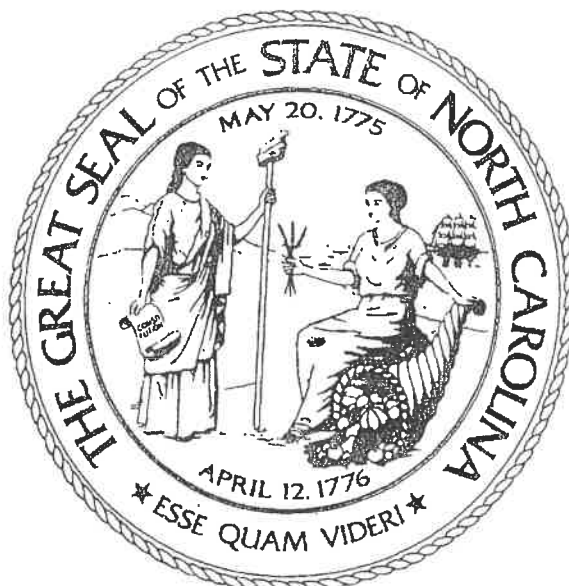


**RULES FOR THE
LICENSING OF ADULT CARE HOMES
(TITLE 10 - SUBCHAPTER 42C AND D)**



DFS

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SECTION .2100 - THE HOME

10 NCAC 42C .2101 LOCATION

- (a) The home must be in a location approved by local zoning boards and be a safe distance from streets, highways, railroads, open lakes and other hazards. It must be located on a street, road or highway accessible by car.
- (b) Plans for the building and site are to be reviewed and approved by the Construction Section of the Division of Facility Services.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984.*

10 NCAC 42C .2102 CONSTRUCTION

- (a) The home must meet applicable requirements of Volume I and I-B of the North Carolina State Building Code in force at the time of initial licensure.
- (b) The home must be one story in height, or two stories in height and meet the following requirements:
 - (1) Each floor must be less than 1800 square feet in area;
 - (2) Aged or disabled persons are not to be housed on the second floor;
 - (3) Required resident facilities are not to be located on the second floor;
 - (4) 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; and
 - (5) Interconnected U.L. approved products of combustion detectors directly wired to the house current must be installed on each floor.
- (c) The basement is not to be used for residents' storage or sleeping.
- (d) The attic is not to be used for storage or sleeping.
- (e) The ceiling must be at least seven and one-half feet from the floor.
- (f) In facilities licensed on or after April 1, 1984, all required resident areas must be on the same floor level. Steps between levels will not be permitted.
- (g) The door width must be a minimum of two feet and six inches in the kitchen, dining room, living rooms, bedrooms and bathrooms.
- (h) The building must meet sanitary requirements as determined by the North Carolina Department of Environment, Health, and Natural Resources; Division of Environmental Health Services.
 - (i) All windows must be maintained operable.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984; January 1, 1983.*

SECTION .2200 - ARRANGEMENT AND SIZE OF ROOMS

10 NCAC 42C .2201 LIVING ARRANGEMENT

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

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984.*

10 NCAC 42C .2202 LIVING ROOM

- (a) Homes licensed on or after April 1, 1984 must have a living room area of at least 200 square feet.
- (b) All living rooms must have operable windows to meet Volume I or I-B as applicable and be lighted to provide 30 foot candles of light at floor level.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984.*

10 NCAC 42C .2203 DINING ROOM

- (a) Homes licensed on or after 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 have operable windows and be lighted to provide 30 foot candles of light at floor level.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984.*

10 NCAC 42C .2204 KITCHEN

- (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.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Amended Eff. April 22, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984.*

10 NCAC 42C .2205 BEDROOMS

- (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 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 shall not be occupied by more than three residents.
- (g) Each resident bedroom must have one or more operable windows and be lighted to provide 30 foot candles of light at floor level. The window area must be equivalent to at least eight percent of the floor space. The windows must be low enough to see outdoors from the bed and chair, with a maximum of 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).

History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984.

10 NCAC 42C .2206 BATHROOM

- (a) Facilities licensed on or after 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 bathrooms must be designed to provide privacy. A bathroom with two or more water closets (commodes) shall have privacy partitions or curtains for each water closet. Each tub or shower shall have privacy partitions or curtains.
- (d) Entrance to the bathroom shall not 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 lighted to provide 30 foot candles of light at floor level and ventilated at the rate of two cubic feet per minute for each square foot of floor area.
- (i) The bathroom floor must have a non-slippery water-resistant covering.

History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984.

*10 NCAC 42C .2207 STORAGE AREAS

- (a) Storage areas shall 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 shall be separate locked areas for storing cleaning agents, bleaches, pesticides, and other substances which may be hazardous if ingested, inhaled or handled. Cleaning supplies shall be supervised while in use.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 1999-0334;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;

*Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;
Temporary Amendment Eff. December 1, 1999;
Amended Eff. July 1, 2000.*

10 NCAC 42C .2208 CORRIDOR

- (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.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984.*

10 NCAC 42C .2209 OUTSIDE ENTRANCE AND EXITS

- (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 one 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.
- (g) In homes with at least one resident who is determined by a physician or is otherwise known to be disoriented or a wanderer, each required exit door shall be equipped with a sounding device that is activated when the door is opened. The sound must be of sufficient volume that it can be heard by staff. A central control panel that will deactivate the sounding device may be used, provided the control panel is located in the bedroom of the person on call within the home.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1987; July 1, 1984; April 1, 1984.*

10 NCAC 42C .2210 LAUNDRY ROOM

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

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984.*

10 NCAC 42C .2211 FLOORS

- (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.

History Note: Authority G.S. 131D-2; 143B-153;

Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984.

10 NCAC 42C .2212 HOUSEKEEPING AND FURNISHINGS

(a) Each home must:

- (1) have walls, ceilings, and floors or floor coverings kept clean and in good repair;
- (2) have no chronic unpleasant odors;
- (3) have furniture clean and in good repair;
- (4) have an approved sanitary classification at all times;
- (5) be maintained in an uncluttered, clean and orderly manner, free of all obstructions and hazards;
- (6) have an adequate supply of bath soap, clean towels, washcloths, sheets, pillow cases, blankets, and additional coverings on hand at all times;
- (7) make available the following items as needed through any means other than charge to the personal funds of recipients of State-County Special Assistance:
 - (A) protective sheets and clean, absorbent, soft and smooth pads;
 - (B) bedpans, urinals, hot water bottles, and ice caps; and
 - (C) bedside commodes, walkers, and wheelchairs;
- (8) have television and radio, each in good working order; and
- (9) have curtains, draperies or blinds, where appropriate.

(b) Residents will be allowed to bring their own furniture and personal belongings if permitted by the home.

(c) Each bedroom must have the following furnishings in good repair and clean for each resident:

- (1) 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:
 - (A) at least one pillow with clean pillow case;
 - (B) clean top and bottom sheets on the bed, with bed changed as often as necessary but at least once a week; and
 - (C) clean bedspread and other clean coverings as needed;
- (2) a bedside type table;
- (3) chest of drawers or bureau when not provided as built-ins, or a double chest of drawers or double dresser for two residents;
- (4) a wall or dresser mirror that can be used by each resident;
- (5) a minimum of one comfortable chair (rocker or straight, arm or without arms, as preferred by resident), high enough from floor for easy rising;
- (6) additional chairs available, as needed, for use by visitors;
- (7) individual clean towel and wash cloth, and towel bar; and
- (8) a light overhead of bed with a switch within reach of person lying on bed; or a lamp. The light must be of 30 foot-candle power for reading.

(d) The living room must have the following furnishings:

- (1) functional living room furnishings for the comfort of aged and disabled persons, with coverings easily cleanable;
- (2) recreational equipment, supplies for games, books, and reasonably current magazines;
- (3) an easily readable clock; and
- (4) a newspaper.

(e) The dining room must have the following furnishings:

- (1) tables and chairs to seat all residents eating in the dining room; tables and chairs equal to the resident capacity of the home must be on the premises; and
- (2) movable, non-folding chairs designed to minimize tilting.

History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;

*Readopted Eff. October 31, 1977;
Amended Eff. September 1, 1987; April 1, 1987; April 1, 1984.*

10 NCAC 42C .2213 FIRE SAFETY EQUIPMENT

- (a) Fire extinguishers must be provided which meet these minimum requirements:
- (1) one five pound or larger (net charge) "A-B-C" type centrally located; and
 - (2) one five pound or larger "A-B-C" or CO/2 type located in the kitchen.
- (b) 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.
- (c) Any other fire safety requirements required by city ordinances or county building inspectors must be met.
- (d) A written fire and disaster 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. The plan must be reviewed with each resident on admission and must be a part of the orientation for all new staff.
- (e) There must be at least four rehearsals of the fire and disaster plan each year. Records of rehearsals are to be maintained and copies furnished to the county department of social services annually. The records must include the date and time of the rehearsals, staff members present, and a short description of what the rehearsal involved.
- (f) 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.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Amended Eff. April 22, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984.*

* **10 NCAC 42C .2214 BUILDING SERVICE EQUIPMENT**

- (a) The building and all fire safety, electrical, mechanical, and plumbing equipment shall be maintained in a safe and operating condition.
- (b) There shall 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, shall 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.
- (c) Air conditioning or at least one fan per resident bedroom and living and dining areas shall be provided when the temperature in the main center corridor exceeds 80 degrees F (26.7 degrees C).
- (d) The hot water tank shall 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 shall be maintained at a minimum of 100 degrees F (38 degrees C) and must not exceed 116 degrees F (46.7 degrees C).
- (e) All resident areas shall be well lighted for the safety and comfort of the residents. The minimum lighting required is:
- (1) 30 foot-candle power for reading;
 - (2) 10 foot-candle power for general lighting; and
 - (3) 1 foot-candle power at the floor for corridors at night.
- (f) Where the bedroom of the live-in staff is located in a separate area from residents' bedrooms, an electrically operated sounding device shall be provided connecting each resident bedroom to the live-in staff bedroom. The resident call switches, shall be such that they can be activated with a single action and remain on until switched off by staff. The call switch shall be within reach of resident lying on his bed.
- (g) Alternate methods, procedures, design criteria and functional variations from the requirements of this Rule or other rules in this Section because of extraordinary circumstances, new programs or unusual conditions, may be approved by the Division when the facility can effectively demonstrate to the Division's satisfaction that the intent of the requirements are met and that the variation does not reduce the safety or operational effectiveness of the facility.

History Note: Authority G.S. 131D-2; 143B-165; S.L. 1999-0334;

Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1987; April 1, 1984; July 1, 1982;
Temporary Amendment Eff. December 1, 1999;
Amended Eff. July 1, 2000.

10 NCAC 42C .2215 OUTSIDE PREMISES

- (a) The outside grounds must be maintained in a clean and safe condition, in accordance with the rules governing the sanitation of residential care facilities of the North Carolina Department of Environment, Health, and Natural Resources; Division of Environmental Health Services.
- (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) Outdoor walkways and drives must be illuminated by no less than five foot candles of light at ground level.

History Note: Authority G.S. 131D-2; 143B-153;;
Eff. April 1, 1984;
Amended Eff. July 1, 1990.