

1 10A NCAC 13F .0302 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 13F .0302 DESIGN AND CONSTRUCTION**

4 (a) ~~Any~~ A building licensed for the first time as an adult care home or a licensed adult care home that is closed or
5 vacant and not serving residents for more than one year for reasons other than approved construction or remodeling
6 shall meet the requirements of the North Carolina State Building Code Codes for new construction. All new
7 construction, additions additions, alterations, repairs, modifications, and renovations to existing buildings shall meet
8 the requirements of the North Carolina State Building Code Codes for I-2 Institutional Occupancy if the facility houses
9 13 or more residents or the North Carolina State Building Code Codes requirements for Large Residential Care
10 Facilities if the facility houses seven to twelve residents. The North Carolina State Building Code, all applicable
11 volumes, Codes, which is are incorporated by reference, including all subsequent amendments and editions, may be
12 purchased from the Department of Insurance Engineering Division located at 322 Chapanoke Road, Suite 200,
13 Raleigh, North Carolina 27603 at a cost of three hundred eighty dollars (\$380.00). International Code Council online
14 at <https://shop.iccsafe.org/> at a cost of eight hundred fifty-eight dollars (\$858.00) or accessed electronically free of
15 charge at <https://codes.iccsafe.org/codes/north-carolina>. Licensed facilities shall meet the North Carolina State
16 Building Codes in effect at the time of licensure, construction, or remodeling. The facility shall also meet all of the
17 rules of this Section.

18 (b) ~~Each facility shall be planned, constructed, equipped and maintained to provide the services offered in the facility.~~
19 A facility shall not offer services for which the facility was not planned, constructed, equipped, or maintained.

20 (c) ~~Any existing~~ A building converted from another use to an adult care home shall meet all requirements of ~~a new~~
21 facility. Paragraph (a) of this Rule.

22 (d) ~~Any existing licensed facility that is closed or vacant for more than one year shall meet all requirements of a new~~
23 facility.

24 ~~(e)~~(d) The sanitation, water supply, sewage disposal disposal, and dietary facilities for facilities with a licensed
25 capacity of 13 or more residents shall comply with the rules of the North Carolina Division of Environmental Health,
26 which are incorporated by reference, including all subsequent amendments. The "Rules Governing the Sanitation of
27 Hospitals, Nursing and Rest Homes, Sanitariums, Sanatoriums, and Educational and Other Institutions", Rules
28 Governing the Sanitation of Hospitals, Nursing Homes, Adult Care Homes and Other Institutions set forth in 15A
29 NCAC 18A .1300 .1300, which are available for inspection at the Department of Environment and Natural Resources,
30 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Copies may be obtained from
31 Environmental Health Services Section, 1632 Mail Service Center, Raleigh, North Carolina 27699 1632 at no cost.
32 are hereby incorporated by reference, including subsequent amendments and editions. The sanitation, water supply,
33 sewage disposal, and dietary facilities for facilities with a licensed capacity of 7 to 12 residents shall comply with
34 Rules Governing the Sanitation of Residential Care Facilities set forth in 15A NCAC 18A .1600, which are hereby
35 incorporated by reference, including subsequent amendments and editions. Copies of these rules may be accessed
36 online free of charge at <https://www.oah.nc.gov/>.

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

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4 *History Note: Authority G.S. 131D-2.16; 143B-165;*
5 *Eff. January 1, 1977;*
6 *Readopted Eff. October 31, 1977;*
7 *Amended Eff. July 1, 1990; September 1, 1986; April 1, 1984;*
8 *Temporary Amendment Eff. September 1, 2003;*
9 *Amended Eff. June 1, 2004;*
10 *Temporary Amendment Eff. July 1, 2004;*
11 *Amended Eff. July 1, 2005- 2005;*
12 *Readopted Eff. January 1, 2025.*