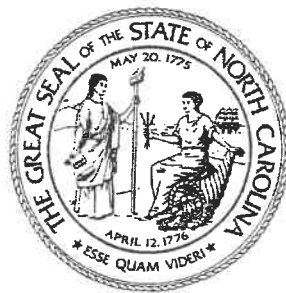


Family Care Homes

Minimum Standards And Regulations

April 1, 1984



North Carolina
Department of Human Resources
Division of Social Services
325 North Salisbury Street
Raleigh, North Carolina 27611

I. INTRODUCTION

A Family Care Home is a residence licensed to care for two to six persons 18 years of age or older. It is often the best substitute home for a person who, because of age or disability, needs supervision and personal care and only occasional or incidental medical care, such as may be provided in the home of any individual or family.

The services and accommodations of the Family Care Home are designed to enable individuals to function to the maximum of their abilities in a family setting. Such homes may be located in rural areas, small towns or cities where persons in need of a substitute home may remain in the local community near friends and relatives and continue to participate in activities in the home and the community.

The purpose of a license is to guarantee that at least minimum standards are met to assure aged and disabled persons the personal care, supervision and safe accommodations they need. To receive and maintain a license to operate a Family Care Home, a home licensed as of April 1, 1984 must meet all of the Standards and Regulations contained in this document. Family Care Homes licensed before April 1, 1984 must also meet all of these Standards and Regulations unless otherwise indicated.

History of Licensure

The North Carolina General Assembly, in 1945, authorized the State Division of Social Services (then the Department of Public Welfare) to inspect and license, under rules and regulations adopted by the State Commission of Social Services, all boarding homes, rest homes, and convalescent homes, charging for the care of two or more aged or infirm persons not connected by blood or marriage to the home's operator.

In 1973, the General Assembly, under the Executive Reorganization Act, created the Department of Human Resources and authorized it to inspect and license, under rules and regulations adopted by the Social Services Commission, these same facilities. The Department of Human Resources designated the Division of Facility Services to issue licenses to these homes.

Statutory Authority

A. Rulemaking

As of April 1, 1984, the Social Services Commission continues to have the responsibility for setting rules and regulations for these facilities under General Statute 143B-153(3):

"(3) The Social Services Commission shall have the power and duty to establish and adopt standards:

- b. For the inspection and licensing of all boarding homes, rest homes and convalescent homes for aged or infirm persons as provided by G.S. 108-77"

The Social Services Commission has established the Standards and Regulations with which a licensed home must comply in order to obtain and maintain a license and thereby operate as a business within the State. Any proposed changes in these Standards and Regulations must be reviewed and adopted by the Commission. These Standards and Regulations are filed with the State Attorney General's office in the form of administrative rules.

The administrative rules applicable to these Standards and Regulations for Family Care Homes are contained in 10 NCAC 42C of the North Carolina Administrative Code. The citation "10 NCAC 42C" refers to Title 10, Subchapter 42C of the North Carolina Administrative Code.

The language and organization of the administrative rules of Subchapter 42C are nearly identical to that of the Standards and Regulations contained in this document which has been prepared for everyday use. The administrative rules of Subchapter 42C are cross-referenced with these Standards and Regulations since the administrative rules may be cited by the licensing agency in official correspondence to a licensed Family Care Home.

B. Licensing

The Division of Facility Services issues licenses in accordance with General Statute 131D-2 which replaced "G.S. 108-77".

General Statute 131D-2, the licensing law as amended in July, 1983, describes the facilities as domiciliary homes and classifies them by three types:

- (1) Family Care Homes serving two to six residents;
- (2) Group Homes for Developmentally Disabled Adults serving two to nine developmentally disabled adult residents; and
- (3) Homes for the Aged and Disabled serving seven or more residents.

It defines "domiciliary home" as: "any facility, by whatever name it is called, which provides residential care for aged or disabled persons whose principal need is a home which provides the supervision and personal care appropriate to their age or disability. Medical care at a domiciliary home is only occasional or incidental, such as may be given in the home of any individual or family, but medication is administered by designated staff of the home. Personal care given in a domiciliary home includes direct assistance, by designated staff, to residents in personal grooming, bathing, dressing, feeding, shopping, laundering clothes, handling personal finances, arranging transportation, scheduling medical or business appointments, as well as attending to any personal needs residents may be incapable of or unable to attend for themselves. Domiciliary homes are to be distinguished from nursing homes subject to licensure under G.S. 131E-102."

The section of the licensing law which describes the responsibility and authority of the Department of Human Resources in the inspection and licensure of domiciliary homes (G.S. 131D-2) is contained in the appendix. (Appendix A).

The local health department may be contacted to provide necessary tuberculosis screening. See Appendix B for tuberculosis tests recommended by the Division of Health Services for people working and living in high risk settings.

- d. The Division of Facility Services and the county department of social services may jointly request at any time a medical or psychological examination of any staff member or live-in person. This may be done when in their judgment the person, due to a physical or mental condition, is not adequately performing his/her required duties, is jeopardizing the health of others living in the home, or is adversely affecting the performance of staff duties.

IV. THE BUILDING

A. Location (10 NCAC 42C .2101)

1. The home must be in a location approved by local zoning boards.
2. The home must be a safe distance from streets, highways, railroads, open lakes, ditches, creeks and other hazards.
3. The home must be located on a street, road or highway easily accessible by car.
4. Plans for the building and site are to be reviewed and approved by the Construction Section of the Division of Facility Services.

B. General Construction and Maintenance (10 NCAC 42C .2102)

1. The home must meet the single family residential building code requirements of the North Carolina Insurance Department. In addition, the following apply to facilities licensed after February 1, 1983, facilities which increase bed capacity, and facilities which change ownership:
 - a. Facilities keeping up to six residents, all of whom are ambulatory, must have all walls and ceilings protected with plaster or gypsum wallboard, or fire retardant treated wood, or have all combustible wall and ceiling finishes painted with an approved fire retardant paint or varnish.
 - b. Facilities keeping up to six residents with one, two or three classified as non-ambulatory and/or semi-ambulatory must meet Section 510 of the North Carolina State Building Code.

- c. Facilities which keep more than three non-ambulatory and/or semi-ambulatory residents must meet the institutional requirements of the North Carolina State Building Code.
2. The home must be of standard wood frame, brick, block or veneer.
3. The home must be one story in height, or two stories in height and meet the following requirements:
 - a. Each floor must be less than 1800 square feet in area.
 - b. Aged or disabled persons are not to be housed on the second floor.
 - c. Required resident facilities are not to be located on the second floor.
 - d. A complete fire alarm system with pull stations on each floor and sounding devices which are audible throughout the building must be provided. The fire alarm system must be able to transmit an automatic signal to the local fire department where possible.
 - e. Interconnected U.L. approved products of combustion detectors directly wired to the house current must be installed on each floor.
4. The basement is not to be used for residents' storage or sleeping.
5. The attic is not to be used for storage or sleeping.
6. The ceiling must be at least seven and one-half feet from the floor.
7. In facilities licensed as of April 1, 1984 all required resident areas must be on the same floor level. Steps between levels will not be permitted.
8. The door width must be a minimum of two feet and six inches in the kitchen(s), dining room(s), living room(s), bedrooms and bathroom(s).
9. The building must meet sanitary requirements as determined by the North Carolina Division of Health Services.
10. All windows must be maintained operable.

C. Physical Environment (10 NCAC 42C .2201)

The home must provide ample living arrangements to meet the individual needs of the residents, the live-in staff and other live-in persons. The following requirements must be met:

1. Living Room (10 NCAC 42C .2202)

- a. Homes licensed as of April 1, 1984 must have a living room area of at least 200 square feet.
- b. All living rooms must be ventilated with windows and well lighted.

2. Dining Room (10 NCAC 42C .2203)

- a. Homes licensed as of April 1, 1984 must have a dining room or area of at least 120 square feet. The dining room can be used for other appropriate activities during the day.
- b. When the dining area is used in combination with a kitchen, an area five feet wide must be allowed as work space in front of the kitchen work areas. The work space is not to be used as the dining area.
- c. The dining room must be ventilated with windows and well lighted.

3. Kitchen (10 NCAC 42C .2204)

- a. The kitchen must be large enough to provide for the preparation and preservation of food and the washing of dishes.
- b. The cooking unit must be mechanically ventilated to the outside.
- c. The kitchen floor must have a non-slippery water-resistant covering.

4. Bedrooms (10 NCAC 42C .2205)

- a. There must be bedrooms sufficient in number and size to meet the individual needs according to age and sex of the residents, the administrator or supervisor-in-charge, other live-in staff and any other persons living in the home. Residents are not to share bedrooms with staff or other live-in non-residents.
- b. Only rooms authorized as bedrooms are to be used for residents' bedrooms.

- c. A room where access is through a bathroom, kitchen or another bedroom will not be approved for a resident's bedroom.
 - d. There must be a minimum area of 100 square feet, excluding vestibule, closet or wardrobe space, in rooms occupied by one person and a minimum area of 80 square feet per bed, excluding vestibule, closet or wardrobe space, in rooms occupied by two or three persons.
 - e. The total number of residents assigned to a bedroom must not exceed the number authorized for that particular bedroom.
 - f. A bedroom may not be occupied by more than three residents.
 - g. Each resident bedroom must be ventilated with window(s) and well lighted. The window area must be equivalent to at least eight percent of the floor space. The window(s) must be low enough to see outdoors from the bed and chair, with a maximum 36 inch sill height.
 - h. Bedroom closets or wardrobes must be large enough to provide each resident with a minimum of 48 cubic feet of hanging clothing storage space (approximately two feet deep by three feet wide of hanging space by eight feet high).
5. Bathroom (10 NCAC 42C .2206)
- a. Facilities licensed as of April 1, 1984 must have one full bathroom for each five or fewer persons including live-in staff and family.
 - b. If there is a question whether a home licensed before April 1, 1984 has a sufficient number of bathrooms, the Division of Facility Services is responsible for determining the size and number of bathrooms required based on the number of persons living in the home.
 - c. The bathroom(s) must be designed to provide privacy. A bathroom with more than one toilet or tub/shower must have privacy partitions or curtains.
 - d. Entrance to the bathroom is not to be through a kitchen, another person's bedroom, or another bathroom.
 - e. The bathroom must be located as conveniently as possible to the residents' bedrooms.
 - f. Hand grips must be installed at all commodes, tubs and showers on the floor level used by the residents.

- g. Nonskid surfacing or strips must be installed in showers and bath areas.
 - h. The bathroom must be well lighted and adequately ventilated.
 - i. The bathroom floor must have a non-slippery water-resistant covering.
6. Storage Areas (10 NCAC 42C .2207)
- a. Storage areas must be adequate in size and number for separate storage of clean linens; soiled linens; food and food service supplies; and household supplies and equipment.
 - b. There must be separate locked area(s) for storing cleaning agents, bleaches, pesticides, and other substances which may be hazardous if ingested, inhaled or handled.
 - c. Drug Storage
 - (1) All drugs (prescription and non-prescription drugs, including topical preparations) must be stored in a well lighted and well ventilated locked cabinet or closet located other than in the bathroom, kitchen or laundry areas.
 - (2) This locked cabinet or closet must be large enough to store all drugs in an orderly manner. Dividers are to be installed or containers provided in the cabinet or closet to separate each resident's drugs with proper labeling for each resident.
 - (3) Drugs "for external use" must be stored in a designated area separate from internal drugs.
 - (4) Drugs requiring refrigeration must be stored in a separate locked box in the refrigerator or in a lockable drug-only refrigerator, capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C).
 - (5) First aid supplies must be immediately available and stored separately in a secure and orderly manner, out of the sight of residents and the general public.
 - (6) Drugs may be stored in the resident's room for his/her self-administration upon the written approval and instructions of the prescriber. The home must take reasonable precautions to

assure that they are stored and maintained in a safe and secure manner to protect against contamination, spillage, misidentity and pilferage. In establishing a means for safe storage with the resident and the prescriber, the home must take into account the status of the residents and others living in the home, the degree to which the resident needs immediate access to the drug, and the potential harm of the drug should it be misused.

7. Corridor (10 NCAC 42C .2208)

- a. Corridors must be a minimum clear width of three feet.
- b. Corridors must be lighted sufficiently with night lights providing 1 foot-candle power at the floor.
- c. Corridors must be free of all equipment and other obstructions.

8. Outside Entrances/Exits (10 NCAC 42C .2209)

- a. All floor levels must have at least two exits. If there are only two, the exits must be as remote from each other as reasonably possible.
- b. At least one entrance/exit door must be a minimum clear width of three feet and another must be a minimum clear width of two feet and eight inches.
- c. At least two outside entrances/exits for the residents' floor level must be at ground level or accessible by ramp with a 1 inch rise for each 12 inches of length of the ramp. If there are only two entrances/exits, the entrances/exits must be as remote from each other as reasonably possible.
- d. All exit door locks must be easily operable, by a single hand motion, from the inside at all times without keys.
- e. All entrances/exits must be free of all obstructions or impediments to allow for full instant use in case of fire or other emergency.
- f. All steps, porches, stoops and ramps must be provided with handrails and guardrails.

9. Laundry Room (10 NCAC 42C .2210)

The laundry equipment must be located out of the living, dining, and bedroom areas.

10. Floors (10 NCAC 42C .2211)

- a. All floors must be of smooth, non-skid material and so constructed as to be easily cleanable.
- b. Scatter or throw rugs are not to be used.
- c. All floors must be kept in good repair.

11. Outside Premises (10 NCAC 42C .2215)

- a. The outside grounds must be maintained in a clean and safe condition, in accordance with the rules of the Division of Health Services governing the sanitation of residential care facilities.
- b. If the home has a fence around the premises, the fence must not prevent residents from exiting or entering freely or be hazardous.
- c. General outdoor lighting must be adequate to illuminate walkways and drives.

D. Building Service Equipment (10 NCAC 42C .2214)

1. There must be an approved central heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions. Built-in electric heaters, if used, must be installed or protected so as to avoid hazards to residents and room furnishings. Unvented fuel burning room heaters and portable electric heaters are prohibited.
2. Air conditioning or at least one fan per resident bedroom and living and dining areas must be provided when the temperature in the main center corridor exceeds 88 degrees F (31 degrees C).
3. The hot water tank must be of such size to provide an adequate supply of hot water to the kitchen, bathrooms, and laundry. The hot water temperature at all fixtures used by residents must be maintained at a minimum of 100 degrees F (38 degrees C) and must not exceed 110 degrees F (43 degrees C).
4. All resident areas must be well lighted for the safety and comfort of the residents. The minimum lighting required is:
 - a. 30 foot-candle power for reading;
 - b. 10 foot-candle power for general lighting; and

- c. 1 foot-candle power at the floor for corridors at night.
 5. Where the bedroom of the live-in staff is located in a separate area from residents' bedrooms, an electrically operated sounding device must be provided connecting each resident bedroom to the live-in staff bedroom. The resident call switches, must be such that they can be activated with a single action and remain on until switched off by staff. The call switch must be within reach of the resident lying on his/her bed.
- E. Fire Safety Requirements (10 NCAC 42C .2213)
1. For specific requirements of two-story homes, see Section IV, B,3,d and e, page 19.
 2. Fire extinguishers of the type recommended by the fire inspector must be provided. The minimum requirements are:
 - a. one ten pound (net charge) "A-B-C" type centrally located; and
 - b. one ten pound "A-B-C" or CO₂ type located in the kitchen.
 3. The home must provide automatic, single station U.L. listed smoke (ionization) detectors in locations as determined by the Division of Facility Services and U.L. listed heat detectors in the attic and basement. These detectors must be directly wired to the house current.
 4. Any other fire safety requirements required by city ordinances or county building inspectors must be met.
 5. A written fire evacuation plan including a diagrammed drawing which has the approval of the local fire department must be prepared in large print and posted in a central location on each floor. This plan must be reviewed with each resident on admission and must be a part of the orientation for all new staff.
 6. There must be at least four fire rehearsals each year with at least one total evacuation of the building every six months. Records of rehearsals are to be maintained and copies furnished to the county department of social services for submission to the Division of Facility Services annually. The records must include the date and time of the rehearsals, staff members present, the length of time for the total evacuations, and a short description of what the rehearsal involved.
 7. Fireplaces, fireplace inserts and wood stoves must be designed or installed so as to avoid a burn hazard to

residents. Fireplace inserts and wood stoves must be U.L. listed.

F. Housekeeping and Furnishings (10 NCAC 42C .2212)

1. The building and all fire safety, electrical, mechanical, and plumbing equipment must be maintained in a safe and operating condition.
2. Each home must:
 - a. have walls, ceilings, and floors or floor coverings kept clean and in good repair;
 - b. have no unpleasant odors;
 - c. have furniture clean and in good repair;
 - d. have a sanitary grade of 90 or above at all times.
 - e. be maintained in an uncluttered, clean and orderly manner, free of all obstructions and hazards;
 - f. have an adequate supply of bath soap, clean towels, washcloths, sheets, pillow cases, blankets, and additional coverings on hand at all times;
 - g. make available the following items as needed through any means other than charge to the personal funds of recipients of State-County Special Assistance--
 - (1) protective sheets and clean, absorbent soft and smooth pads;
 - (2) bedpans, urinals, hot water bottles, and ice caps;
 - (3) bedside commodes, walkers, and wheelchairs;
 - h. have television and radio, each in good working order; and
 - *i. have curtains, draperies or blinds, where appropriate.
3. Residents will be allowed to bring their own furniture and personal belongings if permitted by the home.
4. Each bedroom must have the following furnishings in good repair and clean for each resident:
 - a. Single bed equipped with box springs and mattress or solid link springs and no-sag innerspring or foam mattress. Hospital bed appropriately equipped must be arranged for as needed. A double bed is allowed

if used only for single occupancy, unless occupied by husband and wife. A water bed is allowed if requested by a resident and permitted by the home. Each bed is to have the following--

- (1) at least one pillow with clean pillow case;
 - (2) clean top and bottom sheets on the bed, with bed changed as often as necessary but at least once a week;
 - (3) clean bedspread and other clean coverings as needed;
- b. a bedside type table for each bed accessible to the resident while in bed;
 - c. chest of drawers or bureau when not provided as built-ins, or a double chest of drawers or double dresser for two residents;
 - d. a wall or dresser mirror that can be used by each resident;
 - e. a minimum of one comfortable chair (rocker or straight, arm or without arms, as preferred by resident), high enough from floor for easy rising.
 - f. additional chairs available, as needed, for use by visitors;
 - g. individual clean towel and wash cloth, and towel bar; and
 - h. a bedside lamp or a light overhead of bed with a toggle switch within reach of person lying on bed. The light must be of 30 foot-candle power for reading.
5. Living room must have the following furnishings:
- a. functional living room furnishings for the comfort of aged and disabled persons, with coverings easily cleanable;
 - b. recreational equipment, supplies for games, books, and reasonably current magazines;
 - *c. an easily readable clock; and
 - *d. a newspaper.

6. The dining room must have the following furnishings:
 - a. tables and chairs to seat all residents at one time; and
 - *b. movable, non-folding chairs designed to minimize tilting.

V. SERVICES (10 NCAC 42C .2301)

A. Personal Services

Responsible staff must be on duty at all times to:

1. encourage and assist residents to care for their grooming, clothing, and toilet articles. This includes care of body, hair, gums, teeth/dentures, fingernails, clothing and personal items (comb, brush, etc.).
2. allow all residents freedom of movement.
3. assist residents, when necessary, on an individual basis with their bathing, dressing, eating, walking, going up and down steps, correspondence, shopping, and scheduling of medical and business appointments, as well as attend to any personal needs residents may be incapable of or unable to attend for themselves.
4. supervise, on an individual basis, residents who smoke and need supervision. The degree of supervision will be at the discretion of the administrator or supervisor-in-charge.

*The home must have a written policy on smoking.

5. evacuate all residents in an emergency.
6. assure that residents are dressed in appropriate clothing when using the living room, dining room, and recreational areas, or when the resident leaves the home for activities in the community.
7. respond immediately in case of an accident or incident involving a resident, and make a proper report of it, as follows:
 - a. The administrator or supervisor-in-charge must notify the county department of social services within 24 hours of any incident/accident which results in injury to a resident. A report is to be made if there is any reason to believe that a resident has been injured. Form DSS-1870 is to be completed by the administrator or supervisor-in-charge and mailed to the county department by the next working day. This written report must indicate how, when and where