Categorical Waiver for Combustible Decorations:  
NFPA 101 Life Safety Code  
2012 Edition

CMS and the State of Florida now permit the use of the categorical waiver allow increased amounts of combustible photographs and decorations be placed on the walls and ceilings without requiring them to be treated with intumescent coatings. Now a person can display more personal items and cherished memories that will enhance and stimulate well-being.

This is a no cost Categorical Waiver you can and should enact in your nursing home TODAY!

CMS S&C-13-58-LSC States:
CMS memorandum S&C-12-21-LSC, dated March 9, 2012, also provided for categorical waivers of several provisions of the 2000 LSC, but required each provider/supplier waiver to be evaluated separately before a survey was to be conducted, with final approval by the CMS Regional Office.

Providers/suppliers seeking to take advantage of these categorical waivers may now use the categorical waiver process described above, so long as they are in compliance with all other requirements identified in S&C-12-21-LSC.

CMS S&C-12-21-LSC
CMS will consider a waiver to allow the use of the requirements found at LSC section 18/19.7.5 Furnishings, Mattresses, and Decorations including sections 18/19.7.5.6 which allow the installation of combustible decorations on walls, doors and ceilings.

Excerpts from NFPA 101 Life Safety Code 2012 Edition:  
(NOTE: The ANNEX Commentary included in the code excerpts is explanatory material only and is not mandatory.)

18/19.7.5.6 Combustible decorations shall be prohibited in any health care occupancy, unless one of the following criteria is met:
(1) They are flame-retardant or are treated with approved fire-retardant coating that is listed and labeled for application to the material to which it is applied.
(2) The decorations meet the requirements of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.
(3) The decorations exhibit a heat release rate not exceeding 100 kW when tested in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source.
The decorations, such as photographs, paintings, and other art, are attached directly to the walls, ceiling, and non-fire-rated doors in accordance with the following:

(a) Decorations on non-fire-rated doors do not interfere with the operation or any required latching of the door and do not exceed the area limitations of 18/19.7.5.6 (b), (c), or (d).

(b) Decorations do not exceed 20 percent of the wall, ceiling, and door areas inside any room or space of a smoke compartment that is not protected throughout by an approved automatic sprinkler system in accordance with Section 9.7.

(c) Decorations do not exceed 30 percent of the wall, ceiling, and door areas inside any room or space of a smoke compartment that is protected throughout by an approved supervised automatic sprinkler system in accordance with Section 9.7.

(d) Decorations do not exceed 50 percent of the wall, ceiling, and door areas inside patient sleeping rooms, having a capacity not exceeding four persons, in a smoke compartment that is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

Annex Note:
A.19.7.5.6 (4) The percentage of decorations should be measured against the area of any wall or ceiling, not the aggregate total of walls, ceilings, and doors. The door is considered part of the wall. The decorations must be located such that they do not interfere with the operation of any door, sprinkler, smoke detector, or any other life safety equipment. Other art might include hanging objects or three-dimensional items.