

1 10A NCAC 14D .0203 is proposed as a temporary rule as follows:

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3 **10A NCAC 14D .0203 DESIGN AND CONSTRUCTION**

4 (a) Any adult day care program intending to provide overnight respite services for the first time shall meet the
5 applicable requirements of the North Carolina State Building Code. All new construction, additions and renovations
6 to existing buildings shall meet the requirements of the North Carolina State Building Code. All applicable volumes
7 of The North Carolina State Building Code, which is incorporated by reference, including all subsequent
8 amendments, may be purchased from the North Carolina Department of Insurance Engineering Division for
9 \$653.25.

10 (b) Each facility, in which overnight respite services is provided, shall be constructed, equipped and maintained to
11 provide the services offered.

12 (c) Any existing building converted from another use that the adult day care program intends to use for overnight
13 respite services shall meet all the requirements contained in this subchapter and the requirements for a certified adult
14 day care program.

15 (d) For any overnight respite care services program that was terminated by DHSR pursuant to Section 1(c) of S.L.
16 2011-104, if the space remains terminated for at least 60 days, the space shall meet all applicable requirements for a
17 new service facility prior to again being allowed to offer services.

18 (e) Any existing adult day care program intending to offer overnight respite care services that is planning new
19 construction, remodeling or physical changes done to the facility shall have drawings submitted by the owner or his
20 or her appointed representative to the Construction Section for review and approval prior to commencement of the
21 work.

22 (f) If the building to be used for overnight respite care services is two stories in height, it shall meet the following
23 requirements:

24 (1) construction, shall not exceed the allowable area for occupancy in the North Carolina State
25 Building Code;

26 (2) aged or disabled persons shall not be housed on any floor above or below grade level; and

27 (3) required resident facilities shall not be located on any floor above or below grade level.

28 (g) The basement and the attic shall not to be used for storage or sleeping.

29 (h) The ceiling shall be at least seven and one-half feet from the floor.

30 (i) Steps between levels are not permitted.

31 (j) The door width shall be a minimum of two feet and six inches in the kitchen, dining room, living room,
32 bedrooms and bathrooms.

33 (k) All windows shall be maintained operable.

34 (l) The local code enforcement official shall be consulted before starting any construction or renovations for
35 information on required permits and construction requirements.

36 (m) The building shall meet sanitation requirements as determined by the North Carolina Department of Health and
37 Human Services, Division of Public Health.

1 (n) The building shall have current sanitation and fire and building safety inspection reports which shall be
2 maintained in the facility and available for review.

3 (o) A complete fire alarm system with pull stations on each floor and sounding devices which are audible
4 throughout the building shall be provided. The fire alarm system shall be able to transmit an automatic signal to the
5 local emergency fire department dispatch center, either directly or through a central station monitoring company
6 connection. Fire alarm system shall be installed in accordance with National Fire Protection Association (NFPA) 72,
7 which is incorporated by reference with all subsequent amendments.

8 (p) The facility shall be equipped with a wet pipe sprinkler system in accordance with NFPA 13, which is
9 incorporated by reference with all subsequent amendments.

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11 *History Note: Authority S.L. 2011-104;*

12 *Eff. January 1, 2012.*