



**COLORADO**

**Division of Fire  
Prevention & Control**

Department of Public Safety

Fire & Life Safety Section  
690 Kipling Street, Suite 2000  
Lakewood, CO 80215

January 12, 2016

Memorandum for: Health Facility Administrators

Subject: Life Safety Code Time Limited Waivers – Guidance for Submission

Centers for Medicare (CMS) recognizes that some deficiencies may require a correction period beyond that normally afforded by the State's opportunity to correct date, beyond three months, and even beyond six months. Time limited waivers may be granted if an earlier correction date would result in an unreasonable hardship for the facility, but only if the waiver would not adversely affect the health and safety of residents or facility staff.

This memorandum provides guidance in the submission of a request for a time limited waiver. Please discuss the deficiency and waiver needs with your life safety code surveyor. If the surveyor concurs, a letter requesting a time limited waiver must include the following:

- The specific tag for which a waiver is requested.
- Exit Date of the original survey and survey ID#.
- Provider ID#.
- Why the deficiency cannot be corrected within the opportunity to correct date.
- Any steps the facility has already taken to correct the deficiency.
- A timetable with milestone dates of major activities to correct the deficiency.
- Steps the facility has or will take to increase fire safety awareness during the waiver period.
- The final correction date.

The above information must be submitted at the same time as the plan of correction (POC). A POC must be submitted on the CMS form 2567 and must address all five elements of a POC. Additionally, the POC is a stand-alone document and should not refer to any attachments. The POC should indicate that a time limited waiver has been requested for each K tag deficiency effected and use the waiver date as the completion date for that K tag. **Please submit the waiver request letter to: [cdphe.hfd-revisits@state.co.us](mailto:cdphe.hfd-revisits@state.co.us) or fax (303) 756-3973, Attn: LSC Waiver Desk.**

If the waiver is approved, enforcement actions based on the waived deficiency will be held in abeyance. If the deficiency is corrected as indicated in the waiver request, enforcement actions will not be imposed. At the end of the waiver date, this office will either conduct an on-site inspection or request documentation supporting that the work has been completed.

For additional information, contact your life safety code surveyor at 303-239-4100.

Sincerely,

Robert Sontag, MS

CFPS, CFI-II, CFEI, CFPE

Fire Prevention Branch Chief

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