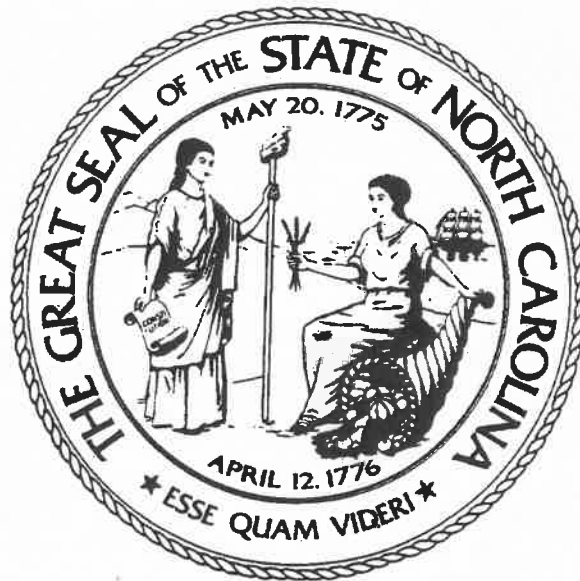


**RULES FOR THE
LICENSING OF ADULT CARE HOMES
(TITLE 10 - SUBCHAPTER 42C AND D)**



DFS

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SECTION .1500 - THE BUILDING

10 NCAC 42D .1501 LOCATION

In addition to the requirements in 10 NCAC 42C .2101, the following shall apply:

- (1) A home for the aged and disabled may be located in an existing building or in a building newly constructed specifically for that purpose; and
- (2) 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. January 1, 1991; April 1, 1984.*

10 NCAC 42D .1502 CONSTRUCTION

(a) Any building licensed for the first time must meet the requirements of the North Carolina State Building Code for new construction as well as all of the rules of this Section. No horizontal exits shall be permitted in newly constructed facilities or new additions to existing facilities.

(b) In a facility licensed before April 1, 1984, the building must meet and be maintained to meet all the requirements for new construction required by the North Carolina State Building Code in effect at the time the building was constructed. Where code requirements require a modification of the building's structural system, an alternative method may be used to meet the intent of the code.

(c) In a facility licensed before April 1, 1984 and constructed prior to January 1, 1975, the building, in addition to meeting the requirements of the North Carolina State Building Code in effect at the time the building was constructed, shall be provided with the following:

- (1) A fire alarm system with pull stations near each exit and sounding devices which are audible throughout the building must be provided.
- (2) Products of combustion (smoke) U/L listed detectors in all corridors. The detectors must be no more than 60 feet from each other and no more than 30 feet from any end wall.
- (3) Heat detectors or products of combustion detectors in all storage rooms, kitchens, living rooms, dining rooms and laundries.
- (4) All detection systems interconnected with the fire alarm system.
- (5) Emergency power for the fire alarm system, heat detection system, and products of combustion detection system. The emergency power for these systems may be a manual start system capable of monitoring the building for 24-hours and sound the alarm for five minutes at the end of that time. The emergency power for the emergency lights shall be a manual start generator or a U/L approved trickle charge battery system capable of providing light for 1-1/2 hours when normal power fails.

(d) The building must meet sanitary requirements as determined by the North Carolina Division of Health Services.

(e) Effective July 1, 1987, resident bedrooms and resident services shall not be permitted on the second floor of any facility licensed prior to April 1, 1984 and classified as two-story wood frame construction by the North Carolina State Building Code.

*History Note: Authority G.S. 131D-2; 143B-153;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; September 1, 1986; April 1, 1984.*

10 NCAC 42D .1503 PHYSICAL ENVIRONMENT

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

- (1) The requirements for each living room and recreational area are:
 - (a) Each living room and recreational area shall be located off a lobby or corridor and enclosed with walls and doors;
 - (b) In buildings with a licensed capacity of 15 or less, there shall be a minimum area of 250 square feet;
 - (c) In buildings with a licensed capacity of 16 or more, there shall be a minimum of 16 square feet per resident; and
 - (d) Each living room and recreational area shall have windows.
- (2) The requirements for the dining room are:
 - (a) The dining room shall be located off a lobby or corridor and enclosed with walls and doors;
 - (b) In buildings with a licensed capacity of 15 or less, there shall be a minimum of 200 square feet;
 - (c) In building with a licensed capacity of 16 or more, there shall be a minimum of 14 square feet per resident; and
 - (d) The dining room shall have windows.
- (3) The requirements for the kitchen are:
 - (a) The size of the kitchen and the kitchen equipment shall meet the sanitation requirements of the North Carolina Department of Environment, Health, and Natural Resources; Division of Environmental Health. Scaled drawings and specifications shall be submitted to the Division of Facility Services; and
 - (b) In areas where approved water and sewer services are not available, the owner shall secure from the local sanitarian instructions on the installation of an approved water and sewer system and comply with these instructions.
- (4) The requirements for the bedroom are:
 - (a) The number of resident beds set up shall not exceed the licensed capacity of the facility;
 - (b) There shall 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 shall not share bedrooms with staff or other live-in non-residents;
 - (c) Only rooms authorized as bedrooms shall be used for residents' bedrooms;
 - (d) Bedrooms shall be located on an outside wall and off a corridor. A room where access is through a bathroom, kitchen, or another bedroom shall not be approved for a resident's bedroom;
 - (e) There must shall 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 more people;
 - (f) The total number of residents assigned to a bedroom shall not exceed the number authorized for that particular bedroom;
 - (g) A bedroom may not be occupied by more than four residents. This does not apply to homes licensed before April 1, 1984, with five residents occupying one bedroom, which meet all other rules of this Subchapter;
 - (h) Resident bedrooms shall be designed to accommodate all required furnishings;
 - (i) Each resident bedroom shall be ventilated with one or more windows which are maintained operable and well lighted. The window area shall be equivalent to at least eight percent of the floor space. The windows shall be low enough to see outdoors from the bed and chair, with a maximum 36 inch sill height; and
 - (j) Bedroom closets or wardrobes shall 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) The requirements for bathrooms and toilet rooms are:
 - (a) Minimum bathroom and toilet facilities shall include a toilet and a hand lavatory for each 5 residents and a tub or shower for each 10 residents or portion thereof;

- (b) Entrance to the bathroom shall not be through a kitchen, another person's bedroom, or another bathroom;
 - (c) Toilets and baths for staff and visitors shall be in accordance with Volume II, Plumbing, North Carolina Building Code;
 - (d) Bathrooms and toilets accessible to the physically handicapped shall be provided as required by Section 11X, Volume I, North Carolina Building Code;
 - (e) The bathrooms and toilet rooms shall be designed to provide privacy. Bathrooms and toilet rooms 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;
 - (f) Hand grips shall be installed at all commodes, tubs and showers used by or accessible to residents;
 - (g) Each home shall have at least one bathroom opening off the corridor with: a door three feet minimum width, a three feet by three feet roll-in shower designed to allow the staff to assist a resident in taking a shower without the staff getting wet, a bathtub accessible on at least two sides, a lavatory and a toilet. If the tub and shower are in separate rooms, each room shall have a lavatory and a toilet. All fixtures shall meet the State Building Code requirements for the physically handicapped in effect at the time the building was constructed;
 - (h) Bathrooms and toilet rooms shall be located as conveniently as possible to the residents' bedrooms;
 - (i) Resident toilet rooms and bathrooms shall not be utilized for storage or purposes other than those indicated in Item (5) of this Rule;
 - (j) Toilets and baths shall be well lighted and mechanically ventilated at two cubic feet per minute. The mechanical ventilation requirement does not apply to facilities licensed before April 1, 1984, with adequate natural ventilation;
 - (k) Nonskid surfacing or strips shall be installed in showers and bath areas; and
 - (l) The floors of the bathrooms and toilet rooms shall have, water-resistant covering.
- (6) The requirements for storage rooms and closets are:
- (a) General Storage for the Home. A minimum area of five square feet (40 cubic feet) per licensed capacity shall be provided. This storage space shall be either in the facility or within 500 feet of the facility on the same site;
 - (b) Linen Storage. Storage areas shall be adequate in size and number for separate storage of clean linens and separate storage of soiled linens. Access to soiled linen storage shall be from a corridor or laundry room;
 - (c) Food Storage. Space shall be provided for dry, refrigerated and frozen food items to comply with sanitation regulations;
 - (d) Housekeeping storage requirements are:
 - (i) A housekeeping closet, with mop sink or mop floor receptor, shall be provided at the rate of one per 60 residents or portion thereof; and
 - (ii) 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;
 - (e) Handwashing facilities with wrist type lever handles shall be provided immediately adjacent to the drug storage area;
 - (f) Storage for Resident's Articles. Some means for residents to lock personal articles within the home shall be provided; and
 - (g) Staff Facilities. Some means for staff to lock personal articles within the home shall be provided.
- (7) The requirements for corridors are:
- (a) Doors to spaces other than small reach-in closets shall not swing into the corridor;
 - (b) Handrails shall be provided on both sides of corridors at 36 inches above the floor and be capable of supporting a 250 pound concentrated load;
 - (c) Corridors shall be lighted sufficiently with night lights providing 1 foot-candle power at the floor; and
 - (d) Corridors shall be free of all equipment and other obstructions.
- (8) The requirements for outside entrances and exits are:
- (a) Public and service entrances shall not be through required resident areas;
 - (b) All steps, porches, stoops and ramps shall be provided with handrails and guardrails; and

- (c) All exit door locks shall be easily operable, by a single hand motion, from the inside at all times without keys.
- (d) 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 shall 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 office of the administrator.
- (9) The requirements for floors are:
 - (a) All floors shall be of smooth, non-skid material and so constructed as to be easily cleanable;
 - (b) Scatter or throw rugs shall not be used; and
 - (c) All floors shall be kept in good repair.
- (10) Soil Utility Room. A separate room shall be provided and equipped for the cleaning and sanitizing of bed pans and shall have handwashing facilities.
- (11) Office. There shall be an area within the home large enough to accommodate normal administrative functions.
- (12) The requirements for laundry facilities are:
 - (a) Laundry facilities shall be large enough to accommodate washers, dryers, and ironing equipment or work tables;
 - (b) These facilities shall be located where soiled linens will not be carried through the kitchen, dining, clean linen storage, living rooms or recreational areas; and
 - (c) A minimum of one residential type washer and dryer each shall be provided, even if all laundry services are contracted.
- (13) The requirements for outside premises are:
 - (a) The outside grounds shall be maintained in a clean and safe condition;
 - (b) If the home has a fence around the premises, the fence shall not prevent residents from exiting or entering freely or be hazardous; and
 - (c) Outdoor walkways and drives shall be illuminated by no less than five foot-candles of light at ground level.
- (14) Alternate methods, procedures, design criteria and functional variations from the physical environment requirements, 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 physical environment requirements are met and the variation does not reduce the safety or operational effectiveness of the facility.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 1999-0334;
 Eff. January 1, 1977;
 Readopted Eff. October 31, 1977;
 Amended Eff. July 1, 1990; April 1, 1987; July 1, 1984; April 1, 1984;
 Temporary Amendment Eff. December 1, 1999;
 Amended Eff. July 1, 2000.

10 NCAC 42D .1504 HOUSEKEEPING AND FURNISHINGS

- (a) The requirements in 10 NCAC 42C .2212 shall control for this Subchapter, except that a home for the aged and disabled must have an approved sanitary classification at all times in a home with twelve beds or less and must have a sanitary grade of ninety or above at all times in a home with thirteen beds or more.
- (b) In addition to the requirements in 10 NCAC 42C .2212, the dining room in homes for the aged and disabled must have small tables serving from two to eight persons.

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

SECTION .1600 - FIRE SAFETY AND OTHER REQUIREMENTS

10 NCAC 42D .1601 FIRE ALARM SYSTEM

- (a) The fire alarm system must be able to transmit an automatic signal to the local fire department where possible.
- (b) For the minimum fire alarm system in facilities licensed before April 1, 1984, see Rule .1502(c) of this Subchapter.
- (c) Any other applicable fire safety requirements required by city ordinances or county building inspectors must be provided.

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 42D .1602 FIRE EXTINGUISHERS

- (a) At least one five pound or larger (net charge) A-B-C type fire extinguisher is required for each 2,500 square feet of floor area or fraction thereof.
- (b) One five pound or larger (net charge) A-B-C or CO/2 type is required in the kitchen and, where applicable, in the maintenance shop.

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, 1987; April 1, 1984.

10 NCAC 42D .1603 PLAN FOR EVACUATION

- (a) A written fire/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.
- (b) There must be at least 12 rehearsals of the fire/disaster plan each year (four times on each shift).
- (c) Records of rehearsals shall be maintained and copies furnished to the county department of social services annually. The records must include the date and time of the rehearsals, the shift, staff members present, and a short description of what the rehearsal involved.

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

10 NCAC 42D .1604 ELECTRICAL SYSTEM

All electrical outlets in wet locations such as bathrooms and outside of building must have ground fault interrupters.

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 42D .1605 OTHER REQUIREMENTS

- (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 heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions.
- (1) Built-in electric heaters, if used, shall be installed or protected so as to avoid burn hazards to residents and room furnishings.
 - (2) Unvented fuel burning room heaters and portable electric heaters are prohibited.
 - (3) Fireplaces, fireplace inserts and wood stoves shall be designed or installed so as to avoid a burn hazard to residents. Fireplace inserts and wood stoves shall be U.L. listed.
- (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 system shall be of such size to provide an adequate supply of hot water to the kitchen, bathrooms, laundry, housekeeping closets and soil utility room. The hot water temperature at all fixtures used by residents shall be maintained at a minimum of 100 degrees F (38 degrees C) and shall not exceed 116 degrees F (46.7 degrees C).
- (e) All multi-story facilities shall be equipped with elevators.
- (f) In addition to the required emergency lighting, minimum lighting shall be as follows:
- (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.
- (g) The spaces listed in this Paragraph shall be provided with exhaust ventilation at the rate of two cubic feet per minute per square foot. This requirement does not apply to facilities licensed before April 1, 1984, with adequate natural ventilation in these specified spaces:
- (1) soiled linen storage;
 - (2) soil utility room;
 - (3) bathrooms and toilet rooms;
 - (4) housekeeping closets; and
 - (5) laundry area.
- (h) Where required for staffing purposes, an electrically operated call system 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 the resident lying on his bed.

*History Note: Authority G.S. 131D-2; 143B-153; S.L. 1999-0334;
Eff. January 1, 1977;
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