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Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
Subcommittee on Regulations

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Subcommittee on Regulations Meeting Minutes – March 22, 2023
Teleconference

This meeting was open to the public and began approximately 10:00 AM.

Subcommittee member attendance:

Jeff Dougan, Chairperson (JD)
Ana Julian (AJ)
Paul Logan (PL)
Patricia Mendez (PM)
Elizabeth Myska (EM)
Deborah Ryan (DR)

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)
James Plotkin – Legal Counsel (JP)
Jamie Dalton – Legal Counsel (JaD)
Bradley Souders – Office Support Specialist (BS)

JD opened the meeting for Roll Call:

PL, PM, EM, DR, AJ

1. 607.2 Bathtubs

- WJ: We had started talking about clearance requirements and ran out of time.
- DR: Discussion about 12 inch extension
- WJ: Federal regs are slightly more expansive here
- DR: And why are we requiring 36 instead of 30 when we require 30 everywhere else
- WJ: We're contemplating moving controls to ADA where they have it on the short wall
- DR: concerned about going 6 inches bigger here where we don't anywhere else
- WJ: currently we specify 30x72 and 36xtub length is for controls on the long wall
- JD: Is this for residential or all bathrooms
- WJ: this is for all bathrooms
- DR: this would make for a big space between tub and sink
- JD: Thoughts on this? I am curious why were going 6 inches bigger
- WJ: I think its related to the fact that were proposing to move controls to the federal control location and this would be a path you have to travel down to get reach ranges
- DR: I don't think we should allow the sink but I really don't think we have the justification to add the 6 inches



Motion to adopt ADA language for size by DR
2nd by PL

- JD: I'm leaning towards agreeing with this as long as we don't allow the sink, this would help with the forward approach
- PM: I'm okay with the 30 inches but I'm still curious where the 36 inches came from
- JD: I think its from what Will said about moving the controls

By Acclamation/Carried

2. 607.2

- WJ: the next piece is question about seat extension
- DR: I think "clearance extends full length of seat" gives more clearance
- WJ: discussion about seat clearance
- PM: Looking at the graphics in the ADA version I think this is a good opportunity to use that graphic because it makes it clear
- WJ: to reduce confusion should the language read "the clearance shall extend the full length of the seat and a minimum of 12 inches beyond the wall at the head end of the bath tub"

Motion to accept the above language by DR
2nd by AJ
By Acclamation/Carried

3. 607.4 Grab Bars

- WJ: the next part that's different is "grab bars shall be nonrusting, and acid etched or roughened"
- DR: Discussion about previous tub vote, I would like to see portable seats required even in tubs with built in seats
- WJ: we'll get back to this when we get to 609 which covers all grab bars, and we'll cover exception 2 when we talk about residential units

4. 607.6 Controls

- WJ: This is somewhere where we were moving towards the feds in the draft. We require them on the long wall, the proposed regs and feds require them on end wall
- JD: my perception is a bathtub with controls on the long wall is that someone who is in the seat on the end wall you are never going to be able to reach the off button on the short wall, so this would be a benefit to have something on the long wall to control water
- DR: One of the problems with controls on long wall is it violates ada standards for location and reach range. If you are seated in your chair those controls are not in your reach range. You can position portable seat closer to controls to reach them. In addition the shower spray has a button
- JD: in the proposed regs did we move them to short wall
- WJ: it's a conflict between shower and bath tub, in most cases it would be used as a shower, and the feds contemplate this by requiring having the on off switch on the shower sprayer
- DR: for PL, have you found controls on long wall hard to use
- PL: I haven't used a tub in 47 years, but for the reach it makes a lot of sense. I see pros and cons on both sides of controls issue
- WJ: requiring both would not be a benefit and would cause confusion. The one difference in language is redundant and helpful but tubs with seats requires controls on the short wall
- PM: do we need to deal with temperature control
- WJ: That would be controlled by the on/off switch requirement
- PL: Would it be too much of a reach for the built in seat on the opposite end of the tub



- WJ: the seat is not intended to use during the bath its for the transfer

Motion to Adopt ADA language for controls on short side by PM

2nd by DR

By Acclamation/Carried

5. 607.7

- WJ: We have a one inch differenced in the length of the shower hose
- PL: why
- WJ: Not sure
- DR: Could depend on who is measuring

Motion to Adopt 59 inch rule by DR

2nd by AJ

By Acclamation/Carried

6. 607.9 soap trays

- WJ: only other difference is we have requirements for soap trays, to support 250 lbs. for 5 minutes

Motion to Accept 521 language about soap trays by DR

2nd by PL

By Acclamation/Carried

7. 608.3.1 Shower compartments

- WJ: there are largely few differences, we moved to mirror the feds on this, grab bars are slightly different. Transfer type shower is 36x36, it says you need a grab bar for control and back wall 18 inches from control wall. This says you need two 30 inch grab bars one on the back wall and one opposite controls. This will lead to different sizes
- DR: this means the grab bar will be under the seat for a 30-inch grab bar, I prefer to ADA requirements

Motion to adopt ADA language by DR

2nd by PL

By Acclamation/Carried

8. 608.3.2 roll in shower compartment

- DR: standard roll in shower, the ADA standards require larger grab bar because it requires 6 inches max from each corner, so a 60 inch wide shower would be a 48 inch long grab bar
- WJ: That discrepancy is we don't allow you to a roll in without a fold down seat, feds only require them in transient lodging facilities, we require them everywhere
- JD: lets come back to this after do the seats

9. 608.4 seats

- WJ: feds require folding seats at transient lodging facilities only
- DR: residential needs to be capable of being installed, we definitely want a folding seat in a roll in shower. The question is do we want to allow a non folding seat in a transfer shower
- WJ: I think that's fine, this might be because we say folding seat everywhere. Should we allow a fold down seat in all showers
- PL: it's the right thing to do to require a folding seat

Motion to strike language only requiring folding seat in transient lodging for roll in showers by DR

2nd by PL

By Acclamation/carried

10. 608.3.2 Standard roll in shower compartments

- WJ: the only difference now is the continuous l shaped grab bar, I'm not sure if one or the other would provide more access, they're just different
- DR: Discussion about differences in grab bars
- DR: I'm fine with requiring a size
- WJ: if you put a minimum people will just put that to comply
- JD: would people be opposed to having a grab bar run the length of the back wall to the seat
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Motion to Accept 608.3.2 as written and changed by WJ by PL

2nd by PM

Discussion:

- PL: question about MM and inches

By Acclamation/Carried

11. 608.6 Shower spray unit

- DR: you can require a 30 inch slide bar to be mounted at a certain height above the floor. What happens is I saw people citing the bar and shower spray length
- WJ: Do we want to specify where this is horizontally?
- DR: you do so you can make sure its within reach
- PL: Is 40 inches too high?
- JD: We don't want to get in the way of the grab bars

Motion to Accept revised language for 608.6 by PL

2nd by DR

Discussion:

- PM: How about adjustable head holder
- WJ: we call it a bar later in the section
- JD: and the feds use the word vertical bar

By Acclamation/Carried

12. Exception for 608.6

- WJ: We say you can only use this in unmonitored facilities where vandalism isn't a concern, like shower facilities in the woods
- DR: what about town pools
- WJ: do we want to adopt ADA language limiting the use of this
- PM: Do we want to define the term 'monitored'
- DR: I'm thinking of public pools that have lifeguards, but the showers aren't monitored

Motion to Adopt written language for 608.8 by PM

2nd by PL

By Acclamation/Carried

13. 608.7 Thresholds

- DR: for a roll in shower in new construction, thresholds aren't a problem. For renovations, its impossible without some type of threshold. So a half inch with a bevel should be fine
- WJ: Current regs current do not allow roll in showers to have a curb
- DR: What they do is slope the shower up to the threshold which is worse
- JD: is there a way we can make this for new construction and have a different thing for existing, or would the bevel work in every case
- WJ: what does PL think
- PL: I've been in sloped bathrooms, its unsafe. As far as half an inch, I guess in a perfect world I'd like it a little lower
- DR: it's a difference in floor material, most of the time you put the shower over the old one. Its not ideal with the bevel, flush is ideal
- WJ: do we want to a quarter inch in new and half in existing?
- DR: there shouldn't be any reason why you cant get a flush shower in new construction

Motion to Accept no threshold for new construction and ½ inch bevel in roll in showers by DR

2nd PL

By Acclamation/Carried

14. Threshold for transfer showers

- WJ: ADA lets you do a rounded or vertical bevel
- DR: My opinion is it should be same as roll in shower

Motion to Accept threshold language for roll in showers to be use for transfer showers by DR

2nd by PL

By Acclamation/Carried

15. Transfer shower exceptions

- WJ: Feds allow up to 2 inches in existing buildings

Motion to Accept threshold language for roll in showers for transfer showers in existing buildings by DR

2nd by PL

By Acclamation/Carried

16. 609.3-4.2 Grab bars

- WJ: Feds do not have rules for vertical grab bars

Motion to Accept language for 609.3-4.2 by DR

2nd by PL

By Acclamation/Carried

17. 609.9

- WJ: We specify they may not be acid etched, nonrusting, or roughened
- WJ: People have been proposing PVC grab bars that cannot be gripped
- PM: it should retain grip-ability while wet
- JD: do we need to get rid of acid etched?

Motion to Adopt written language for 609.9 by DR

2nd by PL

By Acclamation/Carried



18. 610

- WJ: the difference here is we still require padded seats
- DR: people I've spoken to say they're slippery and unsanitary
- WJ: I've hearing they're mold factories
- PL: do we need to say they shall not be padded
- WJ: Most people don't want to put in padded seats, as far as I can tell this is from the 70s that was never changed

Motion to strike requirement for padded seat by PL

2nd by DR

By Acclamation/Carried

Motion to Adjourn by PL

2nd by DR

By Acclamation/Carried

Respectfully submitted,

Bradley Souders, Office Support Specialist