



FIRE PROTECTION

OSCAR G. CHAIRES

Business Manager

Ph: (352) 369-0821

Fax: (352) 369-0825

SPRINKLER FITTERS U.A. LOCAL 821

Affiliated with AFL-CIO
1718 N.W. 58th Lane
Ocala, FL 34475



STATE OF FLORIDA

F. DAVID JUSTICE

Business Agent

Ph: (954) 925-0851

Fax: (954) 922-2355

December 28, 2006

Centers for Medicare and Medicaid Services
Department of Health and Human Services
Attention: CMS-3191-P
Mail Stop C4-26-05
7500 Security Boulevard
Baltimore, MD 21244-1850

Re: File Code CMS-3191-P

Automatic Sprinkler Requirement for Long Term Care Facilities

Dear Madam or Sir:

The members of Sprinkler Fitters Local 821 appreciate the opportunity to comment on the Proposed Rule requiring all long term care facilities to be fully sprinkled, which was published on October 27, 2006.

Sprinkler Fitters Local 821 is a Labor Union that represents over 600 members in the State of Florida. Our membership includes the skilled tradespeople who will be doing much of the sprinkler installation in the State of Florida that will be made necessary by the adoption of the proposed rule. Our sprinkler fitter members take pride in the importance of automatic sprinkler systems to saving lives. We commend the CMS for proposing this rule, which has crucial life-saving potential for the aged and frail populations of the State of Florida's and the nation's long term care facilities.

Sprinkler Fitters Local 821 believes that the rule should be fully implemented as soon as possible. We believe that a phase-in period of no more than five years is clearly sufficient to permit the timely installation of the necessary piping and equipment to comply with the new rule. A longer phase-in time period unduly prolongs the exposure of this vulnerable population to the unacceptable risk of serious injury or death.

Almost daily you can pick up the daily newspapers and read about someone being killed or severely injured in homes and group homes in this wonderful nation. These homes are mostly only equipped with fire alarms which is all that is required by the laws of various jurisdictions of the State of Florida and the nation.

This is a wake up call. It is clearly telling us that we need to have a federal rule that would protect long-term care facilities in every state. It should be implemented as soon as possible.

It is well known that the elderly represent a rapidly expanding segment of the population of this country -- a trend that will continue for the foreseeable future as the Baby Boom generation ages. With an increasing demand for long-term care, it is even more critical that the safety of these facilities be upgraded in the manner proposed in this rule.

From our sprinkler fitter members' considerable experience in planning and installing automatic sprinkler systems, we believe that a phase-in period of no more than five years will provide the industry with ample time to plan and accomplish the needed work to comply with the new requirement. We note that the requirement that existing buildings be retrofitted with automatic sprinklers has already been legislated by a number of state and local governments. Based on our member's expert experience with these precedents, we know the work can be done, and done right, within a five year period.

We believe there will be cost savings from a quick implementation of this rule such as insurance and litigation costs that will be saved by reducing the risk of death sooner. Fundamentally the cost of delaying the implementation of this crucial public safety rule is too great so we recommend that it be implemented as soon as possible with a phase-in of no more than five years.

We wish to congratulate the CMS for undertaking this important rule-making. Please do not hesitate to contact us if we can be of further assistance in the Center's rule making on this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Oscar G. Chaires".

Oscar G. Chaires
Business Manager

OGC:jc

View f:\emailobj\200612\2\1220100447.txt

From: Write your representative <writerep@heoc-www6.house.gov>
 Date: 12/20/2006 10:01:46 AM
 To: tn06wyr@housemail.house.gov
 Subject: WriteRep Responses

Mr. Larry DiOrto
 3002 Easy Goer Lane
 Greenbrier, TN 37073-4791

December 20, 2006

The Honorable Bart Gordon
 U.S. House of Representatives
 2304 Rayburn House Office Building
 Washington, DC 20515-4206
 Fax: 202-225-6887

Dear Congressman Gordon:

As a professional in building safety and fire prevention, I support the above action to require nursing homes without fire sprinklers to be renovated with this essential fire protection feature. In its proposed rules, however, HHS presents an incomplete and potentially misleading history of the role of state and local building codes in implementing stringent requirements for building safety and fire prevention.

In its proposed rulemaking, I agree with HHS' recognition that:

- Ninety percent of U.S. Nursing homes receive Medicaid/Medicare funds,
- There are 18,000 nursing homes in operation across the country,
- 5% are presently unsprinklered; 15% are partially sprinklered.
- Since 1967 HHS rules have dictated national criteria for facility eligibility,
- These rules, in 2003, were amended to require sprinklers in new facilities,
- In a national effort, HHS should address older, non-fully sprinklered facilities.

In its final rulemaking, I believe that HHS must also recognize that:

- State and local building codes have preceded HHS by decades in implementing requirements for fire sprinklers in new construction,
- An estimated 90% of today's fully sprinklered facilities were already in place before federal rules first adopted these requirements,
- HHS rules do not affect non-Medicaid/Medicare sponsored facilities (about 10%),
- Active respect for and coordination with state and local governance will most efficiently and effectively address this need in public safety in all facilities,
- HHS rules are not a substitute for state and local building code governance, and must be administered in complement with local building code administration.

As HHS takes this action the International Code Council (ICC), in stating its support, is asking that the agency complete the record in this rulemaking by appropriately and completely recognizing the historical and current role of state and local building codes in advancing this policy. I believe that this recognition is important as a matter of record, and as a matter of establishing a proper respect between state and federal authorities. I ask you to review this issue and to share your concerns with HHS.

By copy of this letter I am asking that the ICC forward to you a copy of its full comments in this rulemaking. I appreciate your attention to this issue.

Sincerely,

Larry DiOrio

==== Original Formatted Message Starts Here =====

DATE: December 20, 2006 09:44 AM
NAME: Mr. Larry DiOrio
ADDR1: 3002 Easy Goer Lane
ADDR2:
ADDR3:
CITY: Greenbrier
STATE: Tennessee
ZIP: 37073-4791
PHONE: 6158512208
EMAIL: LARRYDIORIO@aol.com
msg:
Mr. Larry DiOrio
3002 Easy Goer Lane
Greenbrier, TN 37073-4791

December 20, 2006

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U.S. House of Representatives
2304 Rayburn House Office Building
Washington, DC 20515-4206
Fax: 202-225-6887

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- HHS rules do not affect non-Medicaid/Medicare sponsored facilities (about 10%),
- Active respect for and coordination with state and local governance will most efficiently and effectively address this need



Patrick, Rich

From: writerep
Sent: Wednesday, December 20, 2006 10:01 AM
To: WYR, AZ04H
Subject: WriteRep Responses

DATE: December 20, 2006 09:54 AM
NAME: Mr. Fred Luna
ADDR1: 200 W. Washington Rd.
ADDR2:
ADDR3:
CITY: Phoenix
STATE: Arizona
ZIP: 85003-1611
PHONE: 6022624901
EMAIL: fred.luna@phoenix.gov
msg:
Mr. Fred Luna
200 W. Washington Rd.
Phoenix, AZ 85003-1611

December 20, 2006

The Honorable Ed Pastor
U.S. House of Representatives
2465 Rayburn House Office Building
Washington, DC 20515-0304
Fax: 202-225-1655

Dear Congressman Pastor:

As a professional in building safety and fire prevention, I support the above action to require nursing homes without fire sprinklers to be renovated with this essential fire protection feature. In its proposed rules, however, HHS presents an incomplete and potentially misleading history of the role of state and local building codes in implementing stringent requirements for building safety and fire prevention.

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Sincerely,

Fred Luna

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515-0302

PUBLIC DOCUMENT

OFFICIAL BUSINESS

Ed Pastor
M.C.

Ms. Carleen Talley
Director, Congressional Affairs Group
Department of Health and Human Services
Centers for Medicare and Medicaid Services
200 Independence Avenue, SW, Room 341-H
Washington, DC 20201



KAPVSP1 20201





30 404969
City of PHENIX CITY Alabama 653476

601 - 12TH STREET
PHENIX CITY, ALABAMA 36868
(334) 448-2720 • FAX (334) 291-4702

JEFF HARDIN
MAYOR

RAY BUSH
MAYOR PRO TEM

JOHN STOREY
COUNCIL MEMBER DISTRICT 1

GAIL BRANTLEY
COUNCIL MEMBER DISTRICT 2

ARTHUR SUMBRY
COUNCIL MEMBER DISTRICT 3

H. H. (Bubba) ROBERTS
CITY MANAGER

MARTHA HARRIS
CITY CLERK

December 22, 2006

Senator Richard Shelby
110 Hart Building
Washington, DC 20510-0103

RE: PROPOSED RULE CENTERS FOR MEDICARE & MEDICAID SERVICES-3191-P (CMS-3191-P)

Dear Senator Shelby:

I am writing this letter to request that you support the proposed rule for CMS-3191-P. CMS-3191-P is a rule that would require long term health care facilities, primarily nursing homes to have a sprinkler system in both new construction and to retrofit existing facilities.

It is my belief that residential facilities that are responsible for care of individuals on a 24 hour basis regardless of whether it is a nursing home, a group home for the elderly, handicapped, disabled, mentally ill or any person not capable of self preservation should be required to have sprinkler systems.

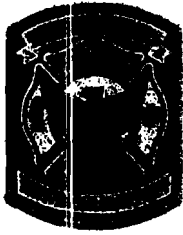
Again, I feel strongly about this issue. I do appreciate your support in getting this rule approved.

Sincerely,

H. H. Roberts, CBO
City Manager
City of Phenix City

HR:cw

cc: International Code Council Board
Centers Medicare & Medicaid Services



Phenix City Fire/Rescue Services

*1111 Broad Street
Phenix City, Alabama 36867
(334) 448-2817*



H. H. Roberts, City Manager

*Roy Watow
Deputy Chief*

*Wallace B. Hunter
Fire Chief*

*Kristin Kennedy
Battalion Chief/Fire Prevention*

*Michael Hanson
Battalion Chief*

*James Jackson
Battalion Chief*

*Kenneth Johnson
Battalion Chief*

*Bobby Brooks
Battalion Chief/Training*

December 21, 2006

*Mr. H. H. Roberts
City Manager
601 12th Street
Phenix City, Alabama 36867*

Dear Mr. Roberts:

This letter is in reference to the proposed rule CMS-3191-P concerning Sprinklers in Nursing Homes. I understand that these documents are possibly going to require long term health care facilities primarily nursing homes to have a sprinkler system in both new construction but most importantly to retrofit existing facilities.

First, I believe that all Residential facilities that care for individuals on a 24 hour basis and sleep in a facility regardless of whether it is a nursing home or group home for the elderly, handicapped and disabled, mentally ill or any person not capable of self preservation should be required to have a sprinkler system. The last fire involving such a structure occurred on November 27, 2006 in which 10 people were killed and injured more than 24 were injured. This proposed rule came about from the similar fires that occurred in 2003 in Connecticut and Tennessee losing a combined total of 30 residents. The purpose of model codes is to protect the lives of the people that reside or assemble in a building. Codes such as building and fire have been written and adopted out of past tragedies such as these and in this day and time of technology, there should not be the loss of lives that could be protected by something as simple as a sprinkler system.

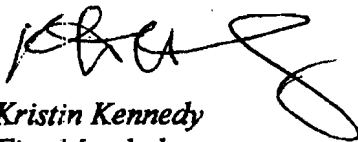
The City of Phenix City is very fortunate to have an experienced code official who understands the purpose and significance of model codes. One who will stand up to the politicians, developers, contractors, and everyday citizens who do not want to abide by the regulations and requirements of codes because of the almighty dollar. Many rural and metropolitan cities,

counties, and communities do not adopt a model code much less a new version of a code itself due to the changes it requires of all involved. However that is precisely the reason for the code, yesterday is not today.

Regardless of which level, local, state or federal that enforces this rule if passed; the occupants of these facilities need to be protected in new construction but more importantly existing facilities. If there is a phase in period for existing facilities, the example given in the Federal Register of 2016 seems to be an excessive length of time. However, if it is going to take the federal level to get it done then so be it. Also this proposed rule should not only be enforced if a facility receives money from Medicare and Medicaid but the issue at hand should be the simple fact that individuals reside in these facilities and depend on others in the event of an emergency therefore all facilities of this type should have the same requirements regardless of funding. Time has come for all jurisdictions as well as codes to get on the same page concerning life safety.

If this office can be of further assistance, please do not hesitate to call 334.448.2852.

Sincerely,


Kristin Kennedy
Fire Marshal

Cc: Wallace B. Hunter, Phenix City Fire Chief

31

Lugar, Senator (Lugar)

From: mrmitchell@noblesville.in.us
Sent: Tuesday, December 19, 2006 6:20 PM
To: Lugar, Senator (Lugar)
Subject: Nursing Home Fire Safety: Support for and clarification of Department of Health and Human Services' (HHS) Proposed Rule CMS-3191-P

Mr. Matt Mitchell
135 S. 9th Street
Noblesville, IN 46060-2620

December 19, 2006

The Honorable Richard G. Lugar
United States Senate
306 Hart Senate Office Building
Washington, DC 20510-1401
Fax: 202-228-0360

Dear Senator Lugar:

As a professional in building safety and fire prevention, I support the above action to require nursing homes without fire sprinklers to be renovated with this essential fire protection feature. In its proposed rules, however, HHS presents an incomplete and potentially misleading history of the role of state and local building codes in implementing stringent requirements for building safety and fire prevention.

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Sincerely,

Matt Mitchell

iawrmgs.txt
Capitol Correspond
Incoming Email Message

Constituent ID: 330823

Mr. William Amor
101 Convention Center Drive Suite 660
Las Vegas, NV 89109

Email: bamor@aaclv.com

Phone(s): (H) (702)875-2280

Activity Created: 12/19/2006
File Location: 383136
Interest Code(s): BUCK

Incoming Message:

RSP: Yes.

Date Received: 12/19/2006 4:37:29 PM
Topic/Subject Desc: Healthcare
Mr. William Amor
101 Convention Center Drive Suite 660
Las Vegas, NV 89109-2000

December 19, 2006

The Honorable John Ensign
United States Senate
356 Russell Senate Office Building
Washington, DC 20510-2805
Fax: 202-228-2193

Dear Senator Ensign:

As a professional in building safety and fire prevention, I support the above action to require nursing homes without fire sprinklers to be renovated with this essential fire protection feature. In its proposed rules, however, HHS presents an incomplete and potentially misleading history of the role of state and local building codes in implementing stringent requirements for building safety and fire prevention.

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iawormsg.txt

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Sincerely,

William Amor

JOHN ENSIGN

NEVADA

COMMITTEES:

ARMED SERVICES

COMMERCE, SCIENCE, AND
TRANSPORTATION

HEALTH, EDUCATION, LABOR,
AND PENSIONS

BUDGET

VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510-2805

January 11, 2007

356 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-2805
(202) 224-6244

333 LAS VEGAS BOULEVARD, SOUTH
SUITE 8203
LAS VEGAS, NV 89101
(702) 388-6605

400 SOUTH VIRGINIA STREET
SUITE 738
RENO, NV 89501
(775) 686-5770

600 EAST WILLIAM STREET
SUITE 304
CARSON CITY, NV 89701
(775) 885-9111

website: ensign.senate.gov

Ms. Jennifer Young
Assistant Secretary for Legislation, Congressional Liaison
U.S. Department of Health and Human Services
200 Independence Ave., S.W., Room 416G
Washington, D.C. 20201

Dear Ms. Young:

I have received the enclosed correspondence from a constituent, Mr. William Amor, regarding fire prevention and Building Safety in nursing homes.

Due to the desire of my office to be responsive to all inquiries, your consideration of the enclosed correspondence will be greatly appreciated. Please reply directly to Mr. Amor, and forward a copy of that response to me, marked to the attention of Justin Rzepka in my Washington office.

Thank you in advance for your assistance with this matter.

Sincerely,


JOHN ENSIGN
United States Senator

JE/jm

Enclosure

**Congressional Liaison
Correspondence Control Unit
Room 416G HHH Building
Telephone: 202-690-7452**

DHPPC
610101

25 JAN 2007
9:45 am

DUE DATE

2/9/07

CONTROL #

01192007001

DATE OF INQUIRY

January 11, 2007

CONSTITUENTS:

Mr. William Amor

REFERRED TO:

CMS

FROM:

Senator John Ensign

SUBJECT:

re: sprinkler systems being required in all nursing homes

DATE FO:

January 19, 2007

ACTION:

Direct Reply

STAFF REFERRAL:

Justin Rzepka

**PLEASE RETURN A COPY OF THIS CONTROL SLIP
WITH REPLY !!!!!!!!!!!!!**

Countryside Christian Community

200 Bellann Court • Annville, PA 17003
717-867-4636
www.countrysidechristian.info

Centers for Medicare and Medicaid Services
Dept. of Health & Human Services
Attention: CMS 3191-P
P.O. Box 8012
Baltimore, MD 21244-8012

December 6, 2006

Dear Sirs:

This letter is sent in response to the request for comments on the new proposed rule requiring long-term care facilities to be fully sprinkled. Improving the life safety of our citizens is an honorable and worthy goal. Since the inception of our community in 1959, many changes and improvements have been made to our physical plant to improve life safety, especially given the fact that most of our facility was constructed before many of the current regulations were in place. Despite costly improvements made over the years, the Pennsylvania Medicaid program has carried a cap on the reimbursement of capital costs at \$26,000 per bed for over twenty years. This lack of improvement in capital funding through Medicaid hinders most nursing care providers from making major improvements or replacements for our aging facilities.

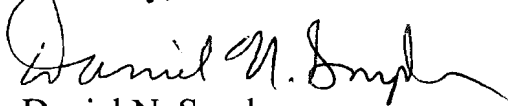
For the past five years, we have worked diligently on plans and funding for a major expansion of the community which includes the replacement of our existing facility with a new long-term care facility built to modern life safety standards and current models of efficient and consumer-focused care. These plans are hindered by the necessity of expanding our services in independent living to help fund the cost of the new long-term care facility *since we will receive no material increase in Medicaid capital funding for this new facility*. The new facility, though far from what could be considered a "Taj Mahal", will cost approximately \$250,000 per bed compared to our Medicaid reimbursement cap of \$26,000. Obviously, this is so great a disparity, that our ability to fund this project is in jeopardy absent of improved Medicaid funding for capital costs.

Though the proposed regulation indicates a limited financial impact by this proposed rule, CMS must consider the broader picture of what has occurred with regulatory requirements for long-term care facilities over the past 40 years and

the additional changes that may come in the 2006 edition of the Life Safety Code. Compare this accumulation of both State and Federal regulatory requirements over the years with the absence of comparable improvements in reimbursement for capital costs. This is why we face the great disparity of capital funding at \$26,000/bed when the real cost of building a facility to current standards is ten times that funding. This inadequate capital funding requires our long-term care facilities to use direct care related resources to patch and paste their existing physical plants year after year. This has also resulted in long-term care facilities in Pennsylvania now standing at an average of 27 years old. Our long-term care physical infrastructure is aging beyond its ability to serve older adults for the next 30 to 50 years absent of fully funding the capital cost component.

I request that CMS seriously look into the limits States are placing on appropriate reimbursement for capital costs and require States to adequately fund not just direct care costs, *but capital costs as well*. I understand Pennsylvania facilities are not alone in this problem. The proposed rule for sprinklers should include and end to the decades of increasing disparity between capital funding and accumulated regulatory requirements by including the requirement that capital costs through Medicare and Medicaid be fully funded to the level that is required to build and maintain structures built to current and future expected standards. Without adequately addressing the capital cost component, this new requirement may be the event that will bring an end to the ability of small rural communities like our own to maintain access to care through providers like Countryside Christian Community.

Sincerely,



Daniel N. Snyder

Director of Planning & Development



December 5, 2006

Centers for Medicare & Medicaid Services
Department of Health & Human Services
Attention: CMS – 3191 – P
PO Box 8012
Baltimore, MD 21244-8012

Reference: CMS – 3191 P – “Regulatory Impact Statement”

Samaritan Keep Home is a not for profit 272 bed, 8 story Skilled Nursing Facility. Currently we are approximately 30% sprinklered. As Administrator, both my Board of Directors and I want to have as safe a facility as possible. We are currently in the planning phase of the sprinkler installation project. However, I would like to comment on the costs associated with installing a sprinkler system. In the proposed rule you state the cost would range from .4 to 1.2% of revenue. I estimate that since about 30% of our 165,000 square feet are currently sprinklered we have 115,000 square feet unsprinklered. By using the mid range of your projections (of \$5.50 per square foot) it will cost us \$632,500 to fully comply. Last year Samaritan Keep Home lost money. This year we are doing better but there is no guarantee for future years. Paying for this out of operations only works if you make money each year.

We try very hard to meet the needs of our community to provide for the long-term care needs of those who require skilled level services. Eighty (80) of our 272 beds are reserved for dementia/Alzheimer's residents and over 50% of all residents have some sort of dementia diagnosis. These residents typically score in the lowest of reimbursement category scores, which makes it difficult financially. The facility receives the least payment, however, these residents require more staff time than other residents do. Typically these residents cannot live in the community because it is unsafe. Additionally, monitoring these residents to prevent elopement is costly in terms of electronic equipment and security systems.

Page 2
CMS – Dec. 5, 2006

I would suggest that CMS develop a sort of means test to reward the not-for-profits who perform a community service, on the basis of the types of residents they care for. Once this means test is passed the facilities would be eligible for grant funds to assist with the installation of a sprinkler system. USA Today has reported that 40% of New York State Skilled Nursing Facilities are only partially sprinklered. New York State has many older facilities with high cost and up until this year we have had a difficult, outdated reimbursement system. Although there is a new reimbursement system being developed, there still are uncertainties in the funding of Nursing Homes.

We want to do the installation sooner rather than later, however, I fear that trade off's may have to occur (such as in staffing or program) in order to achieve our goal. I would hope this is not the case, however, because we pride ourselves in the high quality care we provide and to do so we need all of our staff. Thank you for the opportunity to comment on this proposal. If I can provide any additional information please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Brooks", with a large, stylized initial "R" and a long, sweeping underline.

Richard A. Brooks
Vice President of Long Term Care & Support Services

DEPARTMENT OF DEVELOPMENTAL SERVICES

1600 NINTH STREET, Room 340
SACRAMENTO, CA 95814
TDD 654-2054 (For the Hearing Impaired)
Telephone: (916) 654-1805
Fax: (916) 654-3666



December 11, 2006

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-3191-P
PO Box 8021
Baltimore, MD 21244-8012

Re: 42 CFR Part 483

Medicare and Medicaid Programs; Fire Safety Requirements for Long Term Care
Facilities, Automatic Sprinkler Systems

Action: Proposed rule

Summary: This proposed rule would require all long term care facilities to be equipped with sprinkler systems. This proposed rule requests public comments on the duration of a phase-in period to allow long term care facilities to install such systems.

Comments on "C. Phase-in":

The California State Department of Developmental Services (Department) maintains and operates throughout the State of California five multi-building developmental centers which would be impacted by this proposed rule. These five facilities provide twenty-four hour care to approximately 2,899 (census dated 11/7/06) consumers with developmental disabilities.

These developmental centers total approximately 5,270,000 square feet of building space. Some of the developmental center residence units are partially equipped with sprinkler systems. The main kitchens and various storage areas are equipped with required sprinkler systems for their type of occupancy and use. Despite the merits of the proposed rule, compliance would be extremely costly and burdensome for the State of California, as most buildings are not equipped with the proposed sprinkler systems.

Centers for Medicare & Medicaid Services
December 11, 2006
Page Two

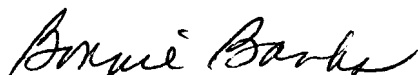
To achieve compliance with the proposed rule, the Department will first need to request and secure funding in order to accomplish a detailed study of each building and determine the estimated cost to upgrade the sprinkler systems. Past experience has proven construction costs to be high due to the construction type and age of these buildings, most of which exceed fifty years. Based upon the estimates and the scope of work, the Department will then need to request planning and construction funding via a five-year capital outlay process. In this process, projects compete for limited funding with other internal projects as well as projects from other departments throughout the State. Given the State's many fiscal priorities, many of the requested projects are not approved for funding, and some are funded in subsequent years.

Considering the time and difficulty in obtaining funds, as well as the need to serially relocate consumers to alternate sites on a phased basis during construction, we believe that the proposed ten-year phase-in period is too short for the Department to accomplish compliance for all the buildings expected to be deficient under the proposed rule. For large facilities with multiple buildings such as ours, a twelve to fifteen-year phase-in may be necessary.

Should you have any questions regarding our comments, please contact Douglas Yee, Chief of the Facilities Planning and Support Section, at (916) 654-1734.

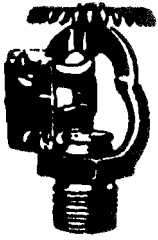
Thank you for your consideration of our comments on this proposed rule.

Sincerely,



BONNIE BANKS
Assistant Deputy Director
Developmental Centers Division

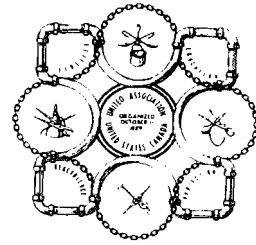
cc: Kathy Kinser, Deputy Director
Douglas Yee
Ruth Goans



LOCAL UNION 550 U.A.
SPRINKLER FITTERS and APPRENTICES OF BOSTON
AND VICINITY

46 ROCKLAND STREET • BOSTON, MASSACHUSETTS 02132
 TELEPHONE 617-323-0474
 FAX 617-323-1373

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PETER GIBBONS
 BUSINESS MANAGER
 SECRETARY-TREASURER



MARK FORTUNE
 BUSINESS AGENT

December 14, 2006

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-3191-P
 P.O. Box 8012
 Baltimore, MD 21244-8012

**Re: File Code CMS-3191-P/Sprinkler Requirements for
 Long Term Care Facilities**

Dear Sir or Madam:

Please accept this letter of support for the above-referenced regulation on behalf of United Association **Sprinkler Fitters Local Union 550, Boston, Massachusetts and Vicinity**. Our Local represents 600 sprinkler fitters, apprentices and retirees. These trades men and women are experts in the installation, repair and maintenance of fire suppression systems in our area.

Given our experience and expertise in this field, we know the health and safety risks that exist in facilities that lack adequate fire suppression systems. We can also fully attest to the fact that sprinkler systems **SAVE** lives. This matter is **long** overdue and we applaud your agency for taking the action and initiative to propose this regulation.

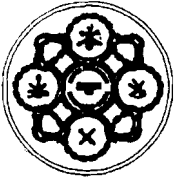
We strongly support the proposed rule and submit that affected facilities should be given no more than 5 years in which to comply with the new requirements. This should provide the industry with ample time to address this situation, plan the needed work and arrange for the appropriate installation projects. From our considerable experience in planning and building these systems, this is clearly an adequate time frame; any longer would pose undue and unacceptable risks for the persons living in these facilities.

The elderly in this country should get better treatment and this rule will help ensure that they get the basic protection they deserve by requiring long-term care facilities have proper fire sprinkler systems in case of a fire hazard. Thank you for your consideration.

Sincerely yours,

Peter Gibbons
 Business Manager
 Secretary-Treasurer

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SPRINKLER FITTERS U.A. LOCAL UNION No. 536

AFFILIATED WITH...AFL-CIO...AND BALTIMORE BUILDING TRADES

6100 BALTIMORE NATIONAL PIKE • BALTIMORE, MARYLAND 21228

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ROBERT C. FIQUE
Business Manager, F.S.T.

GINO J. SNYDER
President

DAVID L. MATHER
Vice-President



December 14, 2006

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-3191-P
P.O. Box 8012 Baltimore, MD 21244-8012

**RE: File Code CMS-3191-P
Sprinkler Requirements for Long-Term Care Facilities**

Dear Sir or Madam:

Please accept this letter of support for the above-referenced regulation on behalf of United Association Local Union 536, Baltimore, Maryland. Our Local Union represents over 200 sprinkler fitters who install, repair, and maintain automatic fire sprinkler systems in our area.

Given our experience and expertise in this field, we know the health and safety risks that exist in facilities that lack automatic fire sprinkler systems. We can also fully attest to the fact that sprinkler systems not only save lives but property as well. This matter is long overdue and we applaud your agency for taking action and initiative to propose this regulation.

We strongly support the proposed rule and suggest that affected facilities should be given no more than 5 years to comply with the new requirements. This should provide the affected facility ample time to address their situation and arrange for the appropriate installation of an automatic fire sprinkler system; any longer would pose undue and unacceptable risks for the persons living in these facilities.

Automatic fire sprinkler systems are the only proven method for preventing loss of life and property destruction from fire. Not requiring fire sprinkler systems to be installed in Long - Care Facilities would be a great disservice to our citizens residing in these facilities.

Thanking you for your attention in this matter, I remain.

Sincerely,

Robert C. Fique
Business Manager, F.S. & T.



December 13, 2006

Centers for Medicare & Medicaid Services
Department of Health and Human Services
P.O. Box 8012
Baltimore, MD 21244-8012

Attention: CMS-3191-P

Re: File Code CMS-3191-P/Sprinkler Requirements for
Long-Term Care Facilities

Gentlemen:

Please accept this letter of support for the above-referenced regulation on behalf of United Association Local Union 669. Our Local Union represents 11,657 sprinkler fitters who are trades men and women who install, repair and maintain fire suppressions systems throughout the continental United States and Alaska.

Given our experience and expertise in this field, we know the health and safety risks that exist in facilities that lack adequate fire suppression systems. We can also fully attest to the fact that sprinkler systems SAVE lives. This matter is long overdue, and we applaud your agency for taking the action and initiative to propose this regulation. We have tried to affect change at the state level in various areas across the country, but this regulation will have a far greater impact.

We submit that affected facilities should be given no more than 5 years to comply. If a longer time frame is in place, it would pose unreasonable risk for those elderly persons living in these facilities. Our senior citizens deserve proper treatment and protection.

We support the proposed regulation, and we believe that this is a big step in providing protection for the elderly in long term care facilities. This rule would



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ensure that they get the basic protection they deserve by requiring long-term care facilities to have the protection of a fire sprinkler system in case of a fire hazard.

Thank you for your attention to this matter.

Fraternally,

A handwritten signature in black ink, appearing to read 'Bradley M. Karbowsky', written in a cursive style.

Bradley M. Karbowsky
Business Manager
Local Union 669

BMK:dsv

cc: William P. Hite, General President, United Association
Thomas McNamara, United Association