HFS 132.812 Review for compliance with this chapter

and the state building code. (1) The department shall review nursing home construction and remodeling plans for compliance with this chapter and for compliance with the state commercial building code, chs. Comm 61 to 65, with the exception of s. Comm 61.31 (3). Where chs. Comm 61 to 65 refer to the department of commerce, those rules shall be deemed for purposes of review under this chapter to refer to the department of health and family services.

(2) The department shall have 45 working days from receipt of an application for plan review and all required forms, fees, plans and documents to complete the review and approve, approve with conditions or deny approval for the plan.

HFS 132.815 Fees for plan reviews. (1) REQUIREMENT. Before the start of any construction or remodeling project for a nursing home, the plans for the construction or remodeling shall be submitted to the department, pursuant to s. HFS 132.84 (17), for review and approval by the department. The fees established in this section shall be paid to the department for providing plan review services.

(2) FEE SCHEDULE. (a) General. The department shall charge a fee for the review under s. HFS 132.812 of plans for a nursing home capital construction or remodeling project. The fee shall be based in part on the dollar value of the project, according to the schedule under par. (b), and in part on the total gross floor area in the plans, as found in par. (c). The total fee for plan review is determined under par. (d). Fees for review of partial plans, for revision of plans, for extensions of plan approval, and for handling and copying, and provisions for the collection and refund of fees are found in par. (e).

(b) Fee part based on project dollar value. The part of the fee based on project dollar value shall be as follows:

1. For projects with an estimated dollar value of less than $5,000, $100;
2. For projects with an estimated dollar value of at least $5,000 but less than $25,000, $300;
3. For projects with an estimated dollar value of at least $25,000 but less than $100,000, $500;
4. For projects with an estimated dollar value of at least $100,000 but less than $500,000, $750;
5. For projects with an estimated dollar value of at least $500,000 but less than $1 million, $1,500;
6. For projects with an estimated dollar value of at least $1 million but less than $5 million, $2,500; and
7. For projects with an estimated dollar value of $5 million or more, $5,000.

(c) Fee part based on total gross floor area. 1. ‘General.’ The part of the fee based on total gross floor area shall be as provided in Table 132.815 subject to the conditions set out in this paragraph. 2. ‘Building, heating and ventilation.’ The fees in Table 132.815 apply to the submittal of all building and heating, ventilation and air conditioning (HVAC) plans. A fee for review of plans shall be computed on the basis of the total gross floor area of each building.
3. 'Scope of fee.' The fees indicated in Table 132.815, relating to building and heating, ventilation and air conditioning plans, include the plan review and inspection fee for all components, whether submitted with the original submittal or at a later date. Components covered by that fee are:

a. Building plans;
b. Heating, ventilation and air conditioning plans;
c. Bleacher plans for interior bleachers only;
d. Fire escape plans;
e. Footing and foundation plans; and
f. Structural component plans, such as plans for floor and roof trusses, precast concrete, laminated wood, metal buildings, solariums and other similar parts of the building.

4. 'Building alteration.'

a. The examination fee for review of plans for alteration of existing buildings and structures undergoing remodeling or review of tenant space layouts shall be determined in accordance with Table 132.815 on the basis of the gross floor area undergoing remodeling.

b. The fee specified in subd. 4. a. shall be based on the actual gross square footage of the area being remodeled. When remodeling of an individual building component affects building code compliance for a larger area, the fee shall be computed on the basis of the total square footage of the affected area.

(d) Total fee for review of plans. To determine the total fee for review of plans, the department shall:

1. Add the fee parts from pars. (b) and (c); and

2. Multiply the sum obtained in subd. 1. by 0.95.

(e) Other fee provisions related to review of plans. 1. 'Fee for miscellaneous plans.' Miscellaneous plans are plans that have no building or heating, ventilation and air conditioning plan submissions and for which there may not be an associated area. The fee for a miscellaneous plan shall be $250. This fee is for plan review and inspection. Miscellaneous plans include:

a. Footing and foundation plans submitted prior to the submission of the building plans;
b. Plans for industrial exhaust systems for dust, fumes, vapors and gases, for government-owned buildings only;
c. Spray booth plans, for government-owned buildings only;
d. Stadium, grandstand and bleacher plans, and interior bleacher plans submitted as independent projects;
e. Structural plans submitted as independent projects, such as docks, piers, antennae, outdoor movie screens and observation towers; and
f. Plans for any building component, other than building and heating, ventilation and air conditioning, submitted following the final inspection by the department.
2. 'Fee for permission to start construction.' The fee for permission to start construction shall be $80. This fee shall apply to those applicants proposing to start construction prior to the approval of the plans by the department.

3. 'Fee for plan revision.' The fee for revision of previously approved plans shall be $100. This paragraph applies when plans are revised for reasons other than those that were requested by the department. The department may not charge a fee for revisions requested by the department as a condition of original plan approval.

4. 'Fee for extension of plan approval.' The examination fee for a plan previously approved by the department for which an approval extension [was requested] beyond the time limit specified in this chapter shall be $75 per plan.

5. ‘Collection of fees.’ Fees shall be remitted at the time the plans are submitted. No plan examinations, approvals or inspections may be made until fees are received.

6. 'Handling and copying fees.' a. The department shall charge a handling fee of $50 per plan to the submitting party for any plan that is submitted to the department, entered into the department’s system and subsequently requested by the submitting party to be returned prior to departmental review.

b. The department may charge a photocopying fee of 25 cents per page to anyone who requests copies of construction or remodeling plans, except that a fee of $5 per plan sheet shall be charged for reproduction of plan sheets larger than legal size.

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(b) The department may charge a photocopying fee of 25 cents per page to anyone who requests copies of construction or remodeling plans, except that a fee of $5 per plan sheet shall be charged for reproduction of plan sheets larger than legal size.


Note: Copies of the 2000 Life Safety Code and related codes are on file in the Department’s Bureau of Quality Assurance, the Revisor of Statutes’ Bureau and the Secretary of State’s Office, and may be obtained from the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(2) FIRE SAFETY EVALUATION SYSTEM. A proposed or existing facility not meeting all requirements of the applicable life safety code shall be considered in compliance if it achieves a passing score on the Fire Safety Evaluation System (FSES), developed by the United States department of commerce, national bureau of standards, to establish safety equivalencies under the life safety code.
(16) LOCATION AND SITE. For period C facilities:

(a) Zoning. The site shall adhere to local zoning regulations.

(b) Outdoor areas. A minimum of 15 square feet per resident bed shall be provided for outdoor recreation area, exclusive of driveways and parking area.

(c) Parking. Space for off-street parking for staff and visitors shall be provided.

(17) SUBMISSION OF PLANS AND SPECIFICATIONS. For all new construction:

(a) One copy of schematic and preliminary plans shall be submitted to the department for review and approval of the functional layout.

(b) One copy of working plans and specifications shall be submitted to and approved by the department before construction is begun. The department shall notify the facility in writing of any divergence in the plans and specifications, as submitted, from the prevailing rules.

(c) The plans specified in pars. (a) and (b) shall show the general arrangement of the buildings, including a room schedule and fixed equipment for each room and a listing of room numbers, together with other pertinent information. Plans submitted shall be drawn to scale.

(d) Any changes in the approved working plans affecting the application of the requirements herein established shall be shown on the approved working plans and shall be submitted to the department for approval before construction is undertaken. The department shall notify the facility in writing of any divergence in the plans and specifications, as submitted, from the prevailing rules.

(e) If on-site construction above the foundation is not started within 6 months of the date of approval of the working plans and specifications under par. (b), the approval shall be void and the plans and specifications shall be resubmitted for reconsideration of approval.

(f) If there are no divergences from the prevailing rules, the department shall provide the facility with written approval of the plans as submitted.