1. The physical plant must comply with the construction standards of chapter 33-07-04.2

**33-07-04.2-06. Site.** For new construction, the site of the facility must be away from nuisances detrimental to the proposed services, such as commercial or industrial developments, or other types of facilities that produce noise or air pollution. A site plan must be submitted to the department.

**33-07-04.2-07. Emanating services.**

1. Sufficient information on the design of other types of facilities physically attached to the nursing facility must be submitted to the department so as to determine that safety from fire and the adequacy of the spaces and services of the facility are not compromised.

2. Occupants of other types of facilities may use service spaces such as dining and activities in the facility only when the size of such spaces exceed the standards of this chapter.

**33-07-04.2-08. Plans and specifications.**

1. A facility shall contact the department prior to any substantial changes in or alterations to any portion of the structure to determine to what extent it is subject to review. A substantial change includes alterations affecting the fire safety or structural integrity of the building, changes in service areas or services provided within a service area, changes in bed capacity, or any other change governed by the standards of this chapter. The department may request plans, specifications, or other information as may be required and shall make the final determination on those areas subject to review.

2. A facility shall submit plans and specifications to the department for all construction, remodeling, and installations subject to review. The plans and specifications must be prepared by an architect or engineer licensed in North Dakota, unless otherwise determined by the department.

3. Start of construction prior to approval by the department of the final plans and specifications is not permitted.

4. All construction, remodeling, and installations must be in accordance with the final plans and specifications approved by the department. Modifications or deviations from the approved plans and specifications must be submitted to and approved by the department.

5. The department may make inspections of construction, remodeling, or installations and arrange conferences with the facility to ensure conformance with approved plans and specifications.

6. The construction specifications must require the contractor to perform tests to ensure all systems conform to the approved plans and specifications.
7. Routine maintenance does not require the submission of plans and specifications. For the purpose of this subsection, "routine maintenance" means repair or replacement of existing equipment, room finishes and furnishings, and similar activities.

33-07-04.2-03. Waiver provision. The waiver provision located in section 33-07-03.2-04 applies to this chapter.