



JLGmed

RE: North Dakota House Human Services Committee Hearing on SB 2241

March 10, 2021

Thank you, Chairman Weisz and the members of the Committee. I appreciate the opportunity to provide testimony related to Senate Bill 2241 and offer insight into the process of the state Department of Health facility review process and implementation from the perspective of the healthcare architect. I am Todd Medd, director of the Healthcare Practice Studio for JLG Architects. JLG is a 150 person architecture firm founded in North Dakota 32 years ago and has grown to 12 offices across the Midwest. As leader of our healthcare studio, JLGmed, I work closely with our clients and lead teams of architects, medical planners, and engineers to design, document and administer construction on healthcare projects for some of the state's largest health systems. Our projects range from small clinic fit ups and renovations to the design of some of the largest medical centers in our region, including work for Sanford Health, Altru Health System, the Anne Carlsen Center, and many others. Thank you for the opportunity to come before you today.

North Dakota health care leaders have expressed great interest in expediting the state's review process. Delayed review and approval processes impact health care leaders' ability to manage capital and human resource investments and can delay access to care. I would like to open by acknowledging and commending the work that is done by the State Department of Health Division of Life Safety and Construction. We work very closely with the team to help ensure the health, safety and welfare of the citizens of North Dakota. We feel that there is an open door to communicate about upcoming projects or questions that we may have regarding specific code related issues. We see the department as a partner in healthcare design and construction and have created a dialogue over the years to find ways to help streamline the process and think outside of the box in innovative ways to help drive forward healthcare in our state. Because of the engagement of the state legislative bodies, we are very excited by the steps that are being taken and the future opportunity for process improvement that will help revolutionize healthcare and healthcare design in our state, especially while in the midst of a pandemic, finding ways to create more efficiency for our healthcare entities in the state is imperative.

Design and Review Process Overview

I feel that it was prudent to create some brief context about how we have traditionally executed a project review with the North Dakota Department of Health. This process typically starts at the beginning of the design of a project with a meeting with the NDDoH team to give them a heads up on the project, the scale, scope and schedule. The department will only review projects that fall under their jurisdiction, these projects include hospitals, nursing facilities, etc. and includes projects that range from small change of use projects and renovations in existing hospitals all the way to new hospitals and nursing homes that are required to comply with the Facility Guidelines Institute Guidelines for Design and Construction (FGI) and the National Fire Protection Association Life Safety Code (NFPA) per the Century Code.

Once the project design and documentation phases are complete, which is a process between our team and the health system that takes anywhere from 8 weeks for a small project to nearly a year or more for a large hospital, the set of contract documents, including all drawings and specifications, is submitted to the State Department of Health for review. The length of time that it takes to complete a review is dependent on the scale and complexity of the project as well as the length of the drawing review cycle but has been as long as 8 months to a year. Once the initial review period is completed, the design team responds to all comments and questions that the NDDoH Division of Life Safety and Construction has on the project. The number of questions or clarifications can range from just a few on less complex projects while there can be hundreds of comments on large projects. The design team will work through these items and not only respond to each comment and question but update drawings accordingly. We will then resubmit the drawings after this secondary process. Once all items are finalized, a permit will be issued and construction on that scope of work can commence. As construction work progresses, JLG and our design team as well as our client representatives along with their project contractor work closely with the NDDOH field inspectors at the site of construction to verify that what is built complies with the construction documents and the intent of the code. It is a very collaborative process during construction.

SB 2241

Specifically related to SB 2241, this bill aims to create more defined and aggressive time frames for project reviews that will bring review times and processes much more in line with our neighboring states. The bill proposes reducing the current 60 day limit for smaller projects under a million dollars to 28 days. For projects that are between one million dollars and four million dollars, projects will be reviewed within 42 days and for projects over four million dollars within 56 days. I support creating more rapid and defined review periods. The timeframe for review proposed is aggressive but is much more in line

with other states and similar jurisdictions. The clarity that such limits would create for clients would allow for much more accurate capital and project planning for projects.

What is working and opportunities going forward

As mentioned previously, I believe that the key to better communication, shorter review times, and better alignment between design team and the NDDoH Division of Life Safety and Construction is the ability to continue to have an open dialogue and communication with the State Department of Health. In fact, we have discussed with the NDDoH looking into a process where there are opportunities during the design phases where the team sits together and does a page turn, thus allowing the reviewers much more insight into the project, why we have interpreted code language a certain way, and allows for much greater understanding of the design and context prior to their official review. This collaborative approach would allow the NDDoH team to better understand the project earlier as well as raise concerns during design so that the design team can implement changes into the drawings during the design phase prior to the official review, thereby streamlining the review process.

As noted above, we find great value in the process of having an Innovation Waiver. This really has gotten our end user clinician clients excited as it allows them to deliver care in a way that meets the intent of code while building in some options for how they innovate based on changing best practices that are not always reflected in the code language. As we all know, this is not always a straightforward process, but investigating how other states and municipalities have done this can help us all create a process that is more streamlined but also has the necessary oversight of this complex review task. Finally, I wanted to commend the department for having the onsite inspection process in place on these large projects, our team has truly seen the value of having a member of the team working with us and the contractor in the field to identify concerns or issues as the building is being constructed that we can change or adjust before the project gets too far along to do so in an economical manner.

Conclusion

I would like to thank you, Chairman, and the members of the Committee for this opportunity to engage in this very important dialogue. I am excited about the continued dialogue in how we can work together with the state to continue to improve this process. I support this bill with the comments previously mentioned. We are all teammates in a process aimed at delivering quality projects that improve access and quality of healthcare to our communities in North Dakota. Thank you.