



Regulatory Model and Current Industry Practice

Understanding Current Statutory Charge and Administrative Rule

Meeting Current Industry Practice, Responsibility and Expectations.



Regulatory Model – Opportunity to Enforce...

- No Deliberate Statutory charge to Inspect New Construction
- 101.02(15)
- (a) The department has such supervision of every employment, place of employment and public building in this state as is necessary adequately to enforce and administer all laws and all lawful orders requiring such employment, place of employment or public building to be safe, and requiring the protection of the life, health, safety and welfare of every employee in such employment or place of employment and every frequenter of such place of employment, and the safety of the public or tenants in any such public building.



Regulatory Model – Opportunity to Enforce...

- No Deliberate Statutory charge to Inspect New Construction
- 101.02(15)
- (g) The secretary or any deputy of the department may enter any place of employment or public building, for the purpose of collecting facts and statistics, examining the provisions made for the health, safety and welfare of the employees, frequenters, the public or tenants therein and bringing to the attention of every employer or owner any law, or any order of the department, and any failure on the part of such employer or owner to comply therewith. No employer or owner may refuse to admit the secretary or any deputy of the department to his or her place of employment or public building.



Regulatory Model – Opportunity to Enforce...

- No Deliberate Statutory charge to Inspect New Construction
- 101.02(15)
- (j) The department shall ascertain, fix and order such reasonable standards or rules for constructing, altering, adding to, repairing, and maintaining public buildings and places of employment in order to render them safe.



Regulatory Model – Accept Inspection

- Statutory language accepting Inspections
- 101.12(3)
- (d) Accept inspections at no cost performed by inspectors for whom evidence of competency has been furnished to the department.



Regulatory Model – Accept Inspection

- Statutory language accepting Inspections
- 101.12(3)
- (f) Accept inspections at no cost performed by approved owner or operator inspection service and provide shop inspection service when deemed necessary.



Regulatory Model – Accept Inspection

- Statutory language accepting Inspections
- 101.12(3)
- (g) Accept inspection at no cost when performed by qualified and authorized inspectors for a city, village, town or county for the inspection of buildings and equipment located within the city, village, town or county. The department shall determine and certify the competency of all such inspectors.



Regulatory Model – One and Two Family Homes

- Deliberate Statutory charge to Inspect One and Two Family Homes
- 101.63 Departmental duties. The department shall:
 - (1) Adopt rules which establish standards for the construction and inspection of one- and 2-family dwellings and components thereof.
- Ref.... SPS 320.10 Inspections.



Regulatory Model – Examine Plans...

- Deliberate Statutory charge to Examine Essential Drawings, Calculations and Specifications
- 101.12 Approval and inspection of public buildings and places of employment and components.
- 101.12 (3) The department shall:
- (h) Require all local officers not authorized by the department to grant approvals as provided in pars. (a) and (b) to deny permits or licenses for construction or use of public buildings, public structures and places of employment until the required drawings and calculations have been examined by the department.



Municipal Collaboration - Accept Examination

- Training of building and fire officials for “certification”
- Statutory Delegation of 1st class (101.12(3)(a), 2nd class (101.12(3)(am), cities, villages, towns, or counties (101.12(3)(b) or Agent Municipalities (101.12(3)(bg)
- Audits of Delegated Municipalities



Inspection “when required” 5 day window...

- SPS 361.41 Inspections.
- (1) On-site.
- (a) When required, on-site inspections shall be conducted within 5 business days following a request...
- (b) Construction may proceed if the inspection has not been completed by the end of the fifth business day...
- (c) On-site inspections shall be conducted by an authorized representative of the department to determine construction conforming the conditionally approved plans...



Municipal Collaboration - Inspections

- SPS 361.60 Certified municipalities and counties.
- (6) Inspection. Inspections shall be conducted by a municipality or county to ascertain whether or not the construction or installation of buildings and structures conforms to the conditionally approved plans...
- Home rule?
- Municipal regulatory model from permitting to inspection to occupancy.



Owner Responsibility

- Owner ultimately responsible
- SPS 361.20 Responsibilities. (1) OWNER. Compliance with chs. SPS 361 to 366 does not relieve the owner of a public building or place of employment from compliance...
- Licensed Architects and Professional Engineers contractually acting on behalf of owner
- SPS 361.20 (2) DESIGN. (a) Pursuant to ch. 443, Stats., a public building, structure or place of employment shall be designed by an architect or an engineer...



Owner Responsibility

- Seal and signature on contract documents
- SPS 361.31 Plans. (1) SIGNING AND SEALING. ...construction documents submitted to the department or its authorized representative for review shall be prepared, signed and sealed in accordance with ch. 443, Stats., and s. A–E 2.02.
- Supervision leading to Certificate of Compliance
- SPS 361.40 Supervision. (1) GENERAL. ...the proposed construction of a project within the scope of chs. SPS 361 to 366 shall be supervised by one or more Wisconsin registered architects or engineers...



Meeting Expectations of Current Industry Practice

- The traditional model – submit, review, comment, respond, conditional approval
- Reimagine the model based on current industry practice
- Integrated design is a comprehensive holistic approach to design which brings together specialties usually considered separately. It attempts to take into consideration all the factors and components necessary to a decision making process.
- Preliminary Project Meetings – Early Regulatory Engagement (Integrated)

Meeting Expectations of Current Industry Practice



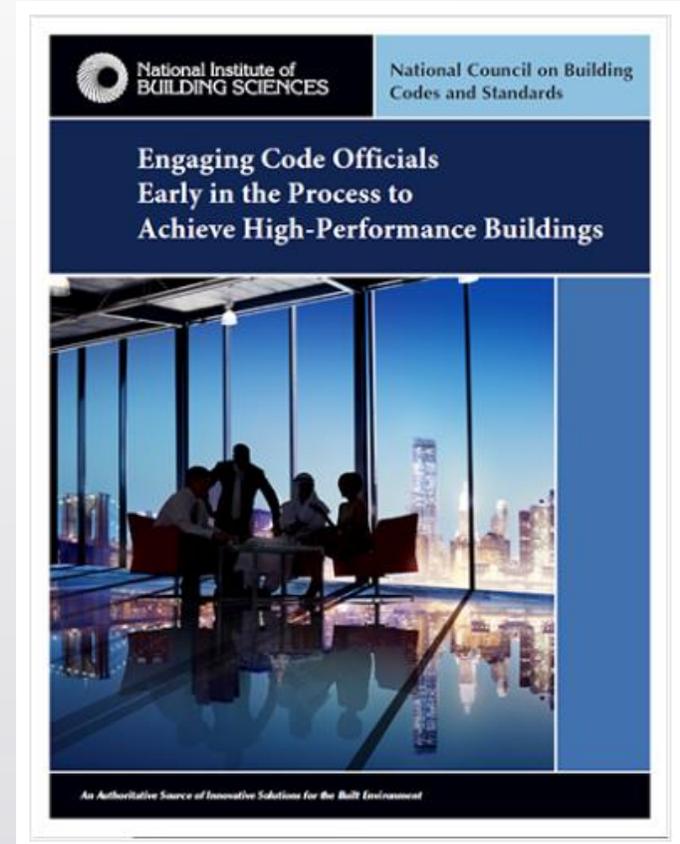
The Mercy Emergency North / Mercy Clinic North is a new 23,995 sq.ft. mixed-use, free-standing emergency department (ED) and clinic building designed and constructed for Mercy Health System Corporation. Faced with countless challenges including climate, design, review, permitting, and the fast track of construction relying on timely inspections, this project began with concept plans in July of 2011 and realized a municipal certificate of occupancy in January, 2012.



Meeting Expectations of Current Industry Practice

Preliminary Project Meeting

- Project Team and Regulatory Agencies
- Project Scope
- Owner Expectations
- Project Schedule
- Design Team
- Municipal Expectations
- Submittal process and format
- Construction Phases, inspection, protocol, scheduling, changes and construction bulletins





Department of Health Services Division of Quality Assurance - Recognized

- Association of Health Facility Survey Agencies (AHFSA) 2019 50th Annual Conference
- Department of Health Services Division of Quality Assurance
- Promising Practices submission in the Quality Improvements in the Regulatory Process/Open Category for Collaboration of Project Building Regulators.