(1) Requirements under this rule "Physical Plant Standards" will be enforced with the effective date of these regulations EXCEPT that homes holding a valid permit prior to the effective date of these regulations, shall comply with the regulations in effect at the time the home was issued a permit or the plans were approved. Provided however, that any such homes which hold a valid permit prior to the effective date of these regulations must comply with these regulations when improvements or modifications are made within any twelve (12) month period and the cost of such improvements or modifications exceeds a total of twenty percent (20%) of the fair market value of the home. If no such improvements are made, the homes holding a valid permit prior to the effective date of these regulations must then comply with these regulations within fifteen (15) years of the effective date of these regulations. In exceptional cases and upon application to the Department by the governing body of the home, variances may be granted at the discretion of the Department (if it determines that these requirements will place an undue burden or extreme hardship on the home or its occupants), provided that the health and safety of the patients is not jeopardized.

290-5-8-.23 New Construction.

(1) General Requirements:

(a) A program narrative and all plans and specifications for construction, including additions, alterations and renovations, shall be approved by the Department prior to commencing work on the building;

(b) The program narrative shall be submitted prior to or along with the schematic or initial plans for construction. The program narrative should include the following:

1. The names and addresses of each owner. If the owner is a public stock corporation, the names and addresses of each officer shall be included;

2. The geographical area to be served;

3. Admission policies;

4. Cooperative programs of service with local agencies, including hospitals;

5. Arrangements for medical and dental care, e.g., physicians on contract and agreements with hospital for patient referral;

6. List of personnel by types of employees and proposed salaries;

7. Plans for securing the services of professional personnel including registered nurses, licensed practical nurses, social workers, dietitians, pharmacists, physicians and therapists;

8. A description of the service to be provided the community, i.e., the level of care to be provided and the economic segments of the population to be served;
9. Source and amount of financing;

10. Anticipated first two-year cost of operation, income and source of operating funds;

11. Exact location of proposed site;

12. Utilities available, i.e., electricity, gas, water, sewage and waste disposal and transportation;

13. The name, address and telephone number of the person selected to represent the owner during the period of planning construction.

(c) Any individual or group planning construction shall submit complete architectural, structural, mechanical and electrical plans and specifications to the Department for review and approval prior to any new construction, addition, alteration or renovation. Final plans submitted shall be in sufficient detail to show the building site, driveways and parking areas, type of construction, mechanical and electrical systems, the type and location of major items of equipment, the intended use of each room, the proposed location of beds, the type and source of utilities, food service system, and the proposed system of garbage and refuse disposal;

(d) Plans for addition and/or remodeling of an existing building will be submitted in sufficient detail to include type of construction and layout of the existing building to show overall relationship. Any changes in the approved final plans shall also be submitted to the Department for approval.

(2) Location and Site:

(a) The site shall be approved by the Department;

(b) The site shall have proper drainage. Sewage disposal, water, electrical, telephone and other necessary facilities shall be available to the site.