

Pendulum Policy and Procedure

Subject/Title: *Health Care Facilities Code (NFPA 99) — Pendulum Risk Assessment Tool*

References:

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888-815-8250, www.WeArePendulum.com
NFPA 99, 2012 Edition: *Health Care Facilities Code Handbook*
NFPA 101, 2012 Edition: *The Life Safety Code*
Nursing Homes – Section 1819(d) of the Social Security Act
Nursing Homes – 42 CFR 483.70(a)

I. POLICY GUIDELINES

The Pendulum Risk Assessment Tool shall be used to illustrate the findings of a Risk Assessment as required by the *Health Care Facilities Code*, NFPA 99, 2012 Edition, in compliance with current Life Safety Code regulations, specifically requirement K901, as enforced by the Centers for Medicare & Medicaid Services (CMS), its contractors, and other Authorities Having Jurisdiction (AHJ).

II. PURPOSE

The purpose of the Pendulum Risk Assessment Tool is to clearly illustrate which sections of the NFPA 99, *Health Care Facilities Code*, 2012 Edition (referred to as “the code” throughout these instructions) shall apply to installed systems (identified in chapters 5 through 9) and/or equipment (identified in chapters 10 and 11) in a skilled nursing facility (SNF). This tool shall be used during the course of a Risk Assessment to establish a baseline and/or during a focused Risk Assessment, when an area(s) of a SNF is required to be evaluated due to change-of-use, renovation, remodeling, or new construction. The facility shall maintain the information entered into the Risk Assessment Tool on file to help ensure applicable sections of the code are referenced and utilized, as well as to illustrate compliance. Please note: The 2012 edition of the code has been reorganized and is now a risk-based code, whereas previous editions were presented as an occupancy-based standard.

III. PROCEDURAL COMPONENTS

A. Pendulum Risk Assessment Tool

1. Prior to utilizing the Pendulum Risk Assessment Tool, the following should be considered:
 - a. Establish an assessment team within the facility that can review all aspects of facility operations in order to complete a comprehensive Risk Assessment process from multiple perspectives on physical plant infrastructure, patient care, and occupant safety
 - b. Familiarize all team members with NFPA 99, *Health Care Facilities Code* (2012 Edition), specifically section 4.1 on Building Systems Categories and section 4.2 on Risk Assessment
 - c. Ensure team members understand the importance of system reliability and the consequences of failure
2. When conducting the Risk Assessment, the goal is to classify the system or equipment being evaluated within one of the following categories:
 - a. **Category 1:** Facility systems or equipment in which failure of such systems is *likely to cause major injury or death of patients or caregivers* shall be designated as meeting system Category 1 requirements as defined in the code
 - b. **Category 2:** Facility systems or equipment in which failure of such equipment is *likely to cause minor injury to patients or caregivers* shall be designated as meeting System Category 2 requirements as defined in the code
 - c. **Category 3:** Facility systems or equipment in which failure of such equipment is *not likely to cause injury to patients or caregivers, but it could cause discomfort*, shall be designated as meeting system Category 3 requirements as defined in the code

- d. **Category 4:** Facility systems or equipment in which failure of such equipment *would have no impact on patient care* shall be designated as meeting Category 4 system requirements as defined in the code
3. The category definitions apply to systems and equipment “operations” and are not intended to consider the intervention of caregivers or others

IV. RISK ASSESSMENT

A. Risk Assessment Considerations

1. A Risk Assessment should be conducted on systems and equipment within the SNF to evaluate the consequences of failure and associated risk to patients, staff, and visitors as required by the code
 - a. Section 4.2 of the code recommends that the risk assessment follow procedures such as those outlined in ISO/IEC 31010, Risk Management – Risk Assessment Techniques; NFPA 551, Guide for the Evaluation of Fire Risk Assessments; SEMI S10-0307E, Safety Guidelines for Risk Assessment and Risk Evaluation Process; or other formal processes
 - b. The results of the assessment procedure should be documented with the Risk Assessment Tool, and records should be retained to illustrate compliance
2. It is recommended that a baseline Risk Assessment be conducted on all of the systems within the facility and subsequently reviewed on an annual basis
3. There will be times, when specific work, such as change-of-use, renovation, remodeling, and/or new construction occurs within the SNF; at this time, a focused Risk Assessment will be required in the specific area(s) of the facility where this work has occurred. In advance of this work, a Risk Assessment of the specific systems and applicable equipment shall be conducted in this area(s) to determine which sections of the code shall apply

V. COMPLETING THE PENDULUM RISK ASSESSMENT TOOL

As the Risk Assessment of systems and applicable equipment is conducted in accordance with a methodology recommended by the code, the Pendulum Risk Assessment Tool shall be completed to illustrate the findings of the assessment. The tool has been designed with the following sections:

1. General Information
2. Instructions
3. System Risk Assessment Tool
4. Equipment Risk Assessment Tool
5. Additional Information/Comments

VI. FILING AND REFERENCING THE TOOL

Once the Risk Assessment has been completed, it should be maintained on-file within the facility to be used as a reference tool when applying the code, and it should be available for all applicable Authorities Having Jurisdiction (AHJ), architects, engineers, contractors, vendors, and others working with the SNF to help ensure and illustrate compliance.

VII. RESOURCES

1. Pendulum Risk Assessment Tool
2. Pendulum Risk Assessment Tool Training Webinar
3. NFPA 99, 2012 Edition, *Health Care Facilities Code Handbook*