions: (1) The mattresses shall meet the criteria specified in 10.3.4. (2) The mattresses shall be in a building protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1). 21.7.5.4 Combustible decorations shall be prohibited, unless one of the following criteria is met: (1) They are flame-retardant. (2) The decorations meet the requirements of NFPA 701: <i>Standard Methods of Fire Tests for Flame Propagation of Textiles and Films</i> . (3) The decorations exhibit a heat release rate not exceeding 100 kW when tested in accordance with NFPA 289: <i>Standard Method of Fire Test for Individual Fuel Packages</i> , using the 20 kW ignition source. (4) They are decorations, such as photographs and paintings, in such limited quantities that a hazard of fire development or spread is not present.	Ambulatory health care occupancies require draperies, curtains, and other loose fabrics must meet NFPA 701 flame propagation requirements. Newly introduced furniture must be resistant to cigarette ignition and newly introduced mattresses must be installed in fully sprinkler protected buildings or meet peak heat release rates of ASTM E1590. Existing decorations that present the hazard of fire development must meet NFPA 701 requirements, be flame retardant or meet heat release rates of NFPA 289. Business occupancies do not contain any requirements.	Moderate frequency. Meeting furnishing, mattress, and decoration requirements may prove to be challenging and poses a low cost impact.
Soiled Linen and Trash Receptacles	39.7.6 and 21.7.5.5	39.7.6 Soiled Linen and Trash Receptacles. The requirements of 10.3.9 for containers for rubbish, waste, or linen with a capacity of 20 gal. (75.7 L) or more shall not apply.	21.7.5.5 Soiled Linen and Trash Receptacles. 21.7.5.5.1 Soiled linen or trash collection receptacles shall not exceed 32 gal. (121 L) in capacity, and all of the following also shall apply: (1) The average density of container capacity in a room or space shall not exceed 0.5 gal./ft. ² (20.4 L/m. ²). (2) A capacity of 32 gal. (121 L) shall not be exceeded within any 64 ft. ² (6 m. ²) area. (3) Mobile soiled linen or trash collection receptacles with capacities greater than 32 gal. (121 L) shall be located in a room protected as a hazardous area when not attended. (4) Container size and density shall not be limited in hazardous areas. 21.7.5.5.2 The provisions of 10.3.9, applicable to containers for rubbish, waste, or linen, shall not apply.	Ambulatory health care occupancies limit soiled linen or trash collection receptacles to a maximum capacity of 32 gallons per 64 sq. ft. or containers must be located in a hazardous area when not attended. Business occupancies do not contain any requirements.	Low frequency. Smaller receptacles or relocation is required posing a low cost impact.
Engineered Smoke Control Systems	21.7.7	No requirements	21.7.7* Engineered Smoke Control Systems. 21.7.7.1 New engineered smoke control systems shall be tested in accordance with established engineering principles and shall meet the performance requirements of such testing prior to acceptance. 21.7.7.2 Following acceptance, all engineered smoke control systems shall be tested periodically in accordance with recognized engineering principles. 21.7.7.3 Test documentation shall be maintained on the premises at all times.	No significant changes	None
Portable Space Heating Devices	21.7.8	No requirements	21.7.8 Portable Space-Heating Devices. Portable space-heating devices shall be prohibited in all ambulatory health care occupancies, unless both of the following criteria are met: (1) Such devices are used only in nonsleeping staff and employee areas. (2) The heating elements of such devices do not exceed 212°F (100°C).	Ambulatory health care occupancies limit the temperature of heating elements to 212 °F. Business occupancies do not contain any requirements.	Low frequency. Some portable heaters will be required to be replaced and pose a low cost impact.
Construction, Repair, and Improvement Operations	21.7.9	No requirements	21.7.9 Construction, Repair, and Improvement Operations. 21.7.9.1 Construction, repair, and improvement operations shall comply with 4.6.10. 21.7.9.2 The means of egress in any area undergoing construction, repair, or improvement shall be inspected daily for compliance with 7.1.10.1 and shall also comply with NFPA 241: <i>Standard for Safeguarding Construction, Alteration, and Demolition Operations</i> .	Ambulatory health care requires that construction projects that are in the means of egress must be inspected daily and meet requirements of NFPA 241. Business occupancies do not contain any requirements.	High frequency. Provision requires construction area containment barriers and daily inspections, which poses a moderate cost impact.