



## Construction Plan Review and Acceptable Architects

Rhode Island Department of Health  
Center for Health Facilities and Regulation  
February 2023

This document is to provide guidance on the procedures for complying with the State requirements for Construction plan review. The current regulations for Birth Centers, Hospice Care, Hospitals, Nursing Facilities, Outpatient Ambulatory Care Facilities (OACF), Physician/Podiatry Ambulatory Surgery Centers, and Rehabilitation Hospitals, require that all plans for new construction or the renovation, alteration, extension, modification or conversion of an existing facility that may affect compliance with the 2018 edition of the “Guidelines for Design and Construction of Hospitals and Outpatient Facilities” or “Guidelines for Design and Construction of Residential Health, Care and Support Facilities” (as applicable, herein now referred to as 2018 FGI Guidelines) shall be reviewed by a Rhode Island licensed architect, i.e., any architect with a current Rhode Island Registration Number and working under a current RI Certificate of Authorization. Licensed architects working for a Hospital with a Rhode Island license do not need a current COA. Said architect shall certify that the plans conform to the construction requirements of the 2018 FGI Guidelines and related state regulations.

Architects and Architectural firms are required to be licensed/registered by the Board of Examination and Registration of Architects in the State of Rhode Island. If you have any questions about an architect of an architectural firm, contact the Board of Examination and Registration of Architects at (401) 222-2565.

<https://bdp.ri.gov/architects>

All plans are to be reviewed for conformance to the 2018 FGI Guidelines and any other physical or environmental requirements that may be noted in state regulations by an acceptable architect prior to construction. The approved reviewing architect does not necessarily have to be the design architect. If the reviewing architect finds areas of non-conformance, revisions are to be made to bring the plans into compliance.

**Note: Adult Day Care Centers, Assisted Living Residences, Harm Reduction Centers, Kidney Disease Treatment Centers, and School Based Health Centers** and are required to comply with the State Fire Code (Rhode Island General Laws Chapter 23-28.1), State Building Code (Rhode Island General Laws Chapter 23-27.3) and the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.). The Department may review construction plans for these healthcare facilities on request, but providers are not required to submit unless requested.

### Architect Certification Letter and Floor Plans

The reviewing architect must certify that the plans conform to the 2018 FGI Guidelines and to related state regulation, prior to construction. If variances are required, this

should be reflected in the architect's certification. The certification should be written on business letterhead and include the following:

- Completed Plan Review Application Form
- Architect Certification/Project Narrative
  - Certification should be written on letterhead and include
    - Description of services and functional program
    - Changes in bed complement or number of patient stations
    - Scope of Construction
    - Sections of the 2018 Guidelines that were applied
    - Date of review and certification, and signature of the architect
- Waiver Request form(s) (if applicable)
- Floor Plan Layout (a full set of blueprints is not required)
  - If renovations, a copy of the floor plan layout for *both* pre and post renovation (a full set of blueprints are not required) must be submitted

The aforementioned documents and floor plan layout can be submitted via email to Lauren Gareau, [lauren.gareau@health.ri.gov](mailto:lauren.gareau@health.ri.gov) or mailed to

Rhode Island Department of Health  
ATTN: Lauren Gareau  
3 Capitol Hill, room 306  
Providence RI, 02908

### **Current Regulations and State Laws**

A copy of the relevant state regulations may be downloaded from the Secretary of State's website here: <https://rules.sos.ri.gov/Organizations/Title/216>

For convenience, below are links to the regulations for the healthcare facility types requiring construction approval:

*Adult Day Cares* (216-RICR-40-10-7): <https://rules.sos.ri.gov/regulations/Part/216-40-10-7>

*Assisted Living Residences* (216-RICR-40-10-2): <https://rules.sos.ri.gov/regulations/Part/216-40-10-2>

*Birth Centers* (216-RICR-40-10-8): <https://rules.sos.ri.gov/regulations/Part/216-40-10-8>

*Harm Reduction Centers* (216-RICR-40-10-25): <https://rules.sos.ri.gov/regulations/Part/216-40-10-25>

*Hospice Care* (216-RICR-40-10-11): <https://rules.sos.ri.gov/regulations/Part/216-40-10-11>

*Hospitals* (216-RICR-40-10-4): <https://rules.sos.ri.gov/regulations/Part/216-40-10-4>

*Kidney Disease Treatment Centers* (216-RICR-40-10-12):

<https://rules.sos.ri.gov/regulations/Part/216-40-10-12>

*Nursing Facilities* (216-RICR-40-10-1): <https://rules.sos.ri.gov/regulations/Part/216-40-10-1>

*Organized Ambulatory Care Facilities (OACF)* (216-RICR-40-10-3):

<https://rules.sos.ri.gov/regulations/Part/216-40-10-3>

*Physician Ambulatory Surgery Centers and Podiatry Ambulatory Surgery Centers* (216-RICR-40-10-13): <https://rules.sos.ri.gov/regulations/Part/216-40-10-13>

*Rehabilitation Hospital Centers* (216-RICR-40-10-16):

<https://rules.sos.ri.gov/regulations/Part/216-40-10-16>

*School Based Health Centers* (216-RICR-40-10-18):

<https://rules.sos.ri.gov/regulations/Part/216-40-10-18>

Rhode Island Building Code: <http://webserver.rilin.state.ri.us/Statutes/TITLE23/23-27.3/INDEX.HTM>

Rhode Island Fire Safety Code: <http://webserver.rilin.state.ri.us/Statutes/TITLE23/23-28.1/INDEX.HTM>

## **Variance Procedures**

In some circumstances it may be appropriate to request a variance from a requirement. When requesting a variance, follow the general procedures outlined in the Regulations under the section entitled "Variance Procedures" (Birth Centers, section 8.9.1; Hospice Care, section 11.8.1; Hospitals, section 4.9.2; Nursing Facilities, section 1.20.2; OACFs, section 3.8.1; Rehabilitation Hospitals, section 16.14.1; Physician Ambulatory Surgery Centers and Podiatry Ambulatory Surgery Centers, section 13.9.2).

Variances may be requested by the provider or by the certifying architect on behalf of the providers. Variance requests shall be made on the variance request form. For each variance request, one form must be filled out. The variance request form must be submitted along with the other accompanying construction documents.

The provider/requesting architect will receive an e-mail notification of the decision to grant or deny the variance. If the variance is denied, the provider may request a meeting to discuss the issues and any possible approvable alternatives. The facility may also request a hearing in accordance with Chapter 42-35 of the Rhode Island General Laws. Otherwise, it is expected that the plans will be revised to achieve full compliance with the construction requirements.

## **Construction Begins**

Once the certification is completed, you will receive an approval e-mail noting that the construction review requirements have been met and construction may proceed. The Provider shall maintain copies of the construction plans, the architect's certification and any associated variance approvals for review by the Department of Health upon request.

## **Construction is Completed**

Upon completion of the construction, the provider must obtain written authorization from the Center for Health Facilities Regulation prior to occupying/reoccupying the area. When you are ready or near ready to occupy/re-occupy, contact Lauren Gareau ([lauren.gareau@health.ri.gov](mailto:lauren.gareau@health.ri.gov)) to note that construction is complete and identify the expected occupancy date. A final approval (email or letter) for occupancy is required.

## **New License/Program Survey**

In certain situations (e.g., new services at existing location, change of location or initial license), the site may also require a "program" survey and issuance of a new license. This survey is conducted by the program supervisor and may or may not include an on-site inspection to determine compliance to the state regulations. Changes to the physical environment may also require a Life Safety Survey from the Rhode Island Fire Marshal's office and/or a Certificate of Occupancy from the local town government.

If you have any questions regarding these procedures, please call Lauren Gareau at 401-222-4525 or call the Center for Health Facilities Regulation's main line at 401-222-2566. Architects are also encouraged to call Lauren Gareau anytime they would like a clarification or think that compliance with a particular requirement may be questioned.