

Regulatory Advisory

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CMS Issues Interim Final Rule Allowing Alcohol-Based Hand Rub Dispensers in Egress Corridors

A Message to ASHE Members:

On March 25, 2005, the Centers for Medicare & Medicaid Services (CMS) issued an *Amendment to Fire Safety Requirements for Certain Health Care Facilities* - File code CMS-3145-IFC, in the *Federal Register*. Following public comment, this final rule will have an effective date of May 24, 2005.

This interim final rule with comment period adopts the substance of the April 15, 2004 temporary interim amendment (TIA) 00-1 (101), *Alcohol Based Hand Rub Solutions*, an amendment to the 2000 edition of the *Life Safety Code*, published by the National Fire Protection Association (NFPA). This amendment will allow certain health care facilities to place alcohol-based hand rub dispensers in egress corridors under specified conditions

The CMS amendment states, “The benefits of using alcohol-based hand rubs (ABHRs) have been well demonstrated. However, until a short time ago there were concerns about placing ABHR dispensers in egress corridors” and that “The relatively small quantity of gel in each dispenser combined with the absence of vapor release means that these dispensers, when properly installed and used, pose little fire risk in health care facilities”. CMS further states that “After careful and thorough consideration... we believe that placing ABHR dispensers in all appropriate areas, including corridors, is safe and appropriate for patients and providers alike”.

The issuance of this interim final rule nearly completes ASHE and AHA’s efforts to first study the potential fire risk associated with ABHR’s and then to work cooperatively with many associations and agencies to develop management strategies and code language to support the safe and effective usage of ABHR resulting in improved patient care. In the interim final rule, CMS credits the efforts of ASHE in working with NFPA in the development and adoption of the Life Safety Code TIA allowing ABHR dispenser installation.

Amendment to the Condition of Participation: Physical environment.

The interim final rule amends Sec. 482.41 of the Conditions of Participation allow hospitals to install alcohol-based hand rub dispensers in its facility provided that:

- Use of alcohol-based hand rub dispensers does not conflict with any State or local codes that prohibit or otherwise restrict the placement of alcohol-based hand rub dispensers in health care facilities;
- The dispensers are installed in a manner that minimizes leaks and spills that could lead to falls;

- The dispensers are installed in a manner that adequately protects against access by vulnerable populations; and
- The dispensers are installed in accordance with chapter 18.3.2.7 or chapter 19.3.2.7 of the 2000 edition of the Life Safety Code (LSC), as amended by NFPA Temporary Interim Amendment (TIA) 00-1(101), issued on April 15, 2004.

To allow ABHR dispensers, the NFPA TIA establishes the following criteria listed in chapters 18.3.2.7 and 19.3.2.7 of the 2000 edition of the LSC:

- Where dispensers are installed in a corridor, the corridor shall have a minimum width of 6 ft (1.8m).
- The maximum individual dispenser fluid capacity shall be:
 - 1.2 liters for dispensers in rooms, corridors, and areas open to corridors.
 - 2.0 liters for dispensers in suites of rooms.
- The dispensers shall have a minimum horizontal spacing of 4 ft (1.2m) from each other.
- Not more than an aggregate 10 gallons (37.8 liters) of ABHR solution shall be in use in a single smoke compartment outside of a storage cabinet.
- Storage of quantities greater than 5 gallons (18.9 liters) in a single smoke compartment shall meet the requirements of NFPA 30, Flammable and Combustible Liquids Code.
- The dispensers shall not be installed over or directly adjacent to an ignition source.
- In locations with carpeted floor coverings, dispensers installed directly over carpeted surfaces shall be permitted only in sprinklered smoke compartments.

Although the TIA specifically addresses Hospital occupancies only, the CMS interim final rule expands the TIA language to apply to other healthcare settings including: Critical Access Hospitals, Immediate Care Facilities, Long-term Care Facilities, Ambulatory Surgical Facilities, and Hospice Care.

For complete information on the CMS Interim Final Rule, NFPA TIA, Fire Modeling of ABHR, and notes from the ABHR Stakeholder meeting go to <http://www.ashe.org/ashe/codes/handrub/index.html>

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March 29, 2005