

Center for Medicaid and State Operations/Survey and Certification Group

Ref: S&C-07-21

DATE: May 4, 2007

TO: State Survey Agency Directors
State Fire Authorities

FROM: Director
Survey and Certification Group

SUBJECT: Generators in Ambulatory Surgical Centers (ASCs)

Memorandum Summary

- Highlights the requirements for a Type I Essential Electrical System with a generator in ASCs.
- It is permissible to use batteries for back-up power under certain circumstances.

42 CFR 416.44(b) requires ASCs to comply with the National Fire Protection Life Safety Code 2000 edition. This edition references the National Fire Protection Association Standard for Health Care Facilities (NFPA 99-1999), Sections 3-4.1.1 and 3-4.1.2, which require emergency power to be provided for a Type I Essential Electrical System in all locations using general anesthesia or electrical life support equipment. This emergency power is usually supplied by a generator. However, batteries are also permitted in ASCs, if they meet all the requirements of a Type I System and comply with the National Electrical Code (NEC) NFPA 70, Article 700 (requirements for testing and maintenance as well as requirements for capacity and rating, selective load pickup, load shedding and peak load shaving). Batteries must also meet the requirements of NFPA 111, "Stored Electrical Energy and Standby Power Systems." Based upon NFPA 70 requirements, it is likely that a generator will be necessary in most ASCs where a Type I System is required.

A Type III Essential Electrical System is permitted to supply emergency power in facilities that do not provide electrical life support or use general anesthesia, provided the batteries are large enough to handle the equipment and there is sufficient back-up power to emergency lighting of corridors, exitways, and alarm equipment. A Type III System is not permitted where a Type I system is required.

A back-up power system for emergency lighting must be installed and maintained in accordance with NFPA 99 and NFPA 101.

If you have any questions concerning this memorandum, please contact Mayer Zimmerman at 410-786-6839 or via e-mail at: Mayer.Zimmerman@cms.hhs.gov

Effective Date: This guidance is effective immediately. The State Agency should disseminate this information within 30 days of the date of this memorandum.

Training: This information should be shared with all appropriate survey and certification staff, surveyors, their managers and state fire authorities and their staff.

/s/

Thomas E. Hamilton

cc: Survey and Certification Regional Office Management