A. Construction—New Facilities. Facilities shall be constructed, equipped, and maintained to protect the health and safety of patients, personnel, and the public.

B. Construction of New Facilities. New facilities shall be defined as facilities for which plans have been submitted and approved subsequent to the adoption of these regulations and shall meet the following criteria:

1. Building shall be a completely detached structure.

2. A facility desiring to provide services other than those licensed shall obtain prior approval from the Department. The facility also shall obtain prior approval from the Department for any part of the premises to be used for tenant occupancy or for unrelated business purposes. Any such usage shall require the facility to follow guidelines to be established by the Department.

3. All facilities shall be constructed in accordance with the provisions of the NFPA 101-Life Safety Code, as promulgated by the State Fire Prevention Commission, as are applicable to nursing homes.

4. Facilities constructed after July 1, 1977 which will house 50 or more occupants needing evacuation assistance (as enforced by the State Fire Marshal) shall be protected throughout the entire building by an automatic fire extinguishing system. (This requirement does not apply to Washington County. See Washington County local building code.)

5. Basements—New Facility Construction. On new construction of one-story or multi-story facilities scheduled to have basements, the following requirements shall be met: In basements of fire resistive buildings where special fire hazards are identified by fire authorities' review of plans, automatic sprinkler protection shall be required as indicated by the fire authority.

6. The facility shall be in compliance with all applicable State and local governing laws, regulations, standards, ordinances, and codes.

7. The facility shall be constructed to comply with ANSI A117.1-1961, (Reaffirmed 1971) American National Standard Institute Specifications for making buildings accessible to, and usable by, the physically handicapped.

8. Securely anchored handrails shall be provided on each side of all corridors in patient areas and shall be 36 inches high, measured from the floor to the top of the handrail.

Agency Note: In existing structures, the Department will entertain requests for waivers on items which will not endanger the health and safety of persons using the facility; patients and visitors; and for those items, if corrected, which will result in an unreasonable hardship upon the facility, that is, cause substantial financial burden.

C. Conversion of an Existing Structure. When an owner plans to convert an existing structure which has not been licensed as a nursing or care home to a comprehensive care facility or an extended
care facility the owner shall be required to meet all conditions set forth in "New Facility Construction Requirements."

Agency Note: This would, for example, relate to hotels, apartment houses, private homes, and other types of institutions.

D. Elevators—New Construction. Elevators shall meet the requirements for elevators in long-term care facilities as set forth in the "Minimum Requirements of Construction and Equipment for Hospital and Medical Facilities, DHEW Publication No. (HRA) 76-4000, or as amended".