



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

February 7, 2023

AL TSA: NH #2023-005
AL TSA: ICF/IID #2023-003

**CMS RELEASED REVISED S&C 17-15-LSC: USE OF FSES, NFPA 101A,
GUIDE ON ALTERNATIVE APPROACHES TO LIFE SAFETY, 2013 EDITION
BY HEALTH CARE OCCUPANCIES AND BOARD AND CARE OCCUPANCIES**

Dear Administrator/Superintendent:

On November 1, 2016, the Centers of Medicare and Medicaid Services (CMS) began surveying facilities for compliance with the 2012 edition of the life safety code (LSC) and Health Care Facility Code (HCFC.) Since then, the LSC's rule has allowed CMS the opportunity to train existing surveyors, revise fire safety survey forms, and update the Automated Survey Processing Environment (ASPEN) program.

On October 26, 2022, Centers for Medicare and Medicaid Services (CMS) released [S&C 17-15-LSC](#), regarding the use of the Fire Safety Evaluation System (FSES), National Fire Protection Association (NFPA) 101A, Guide on Alternative Approaches to Life Safety, 2013 Edition by Health Care Occupancies and Board and Care Occupancies. Updates include:

- **Fire safety requirements:** CMS has adopted changes through regulation to allow existing Medicare or Medicaid certified NF/SNF to use the scoring values in the mandatory values chart in NFPA 101, 2001 edition (see [87 CFR 47502, 8/3/22](#)) effective October 1, 2022.
- **FSES Edition to be USED to Meet Fire Safety Requirements:** If an existing NF/SNF has had an approved FSES on record prior to July 5, 2016, the NF/SNF may use the mandatory values in NFPA 101A, 2001 edition, to meet the fire safety requirements for recertification.
- **Survey Start Date:** As of October 1, 2022, existing NF/SNF certified and with a previously approved FSES prior to July 5, 2016 may now use the mandatory values in NFPA 101A, 2001 edition.
- **Time Limited Waiver for Corrective Action:** Time limited waivers previously allowed for existing NF/SNF that had an FSES on record prior to January 5, 2016, are rescinded with the adoption of the FSES.

Thank you for your continued commitment to resident health and safety. For questions about Life Safety Code regulations, please contact Dylan Montgomery, Chief Deputy State Fire Marshal at (425) 577-0362 or Dylan.Montgomery@wsp.wa.gov.

If you have any questions regarding nursing home policy, please contact Molly McClintock, Nursing Home Policy Program Manager, at (360) 742-6966 or molly.mcclintock@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services

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