

MINIMUM AND DESIRED STANDARDS AND REGULATIONS

(Adult)

Family Care Homes
(With a capacity of 2-5)

1-1-71

North Carolina Department of Human Resources
Division of Facility Services

Editor's Note. — Session Laws 1975, c. 412, s. 3, provides: "The intent of this act is to transfer the Bureau of Labor for the Deaf from the Department of Labor to the Department of Human Resources as a Type I transfer as defined in G.S. 143A-6(a)." Section 1 of the 1975 act repealed §§ 95-70 to 95-72, which formerly provided for the Bureau of Labor for the Deaf.

§§ 168-15 to 168-19: Reserved for future codification purposes.

ARTICLE 3.

Family Care Homes.

§ 168-20. Public policy.

The General Assembly has declared in Article 1 of this Chapter that it is the public policy of this State to provide handicapped persons with the opportunity to live in a normal residential environment. (1981, c. 565, s. 1.)

Legal Periodicals. — For survey of 1981 property law, see 60 N.C.L. Rev. 1420 (1982).

§ 168-21. Definitions.

As used in this Article:

- (1) "Family care home" means a home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six resident handicapped persons.
- (2) "Handicapped person" means a person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b. (1981, c. 565, s. 1; 1985, c. 589, s. 62.)

Effect of Amendments. — The 1985 amendment, effective January 1, 1986, substituted "G.S. 122C-3(11)b" for "G.S. 122-58.2(1)b" at the end of subdivision (2).

§ 168-22. Zoning; family care home.

A family care home shall be deemed a residential use of property for zoning purposes and shall be a permissible use in all residential districts of all political subdivisions. No political subdivision may require that a family care home, its owner, or operator obtain, because of the use, a conditional use permit, special use permit, special exception or variance from any such zoning ordinance or plan; provided, however, that a political subdivision may prohibit a family care home from being located within a one-half mile radius of an existing family care home. (1981, c. 565, s. 1.)

- c. Any non-resident living and sleeping in the home on a regular basis

If a tuberculin test result is positive on any of the above individuals, the individual must have a chest x-ray and the results rendered on DSS-Adm-19.

- d. A currently valid health certificate or a physician's statement (DSS-Adm-19 may be used) showing freedom from communicable disease and indicating that the individual is physically and emotionally capable of performing his assigned duties shall be maintained on each employee.

NOTE: A copy of the Health Certificate or physician's statement must be in the home and available for inspection by proper authorities at all times while the person is in the employ of the home.

C. The Home

1. Location - should be approved by local zoning boards and be in an attractive area, a safe distance from streets, railroads, open lakes and other hazards.
 - a. Residential area of city or town.
 - b. Rural or suburban areas, if transportation is provided for appropriate services (medical, recreational, etc.).
2. Construction - must meet the residential building code requirements of North Carolina Insurance Department and be a one family type residence.
 - a. Frame, brick, block or veneer.
 - b. Only one story in height.
 - c. Approximately 1800 square feet in area. (Written approval by the North Carolina Insurance Department is required for homes over 1800 square feet in area).
 - d. Basement, if desired. (No one allowed to sleep in basement).
 - e. Attic - (Cannot be used for storage or sleeping).
 - f. Porches, stoops - (protected by handrails).
 - g. Steps (as few as possible, protected by handrails).
 - h. Ceiling must be at least 7 1/2 feet from floor.
 - *i. Ramps (rise no greater than 1 inch in 12 inches).
3. Arrangement of rooms and size
 - a. Ample living room arrangements to meet the needs of the operator or the responsible person and family living in.

b. Living Room

- (1) In existing buildings the living room must be near the front of the house and large enough to meet the needs of the family, residents and guests.
- (2) In buildings to be constructed the living room must have an area of 200 square feet.
- *(3) One or more living rooms with a total area over 200 square feet.

c. Dining Room

- (1) In existing buildings the dining room must be near the kitchen and large enough to seat all residents, family and guests comfortably with adequate space for serving food.
- (2) In buildings being constructed the dining room must have an area of 120 square feet.
- *(3) A dining room over 120 square feet.

d. Kitchen: Large enough to provide for preparation and preservation of food and sanitizing of dishes.

e. Bedrooms

NOTE: No room can be approved for a resident's occupancy where access is through a bathroom, kitchen or another bedroom.

- (1) Operator, live in staff and family must have bedrooms separate from the residents and sufficient in number and size to meet individual needs according to age and sex.
- (2) Residents' bedrooms must have 100 square feet (inside measurements excluding closets) for single occupancy and 80 square feet a bed (inside measurements excluding closets) for double or triple occupancy.
- (3) Doors - standard size and make.
- (4) Windows - a minimum of 10% of floor space and low enough to see out from chair and bed.
- (5) Walls and ceilings - cleanable and light colored.
- *(6) Only single and/or double occupancy.

f. Bathroom

- (1) Located as conveniently as possible to the bedrooms.
- (2) In existing buildings one full bathroom for eight or less persons including family living in.
- (3) In buildings to be constructed one full bathroom for five persons including family living in.

(4) Entrance cannot be through a kitchen, a bedroom or another bathroom.

(5) Hand grips must be installed at all commodes, tubs and showers.

(6) Floors - see k (1) below.

*(7) A half bath in addition to full bath if total number of persons living in the home is six or more.

g. Closets

(1) Located in bedrooms.

(2) Approximately 2 feet by 3 feet in area for each resident.

h. Storage Areas: Adequate in size and number for storage of clean linens, dirty linens, cleaning materials, household supplies, food, and equipment.

i. Medicine Cabinet

*(1) Located in a well-lighted area outside of kitchen and bathroom.

(2) Must have a lock and key.

(3) Large enough to contain all medicines and first aid supplies in an orderly manner.

j. Corridor

(1) In existing buildings a minimum width of 3 feet.

(2) In new buildings a minimum width of 3 1/2 feet.

k. Floors

(1) Non-slippery waterproof covering in bath and kitchen.

(2) Conventional appropriate covering for other floors, except throw rugs are not approved.

l. Outside Entrances

(1) At ground level

or

(2) All steps, porches or stoops protected by handrails.

4. Equipment

a. Safety

(1) Sturdy hand grips for all commodes, tubs and showers.

- (2) A small night light in the bedroom or corridor and bath.
- (3) Fire extinguishers of the type recommended by the fire inspector.
- (4) Automatic single station U.L. approved fire detectors in the attic, basement and on the first floor.
- (5) A buzzer or intercom system where the operator's bedroom or the bedroom of the person on call is located in a separate area from residents' rooms.
- *(6) Other U.L. approved fire detection system as required by city ordinances or county building inspectors.
- *(7) A written evacuation plan, in case of fire, approved by the local fire department.

b. Other

- (1) An approved central heating system (space heaters and portable heaters are not allowed. See definitions, page 5).
- (2) An approved hot water tank large enough to provide continuous hot water to kitchen and bath.
- (3) Laundry equipment
 - (a) In existing buildings, approval of location of laundry equipment will be made by the Specialist on Aging.
 - (b) In homes being constructed, the laundry equipment must be located out of the kitchen, living and dining areas.
 - *(c) Laundry equipment shall be located in a room off the corridor.
- (4) A telephone must be available for residents to make a reasonable number of calls. (A pay station telephone is not acceptable for local calls).
- *(5) Recreational equipment and supplies for games, crafts, hobbies, etc.

5. Housekeeping and Furnishings

- a. The house shall be maintained in an uncluttered, clean and orderly manner with an attractive homelike atmosphere.
- b. Each bedroom shall be furnished with furniture purchased with the special needs of the residents in mind, for instance:
 - (1) Single beds equipped with box springs and mattress or solid link springs and no-sag innerspring or foam mattress, pillows suited to individual needs and preferences, a clean top and bottom sheet and pillow cases, bedspreads and clean, warm, washable coverings. Hospital beds appropriately equipped shall be furnished as needed.

- (2) Bedside table (or chest) with lamp and switch within easy reach of resident.
 - (3) Bureau or chest and mirror.
 - (4) Curtains or draperies and bedspreads of attractive colors.
 - (5) Arm chairs (rockers or straight as preferred).
 - (6) Individual towels and wash cloths.
- c. Living and dining rooms appropriately and attractively furnished with special needs of residents in mind.
- *d. The house shall be attractively decorated in light cheerful colors.

D. Services

1. Personal Care

Responsible staff must be on duty at all times to:

- a. Encourage and assist residents to care for their grooming, clothing, and toilet articles. This includes care of hair, mouth, gums, body, teeth/dentures, fingernails, toenails, clothing and personal items (comb, brush, etc.).
- b. Allow residents freedom of movement (Not to be locked in rooms or physically restrained unless on written instruction of the resident's physician. See Section III, D, 2, e, page 14).
- c. Assist residents on an individual basis with their eating, walking, dressing, bathing, going up and down steps, and correspondence and shopping when necessary.
- d. Supervise residents who smoke.
- e. Evacuate all residents in an emergency.
- *f. Assure that residents are dressed in day clothing when using the living room, dining room and other recreational areas.

2. Health Care

- a. Only occasional or incidental medical care, such as one receives in his own home, is provided.
- b. The resident and/or his family must be allowed to choose a physician to attend him.
- c. Only medication (both legend and non-legend) prescribed by a physician shall be given.
- d. Medication shall be given to the residents by the operator or a qualified person authorized by the operator.