

Thursday, April 16, 2026

Subject: Urgent Need for CMS Acceptance of NFPA 110 (2025) for Healthcare Facilities

To Whom It May Concern:

Veterans Affairs (VA) Medical Centers—along with data centers, municipalities, and other non-CMS regulated critical infrastructure—are already permitted to comply with newer editions of NFPA 110 and deploy modern emergency power technologies that improve generator reliability and resilience. These facilities can do so because they are not constrained by CMS enforcement of NFPA 110 (2010).

By contrast, CMS regulated healthcare facilities remain bound to a fifteen-plus-year-old standard, despite facing the same life-safety risks during power outages. Hospitals rely on Emergency Power Supply Systems (EPSS) to sustain life-saving care, and generator failure during an emergency can result in loss of life, interruption of life-support systems, and compromised patient safety.

CMS currently enforces NFPA 101 (2012 Edition), which references NFPA 110 (2010). Even if CMS adopts NFPA 101 (2021 Edition), it would only reference NFPA 110 (2019) which still does not include the most critical reliability advancements now available in NFPA 110 (2025).

This limitation is not theoretical. Starting batteries are widely recognized as the leading point of failure in emergency generator systems, and earlier editions of NFPA 110 restrict healthcare facilities to outdated battery requirements; directly increasing the risk of generator non-start events during emergencies. NFPA 110 (2025 Edition) addresses this known failure mode by allowing multiple proven battery technologies and by introducing reliability-centered maintenance, shifting focus from prescriptive tasks to demonstrated system performance for the first time.

For these reasons, there is an urgent and immediate need for CMS leadership support to advance and accept the recent draft categorical waiver submitted to the Emergency Preparedness & Life Safety Division of CMS. **This is not a discretionary request—it is a matter of life safety.** Acceptance of the waiver would allow healthcare facilities to comply with NFPA 110 (2025), achieving an equal or greater level of life safety while materially strengthening emergency power reliability and patient protection.

Submitted By,

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Encl: PDF of Mongoose DRAFT Categorical Waiver Acceptance of Entire 2025 NFPA 110 Emergency Power System 2-16-26