Joint Commission Announces Changes in Addressing Life Safety Code Deficiencies

Modifications to processing PFIs and equivalencies effective July 1, 2014

The Joint Commission provides its accredited organizations with management software to assist them in assessing and tracking building compliance issues. Within the Statement of Conditions™ (SOC) is the Plan for Improvement (PFI) process. The PFI is a method of documenting and tracking plans to improve compliance with the Life Safety Code®.

Effective July 1, 2014, The Joint Commission will import all open PFIs accepted during survey into the full accreditation decision report for organizations accredited under the ambulatory care, behavioral health care, critical access hospital, hospital, and nursing care center programs.

Importing open PFIs into the report is designed to facilitate a more comprehensive report and discussion of these facility issues with leadership. While many facilities engineers already work with leadership to understand the issues surrounding building and utility systems maintenance, including open PFIs in the report provides another avenue for highlighting and discussing these issues.

History of the SOC
The Joint Commission launched the SOC in 1995 to provide a self-assessment process for organizations to create and maintain a fire-safe environment and demonstrate compliance with the Life Safety Code. From its inception, the SOC has been used to make significant improvements in Life Safety Code features within facilities, to provide information when preparing building and maintenance budgets, to provide support when seeking approval to repair building features, and to manage required corrective actions. Since The Joint Commission’s adoption of the 1991 Life Safety Code (NFPA 101-1991) in 1993 and its launch of the SOC two years later, there has been a significant reduction in fire-related deaths in health care.

The Joint Commission converted the SOC to an electronic format in 2007 and in 2009 added a new “Life Safety” (LS) chapter to the accreditation manuals. Other recent enhancements to the SOC have included streamlining the extension request process, modifying the “PFI View All” screen found in the PFI Menu, and improving the SOC program functionality.

The SOC Process
The SOC is a proactive self-assessment tool that is always available and open to the organization. It is a management tool that can be used at any point to identify, assess, and resolve Life Safety Code deficiencies. Once a building deficiency is identified and a PFI (with a projected completion date) is created, a budget estimate is also created and can be useful when requesting funds to repair building conditions. The projected completion date is an estimate, which is why The Joint Commission considers a corrective action to be completed on time if it is finished within six months of the projected completion date.

Interim Life Safety Measures (ILSM) are also an important feature of the PFI process. The ILSM are a series of actions created to minimize the risk to the building occupants while the deficiency is being resolved.

During Surveys
During a Joint Commission survey, surveyors assess open PFIs to acknowledge awareness of deficiencies and ensure that the organization is committed to completing the PFIs within the identified time frame. Surveyors will also check that ILSM are assessed and implemented, as required, to ensure that patients, staff, and visitors are not exposed to risk at any point during the corrective action period.

If an additional Life Safety Code deficiency is identified during an on-site Joint Commission survey, the organization has an opportunity to reconcile the observation with an existing PFI documented in its SOC. If the organization has already identified the deficiency and has an open PFI, the deficiency does not result in a Requirement for Improvement (RFI). This is because the open PFI process is (essentially) equivalent to the RFI process. For an RFI, the organization must create corrective actions and submit Evidence of Standards Compliance (ESC) to The Joint Commission within an established time frame. A PFI must be completed within six months of its identified projected completion date.

In other words, open PFI items do not require the organization to submit ESC because the PFI already identifies the projected completion date.

Monitoring the SOC
Failure to make sufficient progress on
Suppose you realize that your organization has made insufficient progress on a Plan for Improvement (PFI) in your Statement of Conditions™ (SOC)—a plan that had been accepted during a previous Joint Commission survey.

Or maybe you’re not sure and you need to check. To see which of your PFIs are outstanding, review the SOC (on your Joint Commission Connect™ extranet) “PFI View All” screen. All PFIs are required to be completed no later than six months past the projected completion date. Any PFI that is highlighted in yellow is at least four months past the projected completion date. Any PFI that is highlighted in red is at least six months past the projected completion date and is considered overdue.

**Three Possible Actions**
You have three choices to address overdue PFIs. You can take one of the following three actions:
1. Close the PFI if the corrective action is complete.
2. Complete the resolution identified in the PFI.
3. Request an extension; instructions are available on the webpage with the Online Standards Submission form.

**Instructions for Requesting an Extension or Modifying an Accepted PFI**
If you choose option #3, here are instructions for requesting an extension. On the Online Standards Submission form, supply all required information (identified with a red asterisk *), including the following:

- For the subject, use “Life Safety-Extension or Modify PFI.”
- In the text box marked “Please enter your question here (limited to 4,000 characters),” enter the following information:
  - Your organization’s name, address, and HCO# (located in the title section of the SOC)
  - Name, title, and contact (phone and email) information of the individual requesting the change
  - Original and proposed projected completion dates
  - Brief description of the deficiency
  - Why the extension request is being made
  - Confirmation that the PFI will receive high priority to complete as requested
  - Authorization to the Joint Commission’s Department of Engineering to enter the updated information directly into your SOC
  - Unique identifier (may be grouped if similar issues)
  - Application of Interim Life Safety Measures (ILSM) policy

If you don’t address overdue PFIs by July 1, 2014, you will receive a follow-up call from the Joint Commission’s Department of Engineering to help you get back on track. However, further delay in resolving a PFI might result in an on-site survey.

**Extension Request Process**
Each organization has full editorial control of its PFIs until they are accepted during survey. For those PFIs that have been previously accepted during survey, requests to extend completion dates for PFIs can be made in the “PFI View All” screen of the PFI menu. Simply identify the accepted PFI, enter the requested extension date, briefly explain the reasons for the extension, and note how appropriate ILSM are in effect. An e-mail will automatically be sent to the Joint Commission Department of Engineering for processing, and actions will be recorded in the individual PFI and summarized in the History Audit Trail found in the PFI menu. Any PFI with an approved extended date must be completed by the new projected completion date; the extended projected completion date will be held firm. It is recommended that the organization not request an extension until the open accepted PFI turns yellow (four months past the projected completion date) so that the requested date can be as accurate as possible.

**The Equivalency Process**
The Joint Commission has previously granted “equivalencies” to buildings that were not compliant with a portion of the Life Safety Code but that had alternative methods, systems, or devices in place that offset the deficiency. **Effective July 1, 2014,** The Joint Commission has modified the final steps of its equivalency process for those organizations using Joint Commission accreditation for CMS deemed status purposes. Because The Joint Commission is an accrediting organization approved by the Centers for Medicare & Medicaid Services (CMS) to deem health care organizations in compliance with the Medicare requirements, CMS must review and make the final determination on any equivalency. CMS does not use the term equivalency; rather, it uses the

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term waiver. A waiver recognizes the difficulty of correcting the deficiency but also ensures that patients, staff, and visitors are safe even though the Life Safety Code requirement is waived by CMS. The Joint Commission uses the term equivalency as used in Life Safety Code language: “Alternative systems, methods or devices approved as equivalent by the authority having jurisdiction shall be recognized as being in compliance with this Code.”

The Joint Commission will continue to work with accredited organizations throughout the PFI process to ensure the final equivalency submittal meets the intent of the Life Safety Code and—beginning July 1—will then forward the request to the CMS Regional Office for final action. Appropriate ILSM will need to be in effect until the final response from the CMS Regional Office. This review and approval process by the Regional Office will not delay The Joint Commission from rendering an accreditation decision.

**Upcoming Modifications**

The Joint Commission uses two methods to determine equivalency: traditional equivalency and Fire Safety Evaluation System (FSES)–based equivalency. Previously, The Joint Commission has accepted informal verification of the conditions outlined in the traditional equivalency request by a registered architect, a fire safety professional, or a fire marshal responsible for fire safety at the organization. Effective July 1, 2014, The Joint Commission will only accept traditional equivalency submittals if they are accompanied by a signed letter from one of the above three professionals indicating that the signatory has actually verified the conditions in the field.†

FSES-based equivalencies are based on a formula developed by the National Fire Protection Association. The FSES evaluates the entire building and assigns values to identified features of fire safety, and then identified deficiencies are deducted from the building values. If the result is zero or higher, the building is considered “equivalized” by this process. An organization submits this entire evaluation for an FSES-based equivalency, and staff from the Joint Commission’s Department of Engineering review it.

If either a traditional or FSES-based equivalency is accepted by the Department of Engineering, The Joint Commission will forward its recommendation for approval to the appropriate CMS Regional Office for final action. If the equivalency is not accepted by the CMS Regional Office, the organization may choose either to correct the deficiency or to resubmit it and work with the Joint Commission Department of Engineering through the PFI process to make any adjustments needed to obtain approval.

Questions about open PFIs and equivalencies can be directed to the Department of Engineering at The Joint Commission.

† Instructions for this verification letter are posted within the PFI Menu on the SOC.

**References**