Physical Environment New Construction Application Process

Note: This document is arranged alphabetically by State. To move easily from State to State, click the "Bookmark" tab on the Acrobat navigation column to the left of the PDF document. This will open a Table of Contents for the document. The relevant federal regulations are at the end of the PDF.

ALABAMA

(b) The location and construction of all nursing facilities shall comply with local zoning, building, and fire ordinances. Evidence to this effect, signed by local fire, building, and zoning officials shall be furnished to the Alabama Department of Public Health.
(c) Nursing facilities shall be located on streets or roads which are kept passable at all times. Facilities constructed after the effective date of these rules shall be located on paved roads.
(a) When construction is contemplated, either for new buildings, conversions, additions, or alterations to existing buildings coming within the scope of these rules, plans and specifications shall be submitted for review and approval to the Alabama Department of Public Health, in accordance with Alabama Administrative Code Rule 420-5-22, "Submission of Plans and Specifications for Health Care Facilities.”
(b) Minor alterations and remodeling which do not affect the structural integrity of the building, which does not change functional operation, which does not affect fire safety, and which does not add beds over those for which the facility is licensed, need not be submitted for approval. Documentation shall be maintained for interior wall covering finishes.
(c) The renovation area of an existing nursing facility shall comply with the current requirements for new construction to the extent possible.
(b) Renovations within an existing facility shall comply with the applicable codes and requirements for new work.
(a) The provisions of this section, in addition to the provisions of Chapter 420-5-10-.18(4), (6) & (7), shall apply to all new nursing facilities or additions or renovations to nursing facilities initially licensed after the effective date of these rules or to any existing nursing facility which meets or can readily be improved to meet these requirements.
(b) Facilities initially licensed, as well as additions or alterations to existing facilities, constructed after the effective date of these rules shall be classified as Health Care Occupancy, and shall comply, at the time of plan approval, with codes and standards adopted by the State Board of Health. See Alabama Administrative Code, Rule 420-5-22, for listing of adopted codes and standards.
(c) Doors.
   — All doors in line of exit travel shall be hinged and shall swing in the line of travel.
   — All exit doors serving residents including doors to stairs shall be as a minimum 44 inches wide.
   — Doors to toilets used by residents in additions or new facilities shall be at least 34 inches wide.
   — Where rated doors are required by code, a permanent label from an independent testing laboratory shall be attached to the door.
   — (d) Corridors in resident areas shall be at least eight feet wide, except as permitted by code.
   — (e) Exit passageways other than corridors in resident areas shall not be less than four feet wide.
(f) Corridors and passageways shall be unobstructed and shall not lead through any room or space used for a purpose that may obstruct free passage.

(g) Handrails shall be installed on both sides of all corridors normally used by residents except between doors in spaces 24 inches or less.

The handrails shall have a circular grip, a clearance of 1½ inch from the wall and be mounted 30-34 inches from the floor to the top of the rail.

Handrails shall return to the wall at all terminations.

Handrails may be omitted where service corridors are not part of a required exit from resident areas, the corridor is not a path of circulation from one resident area to another and cross corridor doors are installed. These doors shall separate resident corridors from service corridors and shall normally remain closed.

(h) Each tub or shower shall be in an individual room or enclosure with space for the private use of the bathing fixture, for drying and dressing. A separate toilet shall be available for each central bathing area without requiring entry into the general corridor.

(i) If a facility chooses to admit or retain residents requiring life support equipment, essential electrical distribution systems shall conform to a Type II System as required in NFPA 99. As a minimum, life support systems shall be provided in 10% of the bedrooms and receptacles every 50 feet on alternating walls in the corridor.

(6) Rooms, Spaces and Equipment - New and Existing Facilities.

(a) Nursing Unit. A nursing unit consists of the number of beds served from one nurses’ station and includes all of the necessary support areas required to provide care to the residents.

1. Each nursing unit shall have:
   (i) Nurses station.
   (ii) Clean utility room.
   (iii) Medicine preparation room.
   (iv) Soiled utility room or soiled holding room.
   (v) Clean linen storage room.
   (vi) Wheelchair and stretcher storage areas.
   (vii) Janitor’s closet with mop sink or floor receptor and storage shelving.
   (viii) Nourishment room.
   (ix) Staff restroom.

2. On a nursing unit, no residents’ bedroom door shall be more than 150 feet from the nurses’ station.

(b) Bedrooms.

1. All bedrooms shall have window(s) with the windowsills not more than three feet above the floor. Windows shall not be below grade.

2. The window area shall not be less than one-tenth of the floor area.

3. Residents’ bedrooms shall be located so as to minimize the entrance of odors, noise and other nuisances.

4. Residents’ bedrooms shall be directly accessible from the main corridor of the nursing unit. Existing resident bedrooms may be accessible from any public space other than the dining room. In no case shall a resident’s bedroom be used for access to another resident’s room.

5. The capacity of any new room shall not exceed two residents, and the capacity of existing rooms shall not exceed four residents.

6. The minimum floor area of bedrooms, exclusive of toilets, closets, wardrobes, alcoves, or
vestibules in facilities and additions to existing facilities constructed after October 20, 1967, shall be as follows: Private Room 100 Square Feet Multi-Resident Room 80 Square Feet Per Resident

7. There shall be sufficient space to permit nursing procedures to be performed and to permit the placing of beds at least three feet apart, and three feet from the wall at the foot of the bed. Sides of beds shall maintain a minimum clearance of 12 inches from electrical outlets in walls, unless electrical outlet and plug protection is maintained.

(c) Provisions for privacy. Each multi-resident room shall have permanently installed cubicle curtain tracks to permit enclosing each bed with curtains to allow for the privacy of each resident without obstructing the passage of other residents either to the corridor, closet, or to the toilet/lavatory adjacent to the resident room.

(d) Accommodations for Residents. The minimum accommodations for residents shall include the following:
- Residents shall be provided with a standard or adjustable bed.
- Chair and bedside table.
- Storage space for clothing, toilet articles and personal belongings.
- Bedside electrical call system for summoning aid.
- Waste paper receptacle.
- A headwall bed light must be mounted so that it is operable by the resident from the bed.
- Nursing facilities or additions to nursing facilities constructed after November 16, 1988, shall provide hand washing lavatory in each bedroom. It may be omitted from bedroom when a lavatory is provided in an adjoining toilet or bathroom.

(e) Isolation Room.
- Isolation rooms shall be provided at the rate of not less than one private bedroom per 50 beds or major fraction thereof for the isolation of residents suffering from infectious diseases as defined by the Centers for Disease Control (CDC). The bedroom shall meet all of the requirements for bedrooms as previously stated in these regulations. Isolation bedrooms may be used to provide for the special care of residents who develop acute illnesses, have personality problems, or residents in terminal phases of illness. If central heating/cooling is provided, the air from the room shall be exhausted directly to the outside.
- Isolation rooms in nursing facilities shall have a lavatory within the room or within a private toilet.

(f) Nurses’ Station. The nurses’ station for each nursing unit shall include as a minimum the following:
- Annunciator board for receiving residents’ calls.
- Cabinet space.
- Storage space for current residents’ charts.
- Working space and accommodations for recording and charting purposes by facility staff.
- Medicine preparation room. The room at each nurses’ station shall have, as a minimum, 80 square feet of floor space with an additional square foot for each bed in excess of 50 beds per unit. This requirement pertains to any construction or renovation after November 16, 1988. If medication carts are utilized, sufficient storage space for the carts and over-the-counter stock medications must be provided in lieu of a medication preparation room.

(g) Utility Rooms. In new nursing facilities and in additions to existing nursing facilities after December 26, 1988, a separate clean and soiled utility room shall be provided for each nursing unit.
1. The clean utility room shall contain as a minimum:
   (i) Wall and base cabinets.
   (ii) Counter space.
   (iii) Counter top sink.
   (iv) Paper towel dispenser.
   (v) Soap dispenser.

2. The soiled utility room shall contain as a minimum:
   (i) Paper towel and soap dispensers.
   (ii) Shelves.
   (iii) Cabinets for storage of poisonous substances; i.e., cleaning supplies, urine test products, etc.
   (iv) Counter top.
   (v) Large single compartment counter or freestanding service sink for chemical sterilization of bedpans, urinals and commode pails.
   (vi) Wall mounted or counter top hand washing lavatory, separate from the service sink.
   (vii) Soiled linen hamper(s).
   (viii) Clinical sink or equivalent flushing-rim fixture unless toilet with bedpan lug and bedpan washer are provided in adjoining toilets to all bedrooms in the nursing unit.

3. In nursing facilities constructed prior to December 26, 1988, each nursing unit shall have at least a clean/soiled utility room, but it is recommended that a separate clean and soiled utility room be provided.

(h) Toilet and Bathing Facilities.
1. For all resident bedrooms, which do not have adjoining toilet and bath facilities, plumbing fixtures shall be provided within the nursing unit, according to the following ratio: Bathtubs or Showers 1 per 25 Beds
   Lavatories 1 per 6 Beds
   Toilets (water closets) 1 per 6 Beds

2. Non-skid mats, or equivalent and grab bars shall be provided at tubs and showers. Grab handles on soap dishes are not acceptable for grab bars.

3. Grab bars shall be provided at each water closet.

(i) Nourishment Room.
Nursing units in facilities and additions to facilities constructed after August 23, 1996, shall have a nourishment room containing a work counter, refrigerator, storage cabinet, and a sink for serving nourishments between meals. Ice for residents’ consumption shall be provided by icemaker units. The nourishment room shall include space for trays and dishes used in non-scheduled meal service.

Existing facilities shall provide a nourishment room in accordance with the above paragraph when the nursing unit is remodeled or expanded.

(j) Dining/Recreation/Sitting. In new nursing facilities or additions to nursing facilities, there shall be resident dining, and recreation/sitting areas in accordance with the following:
1. The total area set aside for these purposes shall be at least 20 square feet per bed for new facilities and for expanded facilities.

(i) Dining Room. The dining room shall be capable of seating 50% of the bed capacity.

(ii) Recreation/sitting area. These areas shall not include exterior porches and lobby/waiting room.

As a minimum, facility shall include two separate recreation/sitting areas and a dining area.
Each nursing unit shall contain at least one recreation/sitting area.

A minimum of at least one porch and/or glass enclosed sun parlor shall be provided for the use of residents.

(k) Physical Therapy. Physical therapy areas, if provided, shall be in a specifically designated area and shall include equipment and areas as needed to meet specific resident requirements and shall also include storage space for linens, supplies, and equipment, a counter top or wall hung handwash lavatory and a service sink in a counter or freestanding.

(l) Laundry.

1. The existing laundry room, or storage and counting area shall be located so that soiled linens are not carried through the food service area.

2. Laundries built, renovated, or added to after August 23, 1996, shall provide the following rooms and shall comply with the additional requirements:

   (i) Adequate holding, and sorting room for control and distribution of soiled linen. Discharge from soiled linen chutes may be received within this room or in a separate room (soiled linen room).

   (ii) The laundry shall be vented so that odors do not enter the nursing facility. Air shall not be recirculated into a heating or cooling system serving other areas of the nursing facility.

   (iii) Corridors shall not be used to store or hold soiled linen or clean linen carts at any time of the day. Adequate space shall be provided in the soiled linen room and laundry processing room to prevent this.

(m) Beauty/Barber Shop. Nursing facilities or additions to nursing facilities licensed after November 16, 1988, shall have space and equipment for resident hair care and grooming. The room shall open to a corridor.

(n) Administration. The administrative department and services shall be located in a specifically designated area and shall include the following:

   Administrator’s office.

   Business office.

   Public lobby or waiting room.

   Public toilets.

   For facilities constructed after August 23, 1996, or when existing lobbies are renovated, handicapped public toilets accessible from the lobby/waiting room shall be provided.

(o) Support Offices. Nursing facilities or additions to nursing facilities constructed after August 23, 1996, shall provide office space for all support staff.

(p) Nursing facilities and additions to nursing facilities constructed after August 23, 1996, shall provide adequate closet or locker storage space for staff’s work related personal items.

(q) Maintenance. Each facility shall provide facilities/room(s) to accommodate routine maintenance appropriate to the needs.

ALASKA

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(h) Except as provided in 7 AAC 12.150(h), the department may waive compliance with, or grant a variance from, a requirement in this section if the commissioner determines that an equivalent alternative is provided and the safety and well-being of patients is assured. If a facility wishes to
obtain a waiver or variance, its governing body must apply in writing to the commissioner and must include in the application:
(1) the justification for the waiver;
(2) an explanation of the reasons why the particular requirement cannot be satisfied;
(3) a description of the equivalent alternative proposed; and
(4) if the application for waiver involves fire safety or other municipal or state requirements, evidence that it has been reviewed by the appropriate municipal or state authorities.

ARIZONA

2. Architectural plans and specifications for construction, a modification, or a change in resident beds or licensed capacity are submitted to the Department for approval according to the requirements in 9 A.A.C. 10, Article 1;
3. Construction, a modification, or a change in resident beds or licensed capacity complies with the requirements of this Article and the physical plant codes and standards incorporated by reference in A.A.C. R9-1-412 in effect at the time the construction, modification, or change in resident beds or licensed capacity and is approved by the Department;

ARKANSAS

421 STANDARDS FOR NEW CONSTRUCTION AND/OR ALTERATIONS
422 GENERAL
422.1 A "new institution" is one which had plan approved by the Office of Long Term Care and began operation and/or construction or renovation of a building for the purpose of operating an institution on or after the adoption date of these regulations. The regulations and codes governing new institutions apply if and when the institution proposes to begin operation in a building not previously and continuously used as an institution licensed under these regulations.
422.2 Additions to existing facilities shall meet the standard for new construction.
422.1 The requirements outlined under section 1400, General Standards for Existing Structures, also apply when applicable.
423 SITE LOCATION, INSPECTION, APPROVALS AND SUBSOIL INVESTIGATION
423.1 The building site shall afford good drainage and shall not be subject to flooding or be located near insect breeding areas, noise, or other nuisance producing locations, or hazardous locations, industrial developments, airports, railways, or near penal or other objectionable institutions or near a cemetery. The site shall afford the safety of patients and not be subject to air pollution.
423.2 A site shall be adequate to accommodate roads and walks within the lot lines to at least the main entrance, ambulance entrance, and service entrance. All facility sites shall contain enough square footage to provide at least as much space for walks, drives, and lawn space as the square footage contained in the building.
423.3 The building site shall be inspected and approved by the Division before construction is begun.
424 SUBMISSION OF PLANS, SPECIFICATIONS, AND ESTIMATES
424.1 When construction is contemplated either for new buildings, additions, or major alterations in excess of One-Hundred-Thousand dollars ($100,000), plans and specifications shall be submitted in duplicate one (1) to the OLTC and one (1) to the Plumbing Division of the Arkansas Department of Health, for review, along with a copy of the statement of approval from the Comprehensive Health Planning Agency. Final plan approval will be given by the OLTC.

424.2 Such plans and specifications should be prepared by a registered professional engineer or an architect licensed in the State of Arkansas (Act 270 of 1941 as amended) and should be drawn to scale with the title and date shown thereon. The Division shall be a minimum of three (3) weeks to review the drawing and specifications and submit their comments to the applicant. Any proposed deviations from the approved plans and specifications shall be submitted to the Division prior to making any changes. Construction cannot start until approval of plans and specifications have been reviewed from the Division. The Division shall be notified as soon as construction of a new building or alteration to an existing facility is started.

424.3 An estimate shall accompany all working plans and specifications when the total cost of construction is more than One-Hundred-Thousand dollars ($100,000).

424.4 Representatives from the Division shall have access to the construction premises and the construction project for purposes of making whatever inspections deemed necessary throughout the course of construction.

425 PLANS AND SPECIFICATIONS

425.4 All institutions licensed under these standards shall be designated and constructed to substantially comply with pertinent local and state laws, codes, ordinances, and standards. All new nursing home construction shall be in accordance with requirements of Section 10-132 if NFPA Standard 101, 1973 edition. Plans shall be submitted to the Division in the following stages.

425.1.1 Preliminary Submission Architect preparing plans should contact Office of Long Term Care for preliminary review.

425.1.2 Final Submission

Step (1) Working drawings and specifications which shall be well prepared so that clear and distinct prints may be obtained; accurate dimensions and including all necessary explanatory notes, schedules and legends. Working drawings shall be complete and adequate for contract purposes. Separate drawings shall be prepared for each of the following branches of work; architectural, structural, mechanical and electrical; and shall include the following:

- Approved plan showing all new topography, newly established levels and grades, existing structures on the site (if any), new buildings and structures, roadways, walks, and the extent of the areas to be seeded. All structures and improvements which are to be removed under the construction contract shall be shown. A print of the survey shall be included with the working drawings.
- Plan of each floor and roof.
- Elevation of each façade.
- Section through building
- Scale and full size details as necessary to properly indicate portions of the work.
- Schedule of finishes.

Step (2) Equipment Drawings: Large scale drawings of typical and special rooms indicating all fixed equipment and major items of furniture and movable equipment.

Step (3) Structural Drawings:

- Plan of foundations, floors, roofs, and all intermediate levels shall show a complete design with sizes, sections, and the relative location of the various members. Schedule of beams, girders, and columns shall be included.
Floor levels, column centers, and offsets shall be dimensioned.

Special openings and pipe sleeves shall be dimensioned or otherwise noted for easy reference.

Details of all special connections, assemblies, and expansion joints shall be given.

Step (4) Mechanical Drawings: The drawings with specifications shall show the complete heating, steam piping and ventilation systems, plumbing, drainage and standpipe system, and laundry.

- Heating, steam piping, and air-conditioning systems.
  1. Radiators and steam heated equipment, such as sterilizers, warmers, and steam tables.
  2. Heating and steam mains and branches with pipe sizes.
  3. Sizes, types, and heating surfaces of boilers, furnaces, with stokers and oil burners, if any.
  4. Pumps, tanks, boiler breeching and piping and boiler room accessories.
  5. Air-conditioning systems with required equipment, water and refrigerant piping, and ducts.
  6. Exhaust and supply ventilating systems with steam connections and piping.
  7. Air quantities for all room supply and exhaust ventilating duct openings.

- Plumbing, drainage, and standpipe systems:
  1. Size and elevation of: Street sewer, house sewer, house drains, street water main and water service into the building.
  2. Locations and size of soil, waste, and vent stacks with connections to house drains, clean outs, fixtures, and equipment.
  3. Size and location of hot, cold and circulating mains, branches and risers from the service entrance and tanks.
  4. Riser diagram to show all plumbing stacks with vents, water risers, and fixture connections.
  5. Gas, oxygen, and special connections.
  6. Plumbing fixtures and equipment which require water and drain connections.

- Elevators and dumbwaiters: Details and dimensions of shaft, pit and machine room; sizes of car platform and doors.

- Kitchens, laundry, refrigeration and laboratories; These shall be detailed at a satisfactory scale to show the location, size, and connections of all fixed equipment.

Step (5) Electrical Drawings:

- Drawings shall show all electrical wirings, outlets, smoke detectors, and equipment which require electrical connections.

- Electrical Service entrances with switches, and feeders to the public service feeders shall be shown.

- Plan and diagram showing main switchboard power panels, light panels, and equipment.

- Light outlets, receptacles, switches, power outlets, and circuits.

- Nurse call systems with outlets for beds, duty stations, door signal lights, enunciators, and wiring diagrams.

- Fire alarm system with stations, signal devices, control board and wiring diagrams.

- Emergency electrical system with outlets, transfer switch, source of supply, feeders and circuits.

Step (6) Specifications: Specifications shall supplement the drawings to fully describe types, sizes, capacities, workmanships, finishes, and other characteristics of all materials and equipment and shall include the following:

- Cover title sheet
- Index
- General conditions
- General Requirements
- Sections describing material and workmanship in detail for each class of work.
426 CODES AND STANDARDS The following codes and standards are incorporated into and made a part of these regulations:
426.2 The 1967-68 edition of the National Fire Code (NFPA) applies to existing facilities which met such standards as of June 1, 1976.
426.3 American National Standards Institute (ANSI) Standard No. A117.1, American Standard Specifications for making building and facilities accessible to, and usable by, the physically handicapped.
426.4 Arkansas State Plumbing Code.
426.5 Fire Resistance Index 1971, Underwriters Laboratories, Inc.
426.6 Handbook of Fundamentals, American Society of Heating, Refrigeration and Air conditioning Engineers (ASHRAE), United Engineer Center, 345 East 47th Street, New York, New York 10017.
426.9 Minimum Power Supply Requirements, Bulletin No. XR4-10 National Electrical Manufacturers Association (NEMA) 155 East 44th Street, New York, New York 10017.
443 LIMITATIONS The following limitations shall apply:
443.1 No nursing home shall be connected to any building other than a general hospital, chronic disease hospital, rehabilitation facility, boarding home, adult day care, or Home Health Agency. Upon request from the Office of Long Term Care, supporting documentation must be provided to evidence proper allocation of costs and compliance with all applicable state and federal laws and regulations.
443.2 A nursing home shall not be located within thirty (30) feet from another nonconforming structure or the property line of the facility except where prohibited by local codes.
443.3 Occupancies not under the control of, or not necessary to the administration of a nursing home are prohibited therein with the exception of the residence of the owner or manager.

CALIFORNIA

s 72601. Alterations to Existing Buildings or New Construction.
(a) Alterations to existing buildings licensed as skilled nursing facilities or new construction shall be in conformance with Chapter 1, Division 17, Part 6, Title 24, California Administrative Code and requirements of the State Fire Marshal.
(b) Facilities licensed and in operation prior to the effective date of changes in construction regulations shall not be required to institute corrective alterations or construction to comply with such new requirements except where specifically required or where the Department determined in writing that a definite hazard to health and safety exists. Any facility for which preliminary or working drawings and specifications have been approved by the Department prior to the effective date of changes to construction regulations shall not be required to comply with such new
requirements provided substantial actual construction is commenced within one year of the effective date of such new requirements.

(c) All facilities shall maintain in operating condition all buildings, fixtures and spaces in the numbers and types as specified in the construction requirements under which the facility or unit was first licensed.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72603. Space Conversion.

Spaces approved for specific uses at the time of licensure shall not be converted to other uses without the approval of the Department.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72605. Notice to Department.

The Department shall be notified in writing, by the owner or licensee of the skilled nursing facility, within five days of the commencement of any construction, remodeling or alterations to such facility.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

COLORADO

19.9 REVIEW OF PLANS. A facility wishing to open a secure unit shall submit the fee for opening a secured unit, along with its plans for physical plant, staffing, and program to the Department for prior review of conformity with these standards.

19.8.3 In accordance with 6 CCR 1011-1, Chapter II, Part 4, a facility may seek a waiver from the standards required in Part 18 of this Chapter that may be detrimental to resident needs, safety, or health.

CONNECTICUT

A. General. Newly constructed facilities shall contain all the elements described herein and shall be built in accordance with the construction requirements outlined. Should there be a change of ownership of the facility, these standards shall be applicable insofar as existing structures physically permit. New additions and renovations to existing facilities shall be built in accordance with these standards. A safe, sanitary, and comfortable environment is a basic requirement for residents in the facility. If day care programs are to be incorporated in this building, additional supportive facilities shall be provided to accommodate the program. At no time shall any program reduce the minimum services required for this licensed facility.

(a) The site shall be away from nuisances or foreseeable future nuisances detrimental to the proposed project’s program, such as industrial development, or other types of facilities that produce noise, air pollution or foreign odors.

(b) No facility of more than one-hundred and twenty (120) beds shall be constructed without public water and sanitary sewers.
(c) The building shall be of sound construction and provide an adequate maintenance program to ensure that the interior, the exterior and the grounds of the building are clean and orderly. All essential mechanical, plumbing, and electrical equipment for resident accommodations shall be in accordance with the requirements of the state department of health.

(d) All plans and specifications for new construction and/or alterations shall be submitted to and approved by the state department of health prior to the start of construction.

(e) Roads and walks shall be provided within the property lines to the main entrance and for service, including loading and unloading space for delivery trucks. Adequate off-street paved and lined parking stalls shall be provided at the ratio of one for each three residents.

(f) There shall be open outdoor area adjacent to the facility with a minimum of one-hundred (100) square feet per resident. This area shall consist of lawn and plantings and shall not be obstructed by other structures or paved parking areas, roads or sidewalks.

(2) Code.

(a) Every building hereafter constructed or converted for use, in whole or in part, as a home for aged and rest home shall comply with the requirements of the Basic Building Code, as prepared by the Public Works Department, State of Connecticut; except as such matters are otherwise provided in the rules and regulations authorized for promulgation under the provisions of the Basic Building Code.

(b) In addition to the state of Connecticut Basic Building Code, all homes for aged and rest homes must comply with the State of Connecticut Fire Safety Code, the National Fire Protection Association - 101 Life Safety Code, the State of Connecticut Labor Laws, local fire safety codes, zoning ordinances, and in cases where private water supply and/or sewerage is required, written approval of the local health officer and environmental health services division of the state of Connecticut department of health must be obtained. Only the most current code or regulation and the most stringent shall be used.

(3) Minimum services required.

(a) Lobby, with visitors' toilet rooms (to include facilities for each sex) and public telephone.

(b) Business or administration office.

(c) Resident rooms (see Sec. 19-13-D6(b), B.)

(d) Resident baths (see Sec. 19-13-D6(b), C.)

(e) Resident toilet rooms (see Sec. 19-13-D6(b), D.)

(f) Resident lounge or sitting room (see Sec. 19-13-D6(b), E.)

(g) Resident dining and recreation rooms (see Sec. 19-13-D6(b), F.)

(h) Resident recreation area (see Sec. 19-13-D6(b), G.)

(i) Dietary facilities (see Sec. 19-13-D6(b), H.)

(j) Central storage room (see Sec. 19-13-D6(b), I.)

(k) Laundry (see Sec. 19-13-D6(b), J.)

(l) Employees' facilities (see Sec. 19-13-D6(b), K.)

(m) Details of construction (see Sec. 19-13-D6(b), L.)

(n) Mechanical system (see Sec. 19-13-D6(b), M.)

(o) Electrical system (see Sec. 19-13-D6(b), N.)

(p) Provision for holding expired persons (adequately sized and ventilated space in unobjectionable location).

L. Details of construction. A high degree of safety for the occupants in minimizing the incidence of accidents shall be provided. Hazards such as sharp corners shall be avoided. All details and finishes shall meet the following requirements:
(1) Corridors shall be at least six feet (6’) wide.
(2) No door shall swing into the corridor.
(3) Handrails shall be provided on both sides of all corridors used by residents. They shall have ends rounded and returned to the walls, a clear distance of one and one-half inches (1 1/2”) between handrail and wall and a height of thirty-two inches to thirty-four inches (32” to 34”) above the finished floor.
(4) Thresholds and expansion joint covers shall be flush with the finished floor.
(5) Such items as drinking fountains, telephone booths, and vending machines shall be located so as not to project into the required width of exit corridors.
(6) All doors to resident toilet rooms, bathrooms and shower rooms shall be equipped with hardware which will permit access in any emergency.
(7) All doors opening to corridors shall be swing-type. Alcoves and similar spaces which generally do not require doors are excluded from this requirement.
(8) Grab bars and accessories in resident toilet rooms, shower rooms, and bathrooms shall have sufficient strength and anchorage to sustain a load of two-hundred and fifty (250) pounds for five (5) minutes.
(9) If linen and refuse chutes are used, they shall be designed as follows:
   (a) Service openings to chutes shall have approved Class "B," one and one-half (1 1/2) hour fire rated doors.
   (b) Service openings to chutes shall be located in a room or closet of not less than two (2) hour fire resistive construction, and the entrance door to such room or closet shall be a Class "B," one and one-half (1 1/2) hour fire rated door.
   (c) Minimum diameter of gravity-type chutes shall be two feet (2’) with washdown device.
   (d) Chutes shall terminate in or discharge directly into collection rooms separate from laundry or other services. Separate collection rooms shall be provided for refuse and linen. Such rooms shall have not less than two (2) hour fire-resistive construction and the entrance door shall be a Class "B," one and one-half (1 1/2) hour fire rated door with hardware as required by NFPA.
   (e) Chutes shall extend at least four feet (4’) above the roof and shall be covered by an explosive type hatch.
   (f) Chutes shall be protected internally by automatic sprinklers. This will require a sprinkler-head at the top of the chute and, in addition, a sprinkler-head shall be installed within the chute at alternate floor levels in buildings over two (2) stories in height. The room into which the chute discharges shall also be protected by automatic sprinklers.
(10) Dumbwaiters, conveyors, and material handling systems shall not open into any corridor or exitway but shall open into a room enclosed by not less than two (2) hour fire-resistive construction. The entrance door to such room shall be a Class "B," one and one-half (1 1/2) hour fire rated door.
(11) Janitor’s closet. This room shall contain a floor receptor or service sink and storage space for housekeeping supplies and equipment. One (1) janitor’s closet may serve a fifty (50) bed unit on each floor.
(12) Ceiling heights:
   (a) Boiler room shall be not less than two feet-six inches (2’ 6”) above the main boiler header and connecting piping with adequate headroom under piping for maintenance and access.
   (b) Storage rooms, residents’ toilet rooms, and other minor rooms shall be not less than seven feet-eight inches (7’ 8”) above the finished floor.
   (c) All other rooms and corridors shall be not less than eight feet (8’) above the finished floor.
(13) Boiler rooms, food preparation centers, and laundries shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature of ten degrees (100) Fahrenheit above the ambient room temperature.

(14) Approved fire extinguishers shall be provided in recessed locations throughout the building not more than five feet (5') above the floor.

(15) For flame spread requirements, see the State of Connecticut Fire Safety Code.

(16) Floors generally shall be easily cleanable and shall have the wear resistance appropriate for the location involved. Floors in kitchens and related spaces shall be waterproof and greaseproof. In all areas where floors are subject to wetting, they shall have a non-slip finish.

(17) Adjacent dissimilar floor materials shall be flush with each other to provide an unbroken surface.

(18) Walls generally shall be washable and in the immediate area of plumbing fixtures, the finish shall be moisture proof. Wall bases in dietary areas shall be free of spaces that can harbor insects.

(19) Ceilings generally shall be washable or easily cleanable. This requirement does not apply to boiler rooms, mechanical and building equipment rooms, shops and similar spaces.

(20) Ceilings shall be acoustically treated in corridors and resident occupied areas.

(21) All resident occupied rooms shall be provided with at least a one and three-quarter inch (1 3/4"), three-quarter (3/4) hour wood or metal door equal to "C" label construction with metal frame and positive latching.

(22) All operable windows shall be provided with screens.

(10) The site of new institutions shall be approved by the state department of health.

(12) All plans and specifications for new construction or alterations shall be submitted to the state department of health, the local fire marshal, the local building inspector, if any, and the local zoning authorities for approval before construction is undertaken.

DELAWARE

7.1 All new construction, extensive remodeling or conversions to a nursing facility shall comply with the standards and guidelines set forth under the "Nursing Facilities" section of the current edition of Guidelines for Design and Construction of Health Care Facilities, a publication of the American Institute of Architects Committee on Architecture for Health with assistance of the U.S. Department of Health and Human Services. 7.2 The facility shall be handicapped accessible and meet applicable American National Standards Institute (A.N.S.I.) standards.

DISTRICT OF COLUMBIA

3264. PHYSICAL STRUCTURE AND CONSTRUCTION

3264.1 Each physical plant of a facility shall conform to all applicable District and Federal rules and regulations pertaining to construction requirements.

3264.2 Each new construction of a facility, and each addition to or repair, and remodeling of an existing building that is used for the facility, shall conform to the 1996 BOCA National Building Code, to all other applicable District rules and regulations pertaining to building construction and all applicable NFPA standards.
3264.3 Each addition to an existing facility shall comply with the minimum requirements in the latest edition of the Guidelines for Construction and Equipment of Hospitals and Medical Facilities developed by the American Institute of Architects Committee on Architecture for Health with assistance from the U.S. Department of Health and Human Services.

3264.4 For the purpose of this chapter, each conversion of an existing building to a nursing facility shall be considered a new facility.

3264.5 Each existing nursing facility shall comply with all applicable provisions of the current edition of the NFPA National Electrical Code.

3264.6 A facility shall be considered to be in compliance with NFPA requirements as long as the facility:
(a) On November 26, 1982, complied, with or without waivers, with the requirements of the 1967 or 1973 editions of the Life Safety Code and continues to remain in compliance with those editions of the code; Title 22 District of Columbia Municipal Regulations or
(b) On May 9, 1988, complied, with or without waivers, with the 1981 edition of the Life Safety Code and continues to remain in compliance with that edition of the code.

3264.7 When District of Columbia Code requirements conflict with those of the federal or national agencies incorporated by reference above, the more stringent requirements shall apply unless specifically superseded by federal law.

**FLORIDA**

420.1 Scope. All newly licensed or newly constructed nursing homes and all additions, alterations or renovations to an existing licensed nursing home shall comply with all applicable requirements of this code and the minimum standards of design, construction and specified minimum essential utilities and facilities of this Section and shall have plans reviewed and construction surveyed by the state agency authorized to do so by Chapter 553.80 (1)(c), Florida Statutes to assure compliance with all applicable requirements of this code.

420.1.3 The Florida Building Code, Existing Buildings, Section 101.2 Scope exempts state licensed nursing homes from compliance with that code. Any repair, alteration, change of occupancy, addition and relocation of an existing state licensed nursing home shall comply with the applicable requirements of this code and this Section.

420.1.5 For state licensure purposes, these codes and standards shall be applicable to the project on the effective date of this code at the time of preliminary plan approval by the Agency for Health Care Administration (the Agency) or at the first construction document review if there has been no previous preliminary plan approval for that project.

420.2 Additional codes and standards for the design and construction of nursing homes. In addition to the minimum design and construction standards required by Section 420 of this code, Chapter 59A-4, Minimum Standards for Nursing Homes, Florida Administrative Code or by Chapter 400 Part II, Florida Statutes, the following codes and standards shall also be met on the effective date of this code as described in Section 420.1.5 of this code:

420.3 Additional physical plant requirements for nursing homes. In addition to the codes and standards referenced in Section 420.2 of the this code, the following minimum standards of construction and specified minimum essential facilities, shall apply to all new nursing homes, and all additions, alterations or renovations to an existing licensed nursing home.[4156-A4] as described in Section 420.1 of this code and listed in Section 420.3 of the this code:
420.3.1 Alternate design models. Because nursing homes may provide care utilizing two basic organizational models, two alternate design models are permitted to meet some of specific physical plant requirements of this Section. These alternate design models, the institutional design model and the household design model for person centered care, are described in Sections 420.3.2.1 and 420.3.2.2 of this code and are further defined by the physical plant requirements for each model as described in the applicable paragraphs of Section 420.3 of this code.

420.3.1.1 Either one or both of these design models may be used in the design of the nursing home as described by the functional program of the facility.

420.3.1.2 An institutional design model may utilize specific physical plant requirements of a household design model without being required to incorporate all of the household design elements.

420.3.1.3 Where no alternate design model is permitted, all nursing homes shall meet the described requirement.

420.3.2 Resident unit. Each resident unit shall consist of the resident rooms and support areas, and shall be arranged to avoid unnecessary and unrelated travel through the unit. It shall be designed to meet the organizational patterns of staffing, functional operations, and care programs as described in the functional program of the facility. Based on these aspects of the functional program, the resident unit may be designed to meet one of the following models:

420.3.2.1 Institutional design model. This model is based on an institutionalized medical program similar in arrangement to that found in some hospitals. If this model is utilized for the design of the resident unit, it shall consist of the resident rooms, nurse station(s), and resident support areas and services as described in section 420.3.4.1. Dining, activity, and social areas may be centralized and located away from the resident unit.

420.3.2.1.1 Each resident unit shall be limited to a maximum of 60 beds.

420.3.2.1.2 Travel distance from the entrance to a nurses' station, and from a clean utility and a soiled utility room(s) or function(s) to the middle of the entrance door of the farthest resident room served shall be a maximum of 150 feet (45.72 m).

420.3.2.2 Household design model for person centered care. This model is based on a home like environment similar in arrangement to that found in a typical home. If this model is utilized for the design of the resident unit, it shall consist of the resident rooms and resident support areas and services as described in section 420.3.4.2. Dining, activity, and social areas may be decentralized and included within the resident household.

420.3.2.2.1 Each resident household (unit) shall be limited to a maximum of 20 residents.

420.3.2.2.2 Two individual resident households (units) may be grouped into a distinct neighborhood with a maximum of 40 residents. This neighborhood, composed of the two resident households, may share the required resident support areas and services as described in Sections 420.3.4.2 of this code.

420.3.2.2.3 If an access corridor is utilized as part of this design, it shall be designed to include an open resident sitting and resting area(s) located along the corridor at least every 100 feet (30.48 m) of corridor length.

420.4 Physical plant requirements for disaster preparedness of new nursing home construction.

420.4.1 Definitions. The following definitions shall apply specifically to this section:

420.4.1.1 "New facility" means a nursing home which has not received a Stage II Preliminary Plan approval from the Agency for Health Care Administration pursuant to this section.

420.4.1.2 "Net square footage" means the clear floor space of an area excluding cabinetry and other fixed furniture or equipment.
420.4.1.3 "During and immediately following" means a period of 72 hours following the loss of normal support utilities to the facility.
420.4.1.4 "Occupied resident area(s)" means the location of residents inside of the new facility or in the addition of a wing or floor to an existing facility during and immediately following a disaster. If these residents are to be relocated into an area of the existing facility during and immediately following a disaster, then for these purposes, that location will be defined as the "occupied resident area."
420.4.1.5 "Resident support area(s)" means the area(s) required to ensure the health, safety and well-being of residents during and immediately following a disaster, such as a staff work area, clean and soiled utility areas, food preparation area and other areas as determined by the facility to be kept operational during and immediately following a disaster.
420.4.1.6 "On site" means either in, immediately adjacent to, or on the campus of the facility, or addition of a wing or floor to an existing facility.
420.4.1.7 "Resident(s) served" means the number of residents as determined by the facility that will be served in the occupied resident area(s) during and immediately following a disaster.
420.4.2 Disaster preparedness construction standards. The following construction standards are in addition to the physical plant requirements described in Sections 420.2 through 420.3. These minimum standards are intended to increase the ability of the facility to be structurally capable of serving as a shelter for residents, staff and the family of residents and staff and equipped to be self-supporting during and immediately following a disaster:
420.4.2.1 Space standards.
420.4.2.2.1 Except as permitted by Section 1612 of this code, the lowest floor of all new facilities shall be elevated to the Base Flood Elevation as defined in Section 1612 of this code, plus 2 feet, or to the height of hurricane Category 3 (Saffir-Simpson scale) surge inundation elevation, as described by the Sea, Lake, and Overland Surge (SLOSH) from Hurricanes model developed by the Federal Emergency Management Agency (FEMA), United States Army Corps of Engineers (USACE), and the National Weather Service (NWS), whichever is higher.
420.4.2.2.2 For all existing facilities, the lowest floor elevations of all additions, and all resident support areas including food service, and all resident support utilities, including mechanical, and electrical (except fuel storage as noted in Section 420.4.2.9.3 of this code) for the additions shall be at or above the elevation of the existing building, if the existing building was designed and constructed to comply with either the site standards of section 420.4 of this code or local flood resistant requirements, in effect at the time of construction, whichever requires the higher elevation, unless otherwise permitted by Section 1612 of this code. If the existing building was constructed prior to the adoption of either the site standards of 420.4 of this code or local flood resistant requirements, then the addition and all resident support areas and utilities for the addition as described in this section shall either be designed and constructed to meet the requirements of Section 420.4.2.2.1 of this code or be designed and constructed to meet the dry flood proofing requirements of Section 1612 of this code. (4294handout)
420.4.2.2.3 Substantial improvement, as defined by Section 1612 of this code, to all existing facilities located within flood areas as defined in Section 1612 of this code or within a Category 3 surge inundation zone as described in Section 420.4.2.2.1 of this code, shall be designed and constructed in compliance with Section 1612 of this code.
420.4.2.2.4 Where an off-site public access route is available to the new facility at or above the base flood elevation, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route
420.4.2.5 New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of this code.

420.4.2.6 New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria as described in the American Society of Civil Engineers (ASCE 7), 50-year recurrence interval of wind velocity with appropriate exposure category dependent on site location. [4294]

420.4.2.3 Structural standards. Wind load design of the building structure and exterior envelope including exterior wall systems shall be designed in accordance with this code.

420.4.2.4 Roofing standards.

420.4.2.4.1 Roofing membrane material shall resist the uplift forces specified in this code. Roof coverings shall be installed according to the specifications provided by the manufacturer.

420.4.2.4.2 Loose-laid ballasted roofs shall not be permitted.

420.4.2.4.3 All new roof appendages such as ducts, tanks, ventilators, receivers, dx condensing units and decorative mansard roofs and their attachment systems shall be structurally engineered to meet the wind load requirements of this code. All of these attachment systems shall be connected directly to the underlying roof structure or roof support structure.

420.4.2.5 Exterior unit standards.

420.4.2.5.1 All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall be impact resistant or protected with an impact resistant covering meeting the requirements of the Testing Application Standards (TAS) 201, 202, and 203 of this code in accordance with the requirements of Sections 1626.2 thru 1626.4 of this code. The impact resistant coverings may be either permanently attached or may be removable if stored on site of the facility. The location or application of exterior impact protective systems shall not prevent required exit egress from the building.

420.4.2.5.3 When not being utilized to protect the windows, the permanently attached impact resistant coverings protective systems shall not reduce the percentage of the clear window opening below that required by this code for the patient room.[4357]

420.4.2.6 Heating, ventilation and air conditioning (HVAC) standards.

420.4.2.6.1 All new A air-moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of, partially outside of, or on the roof of the facility and providing service to the facility shall be permitted only when either of the following are met:

420.4.2.6.1.1 They are located inside a penthouse designed to meet the wind load requirements of the Florida Building Code, Building; or

420.4.2.6.1.2 Their fastening systems are designed to meet the wind load requirements of the Florida Building Code, Building and they and all associated equipment are protected as required by TAS 201,202, and 203 in accordance with the requirements of Sections 1626.2 thru 1626.4 of this code from damage by horizontal impact by a separate and independent structure that allows access to all parts of the equipment at all times or

420.4.2.6.1.3 They are completely protected by the equipment shrouding that meets the requirements of TAS 201,202, and 203 in accordance with the requirements of Sections 1626.2-1626.4 of this code.

420.4.2.6.3 As determined by the facility, these selected HVAC systems and their associated support equipment, such as a control air compressor, essential to the maintenance of the occupied resident and resident support area(s) shall receive their power from the emergency power supply system(s).
420.4.2.6.4 Ventilation air change rates in occupied patient areas shall be maintained as specified in this section during and immediately following a disaster by connection to the essential electrical system.

420.4.2.6.5 Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping shall be located, routed and protected in such a manner as determined by the facility to ensure the equipment receiving the services will not be interrupted.

420.4.2.7 Plumbing standards.

420.4.2.7.1 There shall be an independent on-site supply (i.e., water well) or on-site storage capability (i.e., empty water storage containers or bladders) of potable water at a minimum quantity of 3 gallons (11 L) per resident served per day during and immediately following a disaster. For planning purposes the number of in-patients shall be determined in writing by the facility. Hot water in boilers or tanks shall not be counted to meet this requirement.

420.4.2.7.2 There shall be an independent on-site supply or storage capability of potable water at a minimum quantity of 1 gallon (4 L) per facility staff, and other personnel in the facility per day during and immediately following a disaster. For planning purposes, the number of these personnel shall be estimated by the facility. Hot water in boilers or tanks shall not be counted to meet this requirement.

420.4.2.7.3 The facility shall determine what amount of water will be sufficient to provide for resident services, and shall maintain an on-site supply or on-site storage of the determined amount.

420.4.2.7.4 When used to meet the minimum requirements of this rule, selected system appurtenances such as water pressure maintenance house pumps and emergency water supply well pumps shall take power from the emergency power supply system(s).

420.4.2.8 Medical gas systems standards. The storage, distribution piping system and appurtenances shall be contained within a protected area(s) designed and constructed to meet the structural requirements of this code and debris impact requirements as specified by Sections 1626.2 through 1626.4.

420.4.2.9 Emergency electrical generator and essential electrical system standards.

420.4.2.9.1 There shall be an on-site Level 1 emergency electrical generator system designed to support the occupied resident area(s) and resident support area(s) with at least the following support services:

- Ice-making equipment to produce ice for the residents served, or freezer storage equipment for the storage of ice for the residents served.
- Refrigerator unit(s) and food service equipment if required by the emergency food plan;
- At a minimum, there shall be one clothes washer and one clothes dryer for laundry service.
- Selected HVAC systems as determined by the facility and other systems required by this code.
- Electric lighting required to provide care and service to the patient occupied areas and the necessary patient support areas shall be connected to the essential electrical system.
- The emergency generator system shall be fueled by a fuel supply stored on-site sized to fuel the generator for 100 percent load for 64 hours or 72 hours for actual demand load of the occupied resident area(s) and resident support area(s) and resident support utilities during and immediately following a disaster, whichever is greater.

420.4.2.9.3 The fuel supply shall either be located below ground or contained within a protected area that is designed and constructed to meet the structural requirements of this code and debris...
impact requirements as specified by Sections 1626.2 through 1626.4. If an underground system is used, it shall be designed so as to exclude the entrance of any foreign solids or liquids.

420.4.2.9.4 All fuel lines supporting the generator system(s) shall be protected also with a method designed and constructed to meet the structural requirements of this code and debris impact requirements as specified by Sections 1626.2 through 1626.4.

420.4.2.9.5 All panel boards, transfer switches, disconnect switches, enclosed circuit breakers or emergency system raceway systems required to support the occupied resident area(s), resident support area(s) or support utilities shall be contained within a protected area(s) designed and constructed to meet the structural requirements of this code and debris impact requirements as specified by Sections 1626.2 through 1626.4, and shall not rely on systems or devices outside of this protected area(s) for their reliability or continuation of service.

420.4.2.9.6 The emergency generator(s) shall be air- or self-contained liquid cooled and it and other essential electrical equipment shall be installed in a protected area(s) designed and constructed to meet the structural requirements of this code and debris impact requirements as specified by Sections 1626.2 through 1626.4.

420.4.2.10 Fire protection standards.

420.4.2.10.1 If the facility requires fire sprinklers as part of its fire protection, either of the following shall be met:

420.4.2.10.1.1 On-site water storage capacity to continue sprinkler coverage, in accordance with the requirements of NFPA 13, Sprinkler Systems, fire watch, conducted in accordance with the requirements of Chapter 59A-4, Florida Administrative Code.

420.4.2.10.2 If the facility provides a fire watch in lieu of water storage to continue sprinkler coverage, then one 4-A type fire extinguisher or equivalent shall be provided for every three or less 2-A fire extinguishers required by NFPA 10, Portable Extinguishers, for the area served. These additional extinguishers shall be equally distributed throughout the area they are protecting.

420.4.2.11 External emergency communications standards. (Reference Chapter 59A-4, Florida Administrative Code for requirements.)

(1) A licensee shall comply with the life safety code requirements and building code standards applicable at the time of departmental approval of the facility’s Third Stage – Construction Documents.

**Plans Submission and Review and Construction Standards.**

(1) When construction is contemplated for new buildings or for additions, conversions, renovations, or alterations to existing buildings, the plans and specifications for the contemplated construction shall be prepared by Florida-registered architects and engineers.

(2) All contemplated additions, conversions, renovations, or alterations shall be submitted for approval or exemption from the plans review process.

(3) Plans and specifications submitted for review shall be subject to a plan review fee. This fee is prescribed by statute and is as follows.

(a) The amount of the plan review fee for the portion of the review through the first revised construction document review shall not exceed 1 percent of the total estimated cost of the construction project. A cost estimate of the proposed construction shall be submitted by the
Florida-registered architect or Florida-registered engineer who is the primary design professional for the project. 
(b) An initial fee payment is due with the first submission of plans and specifications to the AHCA. This initial payment shall be 1 percent of the estimated construction cost or $10,000, whichever is less, but shall in no case be less than $2,000.00. A $2,000.00 portion of the initial fee payment is non-refundable.
(c) The AHCA shall also collect its actual cost on all subsequent portions of the plan reviews and construction inspections.
(d) All fees shall be paid by check made payable to the Treasurer, State of Florida, with the check noted and identified that it is for the AHCA Plans and Review Trust Fund. Fees will be accepted only from the licensee or prospective licensee.
(4) Plans and specifications for contemplated new buildings or additions, conversions, renovations, or alterations which affect the structural integrity, life or fire safety, or use of space of existing buildings shall be submitted in three stages as follows:
(a) First Stage – Schematic Plans, which shall, at a minimum, include the following:
1. A list of services to be provided in the proposed constructions;
2. A schedule showing total number of beds; types of bedrooms such as private, semi-private, etc.; and types of ancillary spaces;
3. Single line drawings of each floor which show the relationship of the various activities or services to each other and the room arrangement in each. The name of each room shall be noted;
4. The proposed roads, walks, service and entrance courts, parking, and orientation shall be shown on either a small plot plan or the first floor plan;
5. A simple cross section diagram of the building; and
6. If the proposed construction is an addition to or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangement of those buildings.
(b) Second Stage – Preliminary Plans, Design Development Drawing, which shall, at a minimum, include the following:
1. Civil engineering plans – show existing grade structure and proposed improvements. Provide a vicinity map;
2. Architectural plans – provide floor plan, 1/8” scale preferred. Show door swings, windows, case work and millwork, fixed equipment, and plumbing fixtures. Indicate function of each space. Provide large plan of typical new bedroom. Provide typical large scale wall interior and exterior section and exterior wall elevations;
3. Life safety plans – provide single sheet floor plans of both contemplated and existing areas, showing fire and smoke compartmentation, all means of egress, all exit markings, and a description of exterior egress lighting. Dimension the compartments, calculate and tabulate exit units, and poché unsprinklered areas;
4. Mechanical engineering plans – provide one line diagram of the ventilating system with relative pressures of each space. Provide, at a minimum, in outline form, a description or drawing of the anticipated emergency smoke control, passive or active, and system operation, correlated with the life safety plans;
5. Electrical engineering drawings – provide one line diagram of essential electrical system showing both normal and alternate power supplies, service entrances, switchboards, transfer switches, distribution and panel boards, and description of loads. Show zoned fire alarm correlated with the life safety plans;
6. Outline specifications – provide a general description of the construction, including construction classification and rate of components, interior finishes, general types and locations of acoustical
material, floor coverings, hardware groups, electrical equipment, ventilating equipment, and plumbing fixtures;
6. If conversion of an existing building to a nursing home is contemplated, the general layout of space of the existing structure shall be submitted; and
7. If addition, alteration, renovation, or remodeling to a new or existing facility is proposed, the plans for that existing building shall be submitted.
(c) Third Stage – Construction Documents.
1. The construction documents shall be an extension of the Second Stage–Preliminary Plans submittal and shall completely describe the construction contemplated.
2. In the case of additions to new or existing facilities, it is specifically required that mechanical and electrical conditions, including essential electrical systems, be a part of this submittal.
(5) The AHCA shall approve or disapprove Third Stage submittals within 60 days of receipt of those documents.
(a) Disapproval of Third Stage submittals because of noncompliance with required codes or the provisions of these rules will automatically terminate the run of the 60 day time period; subsequent resubmissions of the project will initiate another 60 day response period.
(b) A lack of response within 90 days from the date of disapproval of the Third Stage submittals will constitute abandonment of the project.
(6) Construction work shall not be started until written approval has been given by the AHCA and must be started within one year following written approval of the construction documents. If construction work is not started within this time period, reapproval must be obtained.
(7) All subsequent addenda, change orders, field orders, and contractor letters altering the approved Construction Documents shall be submitted to the AHCA for approval. Any deviation from approved submittals shall require written approval from the AHCA.
(8) Construction inspections.
(a) All construction projects shall be inspected and approved by the AHCA prior to occupancy.
(b) The prospective licensee shall notify the AHCA a minimum of 30 days prior to project completion for inspection scheduling.
(9) Construction standards.
(a) For the purposes of these rules, new facility shall be defined as:
1. All new facilities which are constructed for the purpose of operating a nursing home according to Second Stage – Preliminary Plans approved by the AHCA subsequent to April 3, 1995.
2. All conversions of existing buildings from other occupancies which are converted for the purpose of operating a nursing home according to Second Stage – Preliminary Plans approved by the AHCA subsequent to April 3, 1995.
3. All buildings previously licensed under the requirements of Chapter 400, Part I, F.S., but not licensed during the 12 calendar months prior to April 3, 1995.
4. All new construction additions to facilities according to Second Stage – Preliminary Plans approved by the AHCA subsequent to April 3, 1995.
(10) For the purposes of these rules, existing facility shall be defined as:
(a) All facilities in operation prior to April 3, 1995.
(b) All facilities with Second Stage – Preliminary Plans approved by the AHCA prior to April 3, 1995.
(11) A licensee for a new facility shall comply with all the following technical codes and standards which are adopted by reference:
(a) The fire codes described in Chapter 4A-3, F.A.C.;
(b) Building Construction Standards in accordance with the provisions of Chapter 553, F.S.;
American Society of Heating, Refrigeration and Air Conditioning Engineers; and
(d) I.E.S. Lighting Handbook, Application Volume and Reference Volume, Illuminating Engineering
Society of North America, Copyright 1981.
(e) The following Sheet Metal and Air Conditioning Contractors’ National Association, Inc.,
Standards:
—. Rectangular Industrial Duct Construction Standards, 1980.
(12) A licensee of an existing facility shall comply with the requirements listed in Table I
excluding those requirements identified by an asterisk.
(13) Local codes which set more stringent standards or add additional requirements shall take
precedence over the standards and requirements set forth in this rule.
(14) No currently licensed and operating facility, either previously conforming or
nonconforming or as originally approved by the AHCA shall reduce its current degree of compliance
with these standards.
(15) Each facility shall comply, as appropriate, with the standards in Tables I, II, and III, hereby
incorporated by reference. Tables I, II, and III may be obtained from the Agency for Health Care
Administration, Long Term Care Section, 2727 Mahan Drive, Tallahassee, Florida 32308.
(16) All facilities shall comply with the following standards:
(a) All operable windows shall be equipped with well fitted insect screens not less than 16 mesh
per inch.
(b) Throw rugs or scatter rugs shall not be used in the facility. Floor mats are allowed in the
facility.
(c) Interior corridor doors, except for those small closets and janitors’ closets, shall not swing
into corridors.
(d) The temperature of hot water supplied to resident use lavatories, showers, and baths shall
be between 105 degrees Fahrenheit and 115 degrees Fahrenheit.
(e) Forced fresh air ventilation shall be provided to all rooms and spaces as required in Table I.
(f) Laundry facilities, if provided, shall be separated from resident and food service areas, shall
be self-contained and shall not be accessible through any other room. The layout of the laundry
shall provide a soiled holding room and shall provide for the separation of clean and soiled
functions with partitions and doors. Plumbing fixtures and trim shall be in accordance with Table
III.
(g) All spaces occupied by people, machinery, and equipment within buildings, approaches to
buildings, and parking lots shall be provided with artificial lighting commensurate with the tasks to
be performed in, and the function intended for, the space.
(h) Ceiling mounted racks and cubicle curtains shall be provided for privacy at each bed in multiple occupancy resident bedrooms. In instances where the use of cubicle curtains is contraindicated by the resident’s condition or the attending physician’s orders, the facility shall make provision for an alternate, effective method for ensuring resident privacy, approved by the AHCA. In facilities where portable screens have been accepted by the AHCA in lieu of ceiling mounted tacks and cubicle curtains, such screens may continue to be used.

(i) All facilities shall be supplied with potable water which is in compliance with the provisions of Chapter 62-550 or 64E-8, F.A.C., whichever is applicable. Whenever a municipal or community water supply is available to the property, such water supply shall be used in lieu of installing a privately owned water system.

(j) A safe method of sewage collection, treatment, and disposal shall be provided for each nursing home and shall be in compliance with the provisions of Chapter 62-600 or 64E-6, F.A.C., whichever is applicable. Whenever a municipal or public sewer system is available to the property, such system shall be used.

(k) All windows in resident bedrooms shall be provided with light control devices appropriate to the needs of the residents occupying the room.

(l) All ice making equipment installed in resident access areas subsequent to April 1, 1982, shall be the self-dispensing type.

(m) All wiring for power and light feeders, subfeeders and branch circuits in the normal, emergency, essential, and equipment systems including nurse call, emergency communication, alarm, and alerting systems, shall be installed in metal raceways except: Schedule 40 PVC minimum conduit may be used:

- In underground or in concrete slabs.
- For ungrounded, isolated power branch.
- Above non-fire rated ceilings and where ceiling cavity is not used for a return air plenum.

(17) Alterations:
(a) If, within a period of 12 months, alterations, conversions, renovations, or repairs, costing in excess of 50 percent of the then physical value of the nonconforming building as determined by the sponsor, architect, or engineer and approved by the AHCA are made, such buildings shall be made to conform to each and every standard for a new facility.
(b) If a nonconforming building is damaged by fire or otherwise, in excess of 50 percent of its then physical value before such damage is repaired, it shall be made to conform to each and every standard for a new facility.
(c) If the cost of such alterations, conversions, renovations, or repairs, or the amount of such damage is more than 25 percent but not more than 50 percent of the then physical value of the nonconforming building, the degree of compliance with new facility standards shall be determined by the AHCA.
(d) Alterations, renovations, or repairs not covered by the three preceding paragraphs to restore a nonconforming building to its condition previous to damage or deterioration shall minimally meet standards for new facilities.

(18) Physical Plant Requirements for Disaster Preparedness of New Nursing Home Construction.
(a) Definitions. The following definitions shall apply specifically to all new facilities as used in subsection 59A-4.133(18), F.A.C.:
1. “New facility” means a nursing home, or an addition of a wing or floor to an existing nursing home, which has not received a Stage II Preliminary Plan approval pursuant to Chapter 59A-4, F.A.C., prior to the effective date of this rule. Interior renovation, refurbishing, modifications or
conversions inside of an existing structure licensed as a nursing home, shall not have to meet the standards contained in this paragraph;
2. “Net square footage” means the clear floor space of an area excluding cabinetry and other fixed furniture or equipment;
3. “During and immediately following” means a period of 72 hours following the loss of normal support utilities to the facility;
4. “Occupied resident area(s)” means the location of residents inside of the new facility or in the addition of a wing or floor to an existing facility during and immediately following a disaster;
5. “Building code” means the building codes as described in Section 553.73, F.S.
6. “Resident support area(s)” means the area(s) required to ensure the health, safety and well-being of residents during and immediately following a disaster, such as a nursing station, clean and soiled utility areas, food preparation area, and other areas as determined by the facility.
(b) New Facility Construction Standards. The following construction standards are in addition to the physical plant requirements described in subsections (1) through (11) of Rule 59A-4.133, F.A.C. These minimum standards are intended to increase the ability of the new facility to be structurally capable of serving as a shelter for residents, staff and the family of residents and staff and equipped to be self-supporting during and immediately following a disaster:
1. Space Standards.
   a. For planning purposes, as estimated by the facility, each new facility shall provide a minimum of 30 net square feet per resident served in the occupied resident area(s).
   b. As determined by the facility, space for administrative and support activities shall be provided for use by facility staff to allow for care of residents in the occupied resident area(s).
   c. As determined by the facility, space shall be provided for all staff and family members of residents and staff.
2. Site standards.
   a. All new facilities and additions to existing facilities shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation, or;
   b. The floor elevation of all new occupied resident area(s) and all resident support area(s) and resident support utilities, including mechanical, electrical, and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation, or
   c. New additions or floors added to existing facilities, as determined by their site locations, shall be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency Management Agency, incorporated by reference and available from Federal Emergency Management Agency, Federal Insurance Administration, Attn. Publications, P. O. Box 70274, Washington, D.C. 20024.
   d. Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route;
   e. New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the applicable building code;
   f. New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria of the American Society of Civil Engineers (ASCE 7-95), fifty-year recurrence interval of wind velocity with appropriate exposure category dependent
3. Structural Standards. Wind load design of the building structure and exterior envelope including exterior wall systems shall be designed in accordance with the building code.

4. Roofing Standards.
   a. Roofing membrane material shall resist the uplift forces specified in the building code. Roof coverings shall be installed according to the specifications provided by the manufacturer.
   b. Loose-laid ballasted roofs shall not be permitted;
   c. All new roof appendages such as ducts, tanks, ventilators, receivers, dx condensing units and decorative mansard roofs and their attachment systems shall be structurally engineered to meet the wind load requirements of the applicable building code. All of these attachment systems shall be connected directly to the underlying roof structure or roof support structure.

5. Exterior Unit Standards.
   a. All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall be designed to resist the wind load requirements of the building code and the debris impact requirements as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.
   b. Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements and the debris impact requirements as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130;
   c. Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on-site at the facility and that meet the wind load requirements of the building code, and the debris impact requirements specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130 may be utilized to protect the exterior units;
   d. All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet wind load requirements of the building code, and the impact requirements specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130. These designs shall be signed, sealed and dated by a registered structural engineer;
   e. The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130;
   f. All of the exterior impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading;
   g. When not being utilized to protect the windows, the protective system shall not restrict the operability of the windows in the occupied resident bedrooms.
   h. When not being utilized to protect the windows, the protective systems shall not reduce the clear window opening below 8% of the gross square footage of the resident room.

a. Air moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of or on the roof of the facility shall be permitted only when either of the following are met:
(I) They are located inside a penthouse designed to meet the wind load requirements of the building code, or;
(II) Their fastening systems are designed to meet the wind load requirements of the building code and they are protected from impact as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.
b. All occupied resident areas and resident support areas shall be supplied with sufficient HVAC as determined by the facility to ensure the health, safety and well being of all residents and staff during and immediately following a disaster.
c. As determined by the facility these selected HVAC systems and their associated support equipment such as a control air compressor essential to the maintenance of the occupied resident and resident support area(s) shall receive their power from the emergency power supply system(s).
d. Ventilation air change rates in occupied resident areas shall be maintained as specified in Chapter 59A-4, F.A.C., during and immediately following a disaster.
e. Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping shall be located, routed and protected in such a manner as determined by the facility to ensure the equipment receiving the services will not be interrupted.
7. Plumbing Standards.
a. There shall be an independent on-site supply (i.e., water well) or on-site storage capability of potable water at a minimum quantity of 3 gallons per resident served per day during and immediately following a disaster.
b. There shall be an independent on-site supply or storage capability of potable water at a minimum quantity of 1 gallon per facility staff, and other personnel in the facility per day during and immediately following a disaster. For planning purposes, the number of these personnel shall be estimated by the facility.
c. The facility shall determine what amount of water will be sufficient to provide for resident services, and shall maintain an on-site supply or on-site storage of the determined amount.
d. When utilized to meet the minimum requirements of this rule, selected system appurtenances such as water pressure maintenance house pumps, and emergency water supply well pumps shall take power from the emergency power supply system(s).
8. Medical Gas Systems Standards. The storage, distribution piping system and appurtenances shall be contained within a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and available from the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite 1603, Miami, FL 33130.
a. There shall be an on-site Level I emergency electrical generator system designed to support the occupied resident area (s) and resident support area (s) with at least the following support services:
(I) Ice making equipment to produce ice for the residents served, or freezer storage equipment for the storage of ice for the residents served;
(II) Refrigerator unit(s) and food service equipment if required by the emergency food plan;
(III) Life safety and critical branch lighting and systems as required by Chapter 59A-4, F.A.C.;
(IV) Selected HVAC systems as determined by the facility and other systems required by this rule;
b. The emergency generator system shall be fueled by a fuel supply stored on-site sized to fuel the
generator for 100 percent load for 64 hours or 72 hours for actual demand load of the occupied
resident area(s) and resident support area(s) and resident support utilities during and
immediately following a disaster, whichever is greater.
(I) The fuel supply shall either be located below ground or contained within a protected area that is
designed and constructed to meet the structural and debris impact requirements as specified by
Section 2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and
available from the Metropolitan Dade County Building Code Compliance Department, 140 West
Flagler Street, Suite 1603, Miami, FL 33130. If an underground system is utilized, it shall be
designed so as to exclude the entrance of any foreign solids or liquids;
(II) All fuel lines supporting the generator system(s) shall be protected also with a method designed
and constructed to meet the structural and debris impact requirements as specified by Section
2315 of the South Florida Building Code, Dade edition 1994, incorporated by reference and
available from the Metropolitan Dade County Building Code Compliance Department, 140 West
Flagler Street, Suite 1603, Miami, FL 33130.
(III) All panel boards, transfer switches, disconnect switches, enclosed circuit breakers or
emergency system raceway systems required to support the occupied resident area(s), resident
support area(s) or support utilities shall be contained within a protected area(s) designed and
constructed to meet the structural and debris impact requirements as specified by Section 2315 of
the South Florida Building Code, Dade edition 1994, incorporated by reference and available from
the Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street,
Suite 1603, Miami, FL 33130, and shall not rely on systems or devices outside of this protected
area(s) for their reliability or continuation of service.
(IV) The emergency generator(s) shall be air or self-contained liquid cooled and it and other
essential electrical equipment shall be installed in a protected area(s) designed and constructed to
meet the structural and debris impact requirements as specified by Section 2315 of the South
Florida Building Code, Dade edition 1994, incorporated by reference and available from the
Metropolitan Dade County Building Code Compliance Department, 140 West Flagler Street, Suite
1603, Miami, FL 33130.
10. Fire Protection Standards.
a. If the facility requires fire sprinklers as part of its fire protection, either of the following shall be
met:
(I) On site water storage capacity to continue sprinkler coverage, in accordance with the
requirements of NFPA 13, 1996 edition, incorporated by reference and available from NFPA, 1
Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101 or
(II) If the facility plans to provide a Fire Watch, it shall use the following procedure as approved by
the Office of Plans and Construction for all areas of the facility that are without sprinkler coverage
due to interrupted water flow.
(A) Notify the local fire department and document instructions.
(B) Notify the Agency through the Area Office.
(C) Assess the extent of the condition and effect correction action, with a documented time frame. If
the corrective action will take more than four (4) hours, do the following items:
I. Implement a contingency plan to the facility fire plan containing: a description of the problem,
specifically what the system is not doing that it normally does, and the projected correction time
frame. All staff on shifts involved shall have documented in-servicing and drilling for the
contingency.
II. Begin a documented firewatch, until the system is restored. Persons used for firewatch must be trained in what to look for, what to do, and be able to expeditiously contact the fire department. For a firewatch, a facility can use only: public safety persons (i.e., fire service), a guard service, or staff (e.g., a nurse, maintenance, drill or safety coordinator); if the persons are:
A. Off duty from their regular position; in compliance with current state staffing ratios and personnel policies (i.e., not in a condition that would impair performance);
B. Trained and competent in what to look for and what to do;
C. Have a provision for priority communication (i.e., a radio or special telephone).
D. Notify Agency and local authorities, if the time-frame changes or system is restored.
b. If the facility provides a Fire Watch in lieu of sprinkler on-site water or water storage, then one 4-A type fire extinguisher or equivalent shall be provided for every 3 or less 2-A fire extinguishers required by NFPA 10, 1998 edition, incorporated by reference and available from NFPA, 1 Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101, for the area served. These additional extinguishers shall be equally distributed throughout the area they are protecting.
11. External Emergency Communications Standards. Each new facility shall provide for external electronic communication not dependent on terrestrial telephone lines, cellular, radio or microwave towers, such as on-site radio transmitter, satellite communication systems or a written agreement with an amateur radio operator volunteer group(s). This agreement shall provide for a volunteer operator and communication equipment to be re-located into the facility in the event of a disaster until communications are restored. Other methods which can be shown to maintain uninterrupted electronic communications not dependent on land-based transmission shall be pre-approved by the Office of Plans and Construction.

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(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.

(n) Additions and alterations or repairs to existing buildings.
(1) Where the structure was in use for this type occupancy prior to the effective date of this chapter, the director, with discretion, may waive or modify any portion of the standard provided such exceptions do not create a hazard to patients, personnel, or public.
(2) The provisions of this section shall not prohibit the use of equivalent alternate space utilizations, new concepts of plan designs and material or systems if written approval of those alternatives is granted by the director.
(3) Drawings and specifications for all new construction or additions, alterations, or repairs to existing buildings subject to the provisions of this chapter shall be submitted to the director for review and a certificate of need where applicable.

(4) Construction shall not commence prior to the director's approval of construction drawings and specifications. Construction drawings and specifications shall comply with this chapter, the county fire marshal's regulations, and with county building codes and ordinances.

(5) The director shall review such submittals and advise the applicant in writing of the determination.

(6) The director may make written recommendations to the applicant for its consideration but the recommendations shall not be considered mandatory.

(7) Unless construction is commenced within the year of the approval of final construction drawings and specifications, the construction drawings and specifications together with their application shall be resubmitted for review and approval.

(8) Minor alterations which do not affect structural integrity, fire safety, or change functional operation, or which do not increase beds or services over that for which the facility is licensed may be submitted by free hand drawings or by more conventional drawings and specifications.

(9) Maintenance and repair routinely performed by the facility shall not require review or approval by the director.

(10) Facilities shall be constructed and maintained in accordance with provisions of state and county zoning, building, fire safety, and sanitation laws and ordinances.

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01. Codes and Standards. Construction features of all existing facilities shall be in accordance with applicable local, state, and national codes, standards, and regulations in effect at the time of adoption of these rules. (1-1-88)

a. In the event of a conflict of requirement between the codes, the most restrictive shall apply. (1-1-88)

b. In addition, existing facilities shall comply with applicable fire and life safety codes and standards as set forth in Section 106. (12-31-91)

02. Site Requirements. The location of an existing facility is controlled by the following criteria: (1-1-88)

a. It shall be served by an all-weather road, kept open to motor vehicles at all times of the year. (1-1-88)

b. It shall be accessible to physician and medical services. (1-1-88) c. It shall be remote from railroads, factories, airports and similar noise, odor, smoke, dust and other nuisances.

d. It shall be accessible to public utilities. (1-1-88) e. It shall be in a lawfully constituted fire district. (1-1-88) f. It shall provide off-street motor vehicle parking at the rate of one (1) space for every three (3) licensed beds. (1-1-88)

121. NEW CONSTRUCTION STANDARDS.

01. Applicability. These rules apply to: (1-1-88)

a. All new construction of a health care facility. (1-1-88)

b. Conversion of any existing building (not licensed) for use as a health facility or part thereof. (1-1-88)
c. Construction additions to existing licensed health care facilities, e.g., added beds, wings, services, etc. (1-1-88)
d. Any major alterations to a licensed facility. (1-1-88)
e. Modernization and remodeling: (1-1-88)
   i. Design and standards of new construction shall be applicable to modernization and remodeling, except that when existing conditions make changes impractical to accomplish, minor deviations from functional requirements (not fire safety and other safety equipments) may be permitted if the intent of the rules is met and if the care and safety of the patients/residents will not be jeopardized. (1-1-88)
   ii. When it is not feasible to modernize the entire structure in accordance with these new construction standards, approval may be given for renovations of less than the entire structure if the operation of the facility or the safety of the patients/residents is not jeopardized by the remaining nonconforming section. (1-1-88)

02. Plans, Specifications, and Inspections. New facility construction or any addition, conversion or renovation of an existing facility is governed by the following rules:
a. Prior to commencing work pertaining to construction of new buildings or any additions or structural changes to existing facilities, or conversion of buildings to be used as a facility, plans and specifications shall be submitted to, and approved by, the Department to assure compliance with the applicable construction standards, codes, rules and regulations. (1-1-88)
b. The plans and specifications shall be prepared by, or executed under, the immediate supervision of a licensed architect registered in the state of Idaho. The employment of an architect may be waived by the Department in certain minor alterations. (1-1-88)
c. Preliminary plans shall be submitted and shall include at least the following: (1-1-88)
   i. The assignment of all spaces, size of areas and rooms, and indicated in outline the fixed and movable equipment and furniture. (1-1-88)
   ii. The plans shall be drawn at a scale sufficiently large to clearly present the proposed design, but not less than a scale of one-eighth inch (1/8") equals one foot (1'). (1-1-88)
   iii. The drawings shall include a plan for each floor, including the basement or ground floor; approach or site plan, showing roads, parking areas, sidewalks, etc. (1-1-88)
   iv. The total floor area and number of beds shall be computed and noted on the drawings. (1-1-88)
   v. Outline specifications shall provide a general description of the construction, including interior finishes; acoustical material, its extent and type and heating, electrical and ventilation systems. (1-1-88)
d. Before commencing construction, the working drawings shall be developed in close cooperation with, and approved by, the Department and other appropriate agencies. (1-1-88)
   i. Working drawings and specifications shall be well prepared so that clear, distinct prints may be obtained, accurately dimensioned, and shall include all necessary explanatory notes, schedules, legends, and stamped with the licensed architect’s seal. (1-1-88)
   ii. Working drawings shall be complete and adequate for contract purposes. Separate drawings shall be prepared for each of the following branches of work: architectural, mechanical and electrical. (1-1-88)
e. Prior to occupancy, the facility shall be inspected and approved by the licensing agency. The agency shall be notified at least two (2) weeks prior to completion in order to schedule a final inspection. (1-1-88)

03. Codes and Standards. New construction features shall be in accordance with applicable local, state and national standards, codes and regulations in effect at the time of the construction, addition, remodeling or renovation. (1-1-88)
a. In the event of a conflict of requirements between codes, the most restrictive shall apply. (1-1-88)
b. Compliance with the applicable provisions of the following codes and standards will be required by, and reviewed for, by this agency: (1-1-88) i. The Life Safety Code, 1985 edition, and referenced publications (see Section 106). (12-31-91)

04. Site Requirements. The location of all new facilities or conversion of existing buildings is controlled by the following criteria: (1-1-88)

a. It shall be adjacent to an all-weather road(s). (1-1-88)
b. It shall be accessible to physician’s services and medical facilities. (1-1-88)
c. It shall be accessible to public utilities. (1-1-88)
d. It shall be in a lawfully constituted fire district. (1-1-88)
e. Each facility shall have parking space to satisfy the minimum needs of patients/residents, employees, staff and visitors. In the absence of a local requirement, each facility shall provide not less than one (1) space for each day shift staff member and employee, plus one (1) space for each five (5) patient/resident beds. This ratio may be reduced in areas convenient to a public transportation system or to public parking facilities provided that approval of any reduction is obtained from the appropriate state agency. Space shall be provided for emergency and delivery vehicles. (1-1-88)

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b) When construction is contemplated, either for new buildings or additions or major alterations to existing buildings coming within the scope of these standards, design development drawings and outline specifications shall be submitted to the Department for review. Approval of design development drawings and specifications shall be obtained from the Department prior to starting final working drawings and specifications. Such approval will be based upon compliance with Section 300.2830. Comments or approval will be provided within 30 days of receipt by the Department.

c) The final working drawings and specifications shall be submitted to the Department for review and approval prior to beginning of construction. For final approval to remain valid, contracts must be signed within one year of the date of final approval. Alternate methods of design development and construction such as fast track shall be acceptable if equivalency can be proved. Comments of approval will be provided within thirty days of receipt by the Department.

d) Any contract modifications which affect or change the function, design, or purpose of a facility shall be submitted to the Department for approval prior to authorizing the modifications. Such approval will be based upon compliance with Section 300.2830. Comments or approval will be provided within 30 days of receipt by the Department.

e) The Department shall be notified at least 30 days before construction has been completed. The Department will then complete a final inspection. Deficiencies noted during the final inspection must be completed before occupancy will be allowed.
f) Minor alterations or remodeling changes which do not affect the structural integrity of the building, which do not change functional operation, which do not affect fire safety, and which do not add beds or facilities over those for which the Long-Term Care Facility is licensed need not be submitted for drawing approval. However, the Health Facilities Planning Board requirements must be met for all alterations and remodeling projects.

g) No system of water supply, plumbing, sewage, garbage or refuse disposal shall be installed, nor any such existing system materially altered or extended until complete plans and specifications for the installation, alteration or extension have been submitted to the Department and have been reviewed and approved. Such approval will be based upon compliance with Section 300.2820.

(Source: Amended at 13 Ill. Reg. 4684, effective March 24, 1989)

Section 300.2820 Codes and Standards

a) Each facility shall comply with the applicable provisions of the following codes and standards. Any incorporation by reference in this Section of federal regulations or of any standards of a nationally recognized organization or association refers to the regulations and standards on the date specified and does not include any editions or amendments subsequent to the date specified.

1) State of Illinois rules
   A) Illinois Plumbing Code (77 Ill. Adm. Code 890), Department of Public Health
   C) Food Service Sanitation Code (77 Ill. Adm. Code 750), Department of Public Health
   D) Boiler and Pressure Vessel Safety Code (41 Ill. Adm. Code 120), Office of the State Fire Marshal

2) Codes and standards
   A) National Fire Protection Association (NFPA), Standard No. 101: Life Safety Code, 2000 Edition (New Health Care Occupancies), including all appropriate references under Chapter 33, and excluding Chapter 5, Performance Based Options, and all other references to performance based options. NFPA 101A: Alternative Approaches to Life Safety shall not be allowed to establish equivalencies for new construction. In addition to the publications referenced in Chapter 33, the following documents shall be applicable for all long-term care facilities:
      vi) NFPA 70B, Recommended Practice for Electrical Equipment Maintenance – 2002 Edition
      ix) NFPA 105, Recommended Practice for the Installation of Smoke-Control Door Assemblies – 1999 Edition
   B) Underwriters' Laboratories, Inc. (UL):
D) American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE):
   i) Handbook of Fundamentals, 2001
   ii) Handbook of Applications, 1999

b) In addition to compliance with the standards set forth in this Section, all building codes, ordinances and regulations that are enforced by city, county or other local jurisdictions in which the facility is, or will be, located shall be observed.

c) Where no local building code exists, the recommendations of the 2000 Edition of the International Building Code shall apply.


e) Amendments to this Section effective November 15, 2003 supersede all other codes and standards incorporated in this Subpart N.

(Source: Expedited Correction at 28 Ill. Reg. 3528, effective November 15, 2003)

Section 300.2830 Preparation of Drawings and Specifications

a) The preparation of drawings and specifications shall be executed by or be under the immediate supervision of an architect registered in the State of Illinois:

b) The first submission shall be the design development drawings indicating in detail the assignment of all spaces, size or areas and rooms, and indicating in outline, the fixed and movable equipment and furniture, and the outline specifications.

c) The plans shall be drawn at a scale sufficiently large to clearly present the proposed design.

d) The drawings shall include:
   1) a plan of each floor including the basement or ground floor,
   2) roof plan,
   3) plot plan showing roads, parking areas, and sidewalks,
   4) elevations of all facades,
   5) sections through the building,
   6) identification of all fire and smoke compartmentation.

e) Outline specifications shall provide a general description of the construction including finishes; acoustical material, floor covering; heating and ventilating systems; description of the electrical system including the emergency electrical system and the type of elevators.

f) The total gross floor area and bed count shall be shown on the drawings.

g) A brief narrative of the proposed program shall be submitted with the preliminary drawings and outline specifications.

h) Following approval of the design development drawings and the outline specifications, working drawings and specifications shall be submitted. All working drawings shall be well prepared and clean and distinct prints shall be submitted. Drawings shall be accurately dimensioned and include all necessary explanatory notes, schedules and legends. Working drawings shall be complete and adequate for contract purposes. Drawings shall be prepared for each of the following branches of work: Architectural, Structural, Mechanical, Electrical and Plumbing.
61.3(1) This chapter covers both new and existing construction, except as noted in paragraphs “a” through “f” below. In various sections of the rules, specific provisions for existing structures which differ from those for new construction are indicated by a notation at the end of the rule as follows:

a. (Exception 1): Rule does not pertain to facilities built before 1957;
b. (Exception 2): Rule does not pertain to facilities built before 1972;
c. (Exception 3): Rule does not pertain to facilities built according to plans approved by the department prior to January 1, 1977;
d. (Exception 4): Rule does not pertain to facilities built according to plans approved by the department prior to November 21, 1990;
e. (Exception 5): Rule does not pertain to facilities built according to plans approved by the department prior to May 6, 1992;
f. (Exception 6): Rule does not pertain to facilities built or renovated according to plans approved by the department and designated as a person directed care environment.

61.3(2) The rules apply to renovations, additions, functional alterations, or change of space utilization to existing facilities which are completed after November 21, 1990. Conversion of a building or any of the parts not currently licensed as a nursing facility must meet the rules governing construction of new facilities. (III)

61.3(3) The building site is subject to departmental approval.

a. An 8½- by 11-inch vicinity map shall be submitted which indicates the site location and address. If possible, a city map should also be included. (III)
b. The neighborhood environment shall be free from excessive noise, dirt, polluted or odorous air. (III)
c. There shall be an area available for outdoor activities. Open air porches and decks may be included in meeting this requirement. (III)
d. The outdoor area shall be 40 square feet per licensed bed. (III) (Exception 4)
e. Each facility shall have on-site parking space for residents, employees, staff and visitors. (III)

The following minimum parking spaces shall be provided:

(1) In facilities of 20 or more beds, one space for each 5 beds, plus one space for each day-shift employee. (III) (Exception 4)

(2) In facilities of 19 or fewer beds, one space for each 3 beds, plus one space for each day-shift employee. (III) (Exception 4)

(3) Handicapped parking as appropriate, or a minimum of one space. (III) (Exception 4)
f. Accessibility shall be provided for emergency and delivery vehicles. (III) (Exception 3)

61.3(4) When new construction, an addition, functional alteration, or conversion of an existing building is contemplated, the licensee or applicant for license shall:

a. File a detailed and comprehensive program of care as set forth in rules 481—58.3(135C) and 481—59.3(135C) which includes a description of the specific needs of the residents to be served, and any other information the department may require. (III)
b. Submit a preliminary site plan and floor plan. The design shall meet the requirements of all applicable state statutes, fire codes, federal regulations and local ordinances. The most stringent standards shall apply in resolving conflicts. (III)
c. Submit legible working drawings and specifications showing all elements of construction, fixed equipment, and mechanical and electrical systems to the department and to the state fire marshal. These construction documents shall be prepared by or under the direct supervision of a registered architect or engineer. The architects or engineers shall be working within their field of registration and shall be licensed to practice in Iowa. All construction documents shall be certified by and bear the seal of the architect or engineer responsible for the project. Each project shall be evaluated for its impact on the facility. Projects not affecting primary structural elements may, at the discretion of the department, be excluded from this rule. (III)
d. Receive written approval from the department and the state fire marshal’s office before starting construction. If on-site construction above the foundation is not started within 12 months of the date of final approval of the working drawings and specifications, the approval shall be void and the plans and specifications shall be resubmitted. (III)
e. Have plans and specifications approved in writing by the department and the state fire marshal’s office before a change in the building is made. The applicant is responsible for ensuring that construction proceeds according to approved plans and specifications. (III)

61.3(5) For new construction, an addition, functional alteration or conversion of an existing building, it is the responsibility of the owner or an agent to notify the department at all of the following intervals and wait for inspection by the department before proceeding:

a. At least 30 days before commencement of construction on the premises; (III)
b. At least 30 days before pouring the concrete floor slab; (III)
c. After completion of the mechanical or electrical rough-in and 30 days before enclosing walls; (III)
d. Thirty days before the completion of the project. (III)

61.3(6) Rescinded IAB 12/6/06, effective 1/10/07.

61.3(7) The facility shall be made accessible to and usable by persons with physical handicaps in accordance with the requirements of the American National Standards Institute (ANSI) document A117.1-1986 except where more stringent requirements are specified in these rules. (II, III) (Exception 3)

61.3(10) Projects involving alterations of and additions to existing buildings shall be programmed and phased so that on-site construction will minimize disruptions of living functions. Access, exits and fire protection shall be maintained so that the safety of the occupants is not jeopardized during construction. (II, III)

61.3(11) If a resident exit is below the outside grade level, at least one exit from that level shall include an approved ramp. (III) (Exception 4)

61.3(12) Any equipment found to be hazardous, or which fails to meet the purposes for which it is intended, shall be repaired, removed or replaced. (III)

61.3(13) Upon completion of the contract, the department shall be provided a complete set of approved record drawings, specifications, and addenda which show all construction, fixed equipment, mechanical and electrical systems. (III) (Exception 4)

61.11(5) Before completion of the contract for new construction and final acceptance of the facility, the contractor shall certify that all mechanical systems have been tested and balanced, and that the installation and performance of these systems conform to plans and specifications.

61.11(6) Upon completion of the contract, the owner shall be furnished with a complete set of manufacturer’s operating, maintenance, and preventive instructions. A parts list with numbers and
descriptions for each piece of equipment shall be included. The owner shall be instructed in the operational use of systems and equipment as required. (III) (Exception 3)

[ARC 8189B, IAB 10/7/09, effective 11/11/09]

481—61.14(135C) Codes and standards. Nothing in the rules shall relieve anyone from compliance with building codes, ordinances and regulations which are enforced by city, county or state jurisdictions. Where codes, ordinances and regulations are not in effect, the sponsor shall consult one of the national building codes, provided the requirements of the code are not less stringent than the minimum standards set in this chapter. (III)

Any alterations, or any installation of new equipment, shall be accomplished as nearly as practical in conformance with all applicable codes, ordinances, regulations and standards required for new construction. Alterations shall not diminish the level of compliance with any codes, ordinances, regulations or standards below that which existed prior to the alterations. Any feature which does not meet the requirement for new buildings but exceeds the requirement for existing buildings shall not be further diminished. Features which exceed requirements for new construction need not be maintained. In no case shall any feature be less than that required for existing buildings. (III)

NOTE: The following codes and standards have been used in whole or in part in these rules:
- American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Handbooks.
- Iowa State Building Code.
- Iowa State Plumbing Code.
- Labor Services Division, Department of Employment Services.
- Food Service Sanitation Manual (DHEW Publication (FDA) 8-2081).
- Underwriters’ Laboratories, Inc. lists.

481—61.2(135C) Variances. Procedures for requesting a variance in rules 481—58.2(135C) and 481—59.2(135C) are incorporated by reference as part of this chapter. Certain resident populations, conditions in the area, or the site may justify variances. In specific cases, variances to the rules may be granted by the director after the following conditions are met:

1. The design and planning for the specific property shall offer improved or compensating features which provide equivalent desirability and utility;
2. Alternate or special construction methods, techniques, and mechanical equipment shall offer equivalent durability, utility, safety, structural strength and rigidity, sanitation, odor control, protection from corrosion, decay and insect attack, and quality of workmanship;
3. The health, safety or welfare of any resident shall not be endangered;
4. Variations are limited to the specific project under consideration and shall not be construed as establishing a precedent for similar acceptance in other cases;
5. Occupancy and function of the building shall be considered; and
6. Type of licensing shall be considered.
Each nursing facility shall be designed, constructed, equipped, and maintained to protect the health and safety of residents, personnel, and the public.

(a) All new construction and modifications shall comply with building codes, ordinances, and regulations enforced by city, county, or state jurisdictions.

(1) Where codes, ordinances, and regulations are not in effect, the owner shall conform to the uniform building code, as in effect in 1991.

(2) New construction, modifications and equipment shall conform to the following codes and standards:

(A) Title III of the Americans with disabilities act, 42 U.S.C. 12181, effective as of January 26, 1992; and

(B) "Food service sanitation manual," health, education, and welfare (HEW) publication no. FDA 78-2081, as in effect on July 1, 1981.

(b) Site requirements. The location and development of a site upon which a facility is to be constructed, or an existing facility expanded, or an existing building converted for use as an adult care home, shall meet the following physical requirements:

(1) Site location. The general location of the site shall be:

(A) Served by all-weather roads or streets;

(B) accessible to physician services, fire and other emergency services, medical facilities, churches, and population centers where employees can be recruited and retained;

(C) sufficiently remote from noise sources which would cause day or night average sound levels to exceed 65 decibels. The average day or night sound level shall be the A weighted energy equivalent sound level for a 24-hour period with an additional 10 decibel weighing imposed on the equivalent sound level occurring during the night-time hours of the following day (10:00 p.m. to 7:00 a.m.). For the purposes of this regulation the term decibel is a unit for measuring the volume of a sound equal to 20 times the logarithm to the base 10 of the ratio of the pressure of sound measured to the reference pressure which is 20 micropascals. Fast time averaging and A-measurements shall be made four feet 11 inches or 1.5 meters above ground level at a site location, six feet seven inches or two meters from the exterior wall of the existing or proposed building, on that side nearest the predominant noise source. If the proposed building location is unknown, the person testing the noise levels shall take measurements at a point six feet seven inches or two meters beyond the building setback line in the direction of the predominant noise source. Any noise measurements which are submitted for review shall be performed at the site within 180 days immediately before the date of the application for site approval. The department shall give consideration to the presence of time varying or seasonal noise sources during the selection of measurement periods in order to provide an accurate assessment of the noise environment of the site. The 24-hour measurement periods selected shall be representative of the maximum noise source activities likely to be encountered during any weekly period;

(D) free from noxious and hazardous fumes;

(E) at least 4,000 feet from concentrated livestock operations, including shipping areas, or holding pens;

(F) free of flooding for a 100 year period; and

(G) sufficient in area and configuration to accommodate the facility, drives, parking, sidewalks, recreational area, and community zoning restrictions.
(2) Site development. Development of the site shall conform to the following provisions.

(A) Final grading of the site shall provide topography for positive surface drainage away from the building and positive protection and control of surface drainage and freshets from adjacent areas.

(2) Applications for certificate of need submitted prior to December 1, 1990 may choose to build to either these specifications or to the specifications in the licensure category requested on their certificate of need application.

Section 3. Preparation and Approval of Plans and Specifications for New Construction or Facility Alterations. (1) Before construction is begun for the erection of new buildings or alterations to existing buildings or any change in existing nursing facilities, the licensee or applicant shall submit plans to the licensure agency for approval.

Section 2. Preparation and Approval of Plans and Specifications. (1) Before construction is begun for the erection of new buildings or alterations to existing buildings or any change in facilities, for a skilled nursing facility, the licensee or applicant shall submit plans to the licensure agency for approval.

(2) All architectural, mechanical and electrical drawings shall bear either the seal of an architect registered in the Commonwealth of Kentucky or the seal of a professional engineer registered in the Commonwealth of Kentucky, or both.

(3) Drawings shall not exceed thirty-six (36) inches by forty-six (46) inches when trimmed.

(4) All such plans and specifications must be approved by the licensure agency prior to commencement of construction of new buildings or alterations of existing buildings.

(5) Plans and specifications in specific detail as required by the Kentucky Building Code shall be submitted together with architectural and/or engineering stamps as required by KRS Chapters 322 and 323, to the Department of Housing, Buildings and Construction for determining compliance with the Kentucky Building Code. All such plans and specifications must be approved by the Department of Housing, Buildings and Construction and appropriate local building permits shall be obtained prior to commencement of construction.

Section 3. Submission of Plans and Specifications. (1) First stage; schematic plans.

(a) Single line drawings of each floor shall show the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room shall be noted. Drawings shall include typical patient room layouts (scaled one-fourth (1/4) inch = one (1) foot) with dimensions noted. The proposed roads and walks, service and entrance courts, parking and orientation shall be shown in a plot plan.

(b) If the project is an addition, or is otherwise related to existing buildings on the site, the plans shall show the facilities and general arrangements of those buildings.

(2) Second stage; preliminary plans. Preliminary sketch plans shall include the following:

(a) Architectural. Plans of basement and floors.

(b) Outline specifications.

1. General description of the construction, including interior finishes, types and locations of acoustical material, and special floor covering;

2. Description of the air-conditioning, heating and ventilation systems and their controls, duct and piping systems, as well as dietary, laundry, sterilizing, and other special equipment;
3. General description of electrical service including voltage, number of feeders, and whether feeders are overhead or underground.

(3) Third stage; contract documents.

(a) Working drawings. Working drawings shall be complete and adequate for bid, contract, and construction purposes. Drawings shall be prepared for each of the following branches of the work: architectural, structural, mechanical, and electrical. They shall include the following:

1. Architectural drawings.
   a. Approach plan showing all new topography, newly established levels and grades, existing structures on the site (if any), new building structures, roadways, walks, and parking areas;
   b. Plan of each basement, floor and roof;
   c. Elevations of each facade;
   d. Sections through building;
   e. Required scale and full-size details;
   f. Schedule of doors, window s, and room finishes;
   g. Location of all fixed equipment on a layout of typical and special rooms indicating all fixed equipment and major items of movable equipment. Equipment not included in contract shall be so indicated;
   h. Conveying systems. Details of construction, machine and control spaces necessary, size and type of equipment, and utility requirements for the following: dumbwaiters - electric, hand, hydraulic; elevators - freight, passenger, patient; loading dock devices; pneumatic tube systems.

2. Structural drawings.
   a. Plans for foundations, floors, roofs, and all intermediate levels with sizes, sections, and the relative location of the various structural members;
   b. Dimensions of special openings;
   c. Details of all special connections, assemblies, and expansion joints.

3. Mechanical drawings.
   a. Heating, steam piping, and air-conditioning systems. Radiators and steam heated equipment, such as sterilizers, warmers, and steam tables; heating and steam mains and branches with pipe sizes; diagram of heating and steam risers with pipe sizes; sizes, types, and capacities of boilers, furnaces, hot water heaters with stoker; oil burners, or gas burners; pumps, tanks, boiler breeching, and piping and boiler room accessories; air-conditioning systems with required equipment, water and refrigerant piping, and ducts; supply and exhaust ventilation systems with heating/cooling connections and piping; air quantities for all room supply and exhaust ventilating duct openings.
   b. Plumbing, drainage, and standpipe systems. Size and elevation of: street sewer, house sewer, house drains, street water main, and water service into the building; location and size of soil, waste, and water service with connections to house drains, clean-outs, fixtures, and equipment; size and location of hot, cold and circulating branches, and risers from the service entrance, and tanks; riser diagram of all plumbing stacks with vents, water risers, and fixture connections; gas, oxygen, and vacuum systems; standpipe and sprinkler systems where required; all fixtures and equipment that require water and drain connections.

4. Electrical drawings.
   a. Electrical service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections if located in the building;
   b. Location of main switchboard, power panels, light panels, and equipment. Diagram of feeders and conduits with schedule of feeder breakers or switches;
   c. Light outlets, receptacles, switches, power outlets, and circuits;
d. Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets, and branch conduits;
e. Nurses’ call systems with outlets for beds, duty stations, door signal light, annunciators, and wiring diagrams;
f. Emergency electrical system with outlets, transfer switch, sources of supply, feeders, and circuits;
g. All other electrically operated systems and equipment.

(b) Specifications. Specifications shall supplement the drawings to fully describe types, sizes, capacities, workmanship, finishes and other characteristics of all materials and equipment and shall include:
1. Cover or title sheet;
2. Index;
3. Sections describing materials and workmanship in detail for each class of work;
4. Access to the work. Representatives of the appropriate state agencies shall have access at all reasonable times to the work wherever it is in preparation or progress, and the contractor shall provide proper facilities for such access and inspection.

Section 4. Compliance with Building Codes, Ordinances and Administrative Regulations. (1) This section be administered independently from other sections of this administrative regulation.
(2) General. Nothing stated herein shall relieve the sponsor from compliance with building codes, ordinances, and administrative regulations which are enforced by city, county, or state jurisdictions.
(3) The following requirements shall apply where applicable and as adopted by the respective agency authority:
(a) Requirements for safety pursuant to 815 KAR 10:020, as amended;
(b) Requirements for plumbing pursuant to 815 KAR 20:010 to 20:190, as amended;
(c) Requirements for air contaminants for incinerators pursuant to 401 KAR 59:020 and 401 KAR 61:010;
(d) Requirements for elevators pursuant to 815 KAR 4:010; and
(e) Requirements for making buildings and facilities accessible to and usable by the physically handicapped, pursuant to KRS 198B.260 and administrative regulations promulgated thereunder.
(4) Prior to occupancy, facility must have final approval from appropriate agencies.

Section 14. Construction. Foundations shall rest on natural solid ground if a satisfactory soil is available at reasonable depths. Proper soil bearing values shall be established in accordance with recognized standards. If solid ground is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement.

(3) Leveling. Elevators shall have automatic leveling of the two (2) way automatic maintaining type with accuracy within plus or minus one-half (1/2) inch.

Section 14. Foundations. Foundations shall rest on natural solid ground if a satisfactory soil is available at reasonable depths. Proper soil bearing values shall be established in accordance with recognized standards. If solid ground is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement.
2.G. New Construction or Additions
No new construction or additions or alterations shall commence without the applicant having first referred the plans to the Office of Planning, Research and Development for their recommendations, and without having prior written approval by the Department. The provisions of these rules and regulations do not prohibit the use of equivalent alternate space utilizations, new concepts of facility plan design and new finish materials.

2.G.1. An application for approval of new construction or additions or alterations shall be submitted on forms to be furnished by the Department.

2.G.2. Commencement of construction shall not occur until a certificate of approval has been issued by the Department.

2.G.3. Unless construction is commenced within one year from date of written approval of final working drawings and specifications, the application and the drawings shall be resubmitted for renewal of review and approval.

2.G.4. Minor alterations which do not affect the structural integrity of the building, which do not affect fire safety, which do not change primary functional operation, or which do not change the number of beds for which the facility is licensed, need not be submitted.

2.G.5. Routine maintenance and repairs do not require prior approval by the Department.

20.A. Structure
New Construction, Change of Ownership or Renovations
All new facilities, facilities changing ownership, or facilities proposing major renovations which require a Certificate of Need shall require the installation of an emergency generator.

MARYLAND

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".

MASSACHUSETTS

150.017: Construction and Equipment

(A) New Construction, Alterations and Conversions.

(1) The establishment and construction of new long-term care facilities, conversions of other types of facilities to long-term care facilities, or any alterations or additions to existing facilities now licensed by the Department shall conform to the Department’s most current standards of construction and shall be constructed, converted or altered for the specific purpose of providing a specific (level or levels) of long-term care.

(2) New construction, conversions, alterations, additions or other structural changes or acquisition of special equipment in a proposed or existing facility shall not be made until a letter of intent and proper application forms have been filed with the Department and approval of the final plans and specifications for construction or acquisition have been issued by the Department of Public Health and the Department of Public Safety.

(3) Conversion to long-term care facilities of structures not previously licensed by the Department as hospitals, convalescent and nursing homes, rest homes, infirmaries maintained in towns or charitable homes for the aged shall be allowed only in exceptional cases, as determined and
approved by the Department and only where such conversion will ensure substantial compliance with 105 CMR 150.000 and current construction standards.

(4) No facility presently licensed as a rest home shall be licensed as a facility that provides Level I, II or III care unless it conforms to the Department’s most recent standards for new construction, alterations and conversions.

(B) Construction and equipment requirements for facilities, or units thereof which were NOT constructed under the "Rules and Regulations for the Construction of New Convalescent or Nursing Homes in Massachusetts" effective March 19, 1968, or subsequent revisions of these construction standards.

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**MICHIGAN**

Sec. 20145. (1) Before contracting for and initiating a construction project involving new construction, additions, modernizations, or conversions of a health facility or agency with a capital expenditure of $1,000,000.00 or more, a person shall obtain a construction permit from the department. The department shall not issue the permit under this subsection unless the applicant holds a valid certificate of need if a certificate of need is required for the project pursuant to part 222.

(2) To protect the public health, safety, and welfare, the department may promulgate rules to require construction permits for projects other than those described in subsection (1) and the submission of plans for other construction projects to expand or change service areas and services provided.

(3) If a construction project requires a construction permit under subsection (1) or (2), but does not require a certificate of need under part 222, the department shall require the applicant to submit information considered necessary by the department to assure that the capital expenditure for the project is not a covered capital expenditure as defined in section 22203(9).

(4) If a construction project requires a construction permit under subsection (1), but does not require a certificate of need under part 222, the department shall require the applicant to submit information on a 1-page sheet, along with the application for a construction permit, consisting of all of the following:

(a) A short description of the reason for the project and the funding source.

(b) A contact person for further information, including address and phone number.

(c) The estimated resulting increase or decrease in annual operating costs.

(d) The current governing board membership of the applicant.

(e) The entity, if any, that owns the applicant.

(5) The information filed under subsection (4) shall be made publicly available by the department by the same methods used to make information about certificate of need applications publicly available.

(6) The review and approval of architectural plans and narrative shall require that the proposed construction project is designed and constructed in accord with applicable statutory and other regulatory requirements. In performing a construction permit review for a health facility or agency under this section, the department shall, at a minimum, apply the standards contained in the document entitled "Minimum Design Standards for Health Care Facilities in Michigan" published by the department and dated March 1998. The standards are incorporated by reference for purposes
of this subsection. The department may promulgate rules that are more stringent than the standards if necessary to protect the public health, safety, and welfare.

(7) The department shall promulgate rules to further prescribe the scope of construction projects and other alterations subject to review under this section.

(8) The department may waive the applicability of this section to a construction project or alteration if the waiver will not affect the public health, safety, and welfare.

(9) Upon request by the person initiating a construction project, the department may review and issue a construction permit to a construction project that is not subject to subsection (1) or (2) if the department determines that the review will promote the public health, safety, and welfare.

(10) The department shall assess a fee for each review conducted under this section. The fee is .5% of the first $1,000,000.00 of capital expenditure and .85% of any amount over $1,000,000.00 of capital expenditure, up to a maximum of $60,000.00.

(11) As used in this section, "capital expenditure" means that term as defined in section 22203(2), except that it does not include the cost of equipment that is not fixed equipment.

**MINNESOTA**

The construction of a new secured unit physical plant, or any physical plant changes that meet the definition of "new construction" in part 4658.0010, subpart 5a, must be in compliance with the requirements for new construction in parts 4658.3500 to 4658.4690.

**4658.3000 LICENSURE.**

The commissioner of health must be notified directly in writing about proposed planning for all new construction, remodeling, changes in existing service, function or bed capacity, addition of new services, sale, and change of ownership.

**4658.3005 COMPLIANCE WITH RULES.**

Subpart 1. **New construction.** New construction must be according to the requirements for new construction in parts 4658.3500 to 4658.4690.

Subp. 2. **Existing facilities.** All existing facilities must be in compliance with the physical plant requirements for new construction, except as noted in this chapter. When additional beds are added to existing facilities, the required dayroom and dining room areas must be based on the bed capacity of the entire facility. Compliance with the standards for new construction for existing facilities must be for the areas involved and to the extent that the existing structure will permit.

Subp. 3. **Reclassification.** As a condition for reclassification of a boarding care home to a nursing home, the physical plant must be in compliance with all new construction requirements for nursing homes in this chapter. The department shall consider waiver requests under part 4658.0040 from a facility that is in substantial compliance with the new construction requirements in parts 4658.3500 to 4658.4690.

Subp. 4. **State fire marshal.** Fire protection for the nursing home must be provided in accordance with the Minnesota Uniform Fire Code. The state fire marshal's approval of the fire safety features of the completed facility is required for initial licensure. A nursing home must remain in compliance with regulations enforced by the state fire marshal in order to qualify for continued licensure.

Subp. 5. **Redecoration.** A nursing home must maintain specification sheets for all wall, floor, or ceiling covering materials, except paint. The materials and installation must be in accordance with the Life Safety Code.
Subp. 6. **Remodeling.** New construction standards apply only to those materials, space, and equipment being remodeled. The new construction plan requirements of parts 4658.3500 to 4658.4090 apply to all remodeling projects.

Subp. 7. **Replace-in-kind.** The department must be notified in writing prior to all replace-in-kind projects, except in the case of an emergency. Changes in space required for the replacement equipment must be only to the extent required by the newer equipment.

**4658.4000 PREPARATION OF PLANS; NEW CONSTRUCTION.**
Architectural and engineering plans and specifications for new construction must be prepared and signed by architects and engineers who are registered in Minnesota and in accordance with the requirements by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design.

**4658.4005 APPROVAL OF PLANS; NEW CONSTRUCTION.**
Preliminary plans and final working drawings and specifications for proposed construction must be submitted to the commissioner of health for review and approval. Preliminary plans must be approved before the preparation of final working drawings is undertaken. Final working drawings and specifications must be approved before construction is begun.

**4658.4010 PRELIMINARY PLANS; NEW CONSTRUCTION.**
Preliminary plans must be drawn to scale, show basic dimensions, and indicate the general layout and space arrangement of the proposed building or area and must include a site plan when applicable. Plans must indicate assignments of rooms and areas, and must show bed capacities and fixed equipment. The plans should include consideration for future expansion of a nursing home by consideration of the site, orientation of the structure on the site, parking, and resident, dietary, and laundry areas. If a laundry is not contemplated initially, provision must be made for its possible future location.

**4658.4015 FINAL PLANS; NEW CONSTRUCTION.**
Final architectural plans and specifications must include elevations and sections through the building showing types of construction, and must indicate dimensions and assignments of rooms and areas, room finishes, door types and hardware, elevations and details of nurses’ stations, utility rooms, toilets and bathing areas, and large-scale layouts of dietary and laundry areas. Plans must show location of fixed equipment and sections and details of elevators, chutes, and other conveying systems. Fire walls and smoke partitions must be indicated. The roof plan must show all mechanical installations. The site plan, if applicable, must indicate the proposed and existing buildings, topography, roadways, walks, and utility service lines.

**4658.4025 START OF CONSTRUCTION; NEW CONSTRUCTION.**
The department must be notified in writing within seven days after beginning construction. Unless construction is begun within one year after approval of final working drawings and specifications, the drawings must be resubmitted for renewal of review and approval. All construction must be executed according to the approved final plans and specifications. Subsequent construction changes addressed by this chapter must be approved by the department before the changes are made.

**4658.4030 FINAL INSPECTION; NEW CONSTRUCTION.**
The department must be notified at least 30 days before the completion of construction so that arrangements can be made for a final inspection by the department and by the state fire marshal. Completion means the entire construction, equipment, staffing patterns, and services. Mechanical and electrical systems must be completed and tested for performance and safety in accordance with specifications and state requirements before new construction can be licensed and residents admitted.
4658.4035 PLAN SAFEKEEPING; NEW CONSTRUCTION.
At least one set of complete plans of the entire facility, including changes resulting from remodeling or alterations, must be kept on file in the nursing home.

4658.4040 SITE; NEW CONSTRUCTION.
A nursing home must be so located as to protect at all times the health, comfort, and safety of residents. The factors in selecting the site for a new nursing home must include the following:
A. Public utilities must be available.
B. The water supply must be obtained from an approved public water supply system. If none is available, water must be obtained from a water supply system whose location, construction, and operation complies with parts 4720.0010 to 4720.4600 and, where applicable, parts 4725.0050 to 4725.7450. Plans and specifications for a private water supply system must be approved before construction of the system or the nursing home is started.
C. Sewage and other liquid wastes must be discharged into an approved public sewer system where available. If none is available, sewage must be collected, treated, and disposed of in a sewage disposal system which is designed, located, constructed, and operated according to chapter 7080. Plans and specifications for a private sewage disposal system must be approved before construction of the system or the nursing home is started.
D. The site must be no closer than 300 feet to the right-of-way of a railroad main line or to the property line of industrial developments which are nuisance-producing or hazardous to health under state or local law.
E. The site must not be located within 85 feet of underground or 300 feet of aboveground storage tanks or warehouses containing flammable liquids.
F. The site must be publicly accessible to fire department services, medical services, and community activities.
G. The topography must provide good natural drainage and not be subject to flooding.
H. Adequate all-weather roads and walks must be provided within the lot lines to the primary entrance and the service entrance, including employees' and visitors' parking at the site.
I. The primary entrance must be accessible for the elderly and individuals with disabilities.
J. The site must include space for outdoor activities.

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137 GENERAL
137.01 Building Classification.
1. To qualify for a license, the facility shall be planned to serve the type of patients to be admitted and shall comply with the following:
a. All facilities constructed after the effective date of these regulations shall comply with the building requirements set forth in the regulations.
b. After the effective date of these regulations, all additions to facilities shall comply with the building requirements for a license. Approval shall not be granted for an addition to an existing building which will increase the bed capacity unless the existing structure is basically sound and is to be brought into a condition of acceptable conformity with the current regulations.
c. Authority to Waiver. The licensing agency may waive certain requirements in the regulations at its discretion for facilities licensed as a facility in a state-owned and state-operated mental institution provided the health and safety of residents will not be endangered.
2. Renovations within the exterior walls of a facility shall in no case be of such nature as to lower the character of the structure below the applicable building requirements for the type of license held by the facility.

137.02 Location. All facilities established or constructed after the adoption of these regulations shall be located so that they are free from undue noise, smoke, dust, or foul odors and shall not be located adjacent to disposal plants, cemeteries, main line railroads, funeral home, airport, etc.

137.03 Site. The proposed site for a facility must be approved by the licensing agency. Factors to be considered in approving a site in addition to the above may be convenience to medical and hospital services, approved water supply and sewerage disposal, public transportation, community services, services of an organized fire department, an availability to labor supply. Not more than onethird (1/3) of a site shall be covered by a building(s) except by special approval of the licensing agency. One example whereby approval may be granted is where the structure is to be placed in a very desirable location where the grounds are limited and very expensive. Where such approval is granted, the structure will be required to have a living room, day room, sun room, and recreational areas adequate to compensate for lack of required outside area.

137.04 Local Restrictions. The site and structure of all facilities shall comply with local building, fire and zoning ordinances. Evidence to this effect signed by local building, fire, and zoning officials shall be presented.

137.05 Transportation. Facilities shall be located on streets or roads which have all weather surface. They should be located convenient to public transportation facilities.

137.06 Communication. There shall be not less than one telephone in the home and such additional telephones as are necessary to summon help in event of fire or other emergency. The telephone shall be listed under the official licensed name or title of the home.

137.07 Occupancy. No part of the facility may be rented, leased, or used for any commercial purpose not related to the operation of the home.

137.08 Basement.
1. The basement shall be considered as a story if one-half (1/2) or more of its clear height is above the average elevation of the ground adjoining the building on all sides.
2. No resident shall be housed on any floor that is below ground level.

138 SUBMISSION OF PLANS AND SPECIFICATIONS

138.01 New Construction, Additions, and Renovations. When construction is contemplated either for new buildings, conversions, additions, or alterations to existing buildings, one set of plans and specifications shall be submitted to the licensing agency for review and approval. The submission shall be made in not less than two stages preliminary and final. Floor plans shall be drawn to scale of one-eighth (1/8) inch to equal one (1) foot or one-fourth (1/4) inch to equal one (1) foot.

138.02 Minor Alterations and Remodeling. Minor alterations and remodeling which do not affect the structural integrity of the building, change functional operation, affect fire safety, or add beds or facilities or those for which the facility is licensed do not need to have plans submitted for review provided that a detailed explanation of the proposed alteration or remodeling is submitted to and approved by the licensing agency.

138.03 First Stage Submission-Preliminary Plans.
First stage or preliminary plans shall include:
1. Plot plant showing size and shape of entire site; location of proposed building and any existing structure(s); adjacent streets, highways, sidewalks, railroads, etc., all properly designated; and size, characteristics, and location of all existing public utilities.
2. Floor plan showing over-all dimensions of building(s); location, size, and purpose of all rooms; location and size of all doors, windows, and other openings with swing of doors properly indicated; dimensions of all corridors and hallways; and location of stairs, elevators, dumbwaiters, vertical shafts, and chimneys.
   a. Outline specifications giving kinds and types of materials.
   b. A scaled drawing of one-fourth (1/4) inch to one (1) foot shall be submitted for the following areas: Kitchen, dishwashing area, nurses’ station and utility room(s).

138.04 Final Stage Submission-Working Drawings and Specifications.
Final stage or working drawings and specifications shall include:
1. Architectural drawings
2. Structural drawings
3. Mechanical drawings to include plumbing, heat, and air-conditioning
4. Electrical drawings
5. Detailed specifications
   Approval of working drawings and specifications shall be obtained from the licensing agency in writing prior to the beginning of actual construction.

138.05 Preparation of Plans and Specifications. The preparation of drawings and specifications shall be executed by or under the immediate supervision of an architect who shall supervise construction and furnish a signed statement that construction was performed according to plans and specifications approved by the licensing agency.

138.06 Contract Modifications. Any contract modification which affects or changes the function, design, or purpose of a facility shall be submitted to and approved by the licensing agency prior to the beginning of work set forth in any contract modification.

138.07 Notification of Start of Construction. The licensing agency shall be informed in writing at the time construction is begun.

138.08 Inspections. The licensing agency or its authorized representatives shall have access at all times to the work for inspection whenever it is in preparation or progress, and the owner shall ascertain that proper facilities are made available for such access and inspection.

138.09 Limit of Approval. In construction delayed for a period of exceeding six (6) months from the time of approval of final working plans and specifications, a new evaluation and/or approval shall be obtained from the licensing agency.

138.10 Water Supply, Plumbing, Sewerage Disposal. The water supply and sewerage disposal shall be approved by the local county health department and/or the Division of Sanitary Engineering, Mississippi Department of Health. No system of water supply, plumbing, sewerage, garbage, or refuse disposal shall be installed nor any such existing system materially altered or extended until complete plans and specifications for the installation, alteration, or extension have been so approved and submitted to the licensing agency for review and final determination.

138.11 Availability of Approved Plans. Every licensed facility shall maintain, on the premises and available for inspection, a copy of current approved architectural plans and specifications.

137 GENERAL
137.01 Building Classification.
1. To qualify for a license, the facility shall be planned to serve the type of patients to be admitted and shall comply with the following:
   a. All facilities constructed after the effective date of these regulations shall comply with the building requirements set forth in the regulations.
   b. After the effective date of these regulations, all additions to facilities shall comply with the building requirements for a license. Approval shall not be granted for an addition to an existing
building which will increase the bed capacity unless the existing structure is basically sound and is to be brought into a condition of acceptable conformity with the current regulations.
c. Authority to Waiver. The licensing agency may waive certain requirements in the regulations at its discretion for facilities licensed as a facility in a state-owned and state-operated mental institution provided the health and safety of residents will not be endangered.

2. Renovations within the exterior walls of a facility shall in no case be of such nature as to lower the character of the structure below the applicable building requirements for the type of license held by the facility.

MISSOURI

(1) Plans and specifications shall be prepared for the construction of all new intermediate care and skilled nursing facilities and additions to and remodeling of existing facilities. The plans and specifications shall be prepared in conformance with Chapter 327, RSMo, by a duly registered architect or registered professional engineer. III

(2) The facility may submit schematic and preliminary plans to the division showing the basic layout of the building and the general types of construction, mechanical and electrical systems. The facility may submit details before the larger and more complicated working drawings and specifications so that necessary corrections can be easily made before the final plans are submitted. The facility shall prepare and submit working drawings and specifications, complete in all respects, for approval by the division. These plans shall cover all phases of the construction project, including site preparation; paving; general construction; mechanical work, including plumbing, heating, ventilating and air conditioning; electrical work; and all built-in equipment, including elevators, kitchen equipment and cabinet work. II/III

(3) Facilities shall begin construction only after the plans and specifications have received the written approval of the division. Facilities shall then build in conformance with the approved plans and specifications. The facility shall notify the division within five (5) days after construction begins. If construction of the project is not started within one (1) year after the date of approval of the plans and specifications are not completed within a period of three (3) years, the facility shall resubmit the plans to the division for its approval and shall amend them, if necessary, to comply with the then current rules before construction work is started or continued. II/III

(4) The facility shall be located on an allweather road and have easy access for vehicular traffic. III

(5) Facilities shall have access to local fire protection. III

(66) Facilities with plans approved on or before December 31, 1998, shall comply with the American National Standards Institute (ANSI) publication A117.1, 1971, Making Buildings and Facilities Accessible to, and Useable by, the Physically Handicapped. All new facilities whose plans were submitted to the division on or after January 1, 1999, shall comply with ANSI A117.1, 1992, Making Buildings and Facilities Accessible to, and Useable by, the Physically Handicapped, incorporated by reference in this rule. III

(73) All new facilities and additions to all areas of existing facilities which undergo major remodeling, shall be of sufficient strength in all their parts to resist all stresses imposed by dead loads, live loads and lateral or uplift forces such as wind, without exceeding, in any of the structural materials, the allowable working stresses established for these materials by generally accepted good engineering practice. II
(74) The following unit live loads shall be the minimum distributed live loads acceptable for the occupancies listed:
(A) Facility bedrooms and all adjoining service rooms which compose a typical nursing unit (except solariums and corridors)—forty pounds per square foot (40 psf); II
(B) Solariums, corridors in nursing units and all corridors above the first floor, examination and treatment rooms, laboratories, toilet rooms and locker rooms—sixty (60) psf; II
(C) Offices, conference room, library, kitchen, corridors and other public areas on first the floor—eighty (80) psf; II
(D) Stairways, laundry, large rooms used for dining, recreation or assembly areas and workshops—one hundred (100) psf; II
(E) Records file room, storage and supply—one hundred twenty-five (125) psf; II
(F) Mechanical equipment room—one hundred fifty (150) psf; II
(G) Roofs (except use increased value where snow and ice may occur)—twenty (20) psf; and II
(H) Wind—as required by local conditions but not less than fifteen (15) psf. II
(75) For live loads of one hundred (100) pounds or less per square foot, the design live load on any member supporting one hundred fifty (150) square feet or more may be reduced at the rate of eight hundredths of a percent (0.08%) per square foot of area supported by the member, except that no reductions shall be made for roof live loads or for live loads of areas to be occupied as places of public assembly. The reduction shall exceed neither “R”, as determined by the following formula nor sixty percent (60%):

\[
\frac{D + L}{R} = 100 \times \frac{4.33L}{R}
\]

where

- \( R \) = reduction in percent;
- \( D \) = dead load per square foot of area supported by the member; and
- \( L \) = design live load per square foot of area supported by the member.
(76) For live loads exceeding one hundred (100) psf, no reduction shall be made, except that the design live loads on columns may be reduced twenty percent (20%). II
(77) Floor areas where partition positions are subject to change shall be designed to support a uniformly distributed load of twenty-five (25) psf in addition to all other loads. II
(78) Foundations shall rest on natural solid ground or properly compacted fill and shall be carried to a depth of not less than one foot (1') below the estimated frost line or shall rest on leveled rock or load-bearing piles when solid ground is not encountered. Footings, piers and foundation walls shall be adequately protected against deterioration from the action of groundwater. A facility shall take reasonable care to establish proper soil bearing values for the building site soil. If the bearing capacity of a soil is in question, a recognized load test may be used to determine the safe bearing value. II
(79) All facilities with plans approved between June 10, 1981 and December 31, 1998, shall comply with the 1985 edition of the Life Safety Code, and all new facilities with plans approved on or after January 1, 1999, shall comply with the 1997 edition of the Life Safety Code (National Fire Protection Association NFPA 101), which are incorporated by reference in this rule. No provision of the 1997 code will be enforced if it is more restrictive than the code of original plan approval. Facilities may only use the fire safety evaluation system found in the 1995 NFPA 101A, incorporated by reference in this rule, if necessary to justify variance from the text of the Life Safety Code and not as a guide for the total design of a new facility. II
Facilities with plans approved on or before December 31, 1998, shall comply with the fire-resistant rating of structural elements equal to those required by the 1985 Life Safety Code (NFPA 101). Facilities with plans approved on or after January 1, 1999, shall comply with the fire-resistant rating of structural elements equal to those required by the 1997 Life Safety Code (NFPA 101), incorporated by reference in this rule. All facilities shall meet the following additional requirement: exterior walls less than thirty feet (30') from an adjacent building, property line or parallel wing shall have a two (2)-hour fire-resistant rating. This distance may be reduced to fifteen feet (15') if a one (1)-hour rated wall is provided with sprinkler protection for each window. II

(81) Doors between rooms and the required corridors shall not have louvres or transoms. They shall be one and three-fourths inches (1 3/4") solid-core wood doors or metal doors with equivalent or greater fire-resistance. II

(2) The building shall be substantially constructed and shall be maintained in good repair. New facilities shall comply with the requirements in accordance with the provisions found in 19 CSR 30-85.012. Existing licensed facilities shall meet and maintain the facility's physical plant in accordance with the construction standards in effect at the time of initial licensing, unless there is a specific rule governing the subject cited in this section or in 19 CSR 30-85.022, except that those facilities licensed between 1957 and 1965 shall not increase the capacity of any room or the total capacity of the facility without meeting new construction requirements. Existing licensed facilities with plans approved after April 8, 1972 and prior to January 1, 1999, shall comply as Existing Health Care Occupancies with NFPA 101, 2000 edition. Facilities whose physical plant requirement plans are approved on or after January 1, 1999, shall comply as New Health Care Occupancies with NFPA 101, 2000 edition. II/III

(1) Except as may otherwise be provided in (2) of this rule, a health care facility and the construction of, alteration, or addition to a facility shall comply with:

(a) all standards set forth in:
   (ii) the 1992 "American National Standards Institute A117.1".
   (b) the water supply system requirements of ARM 37.111.115;
   (c) the sewage system requirements of ARM 37.111.116.

(2) A personal care facility, chemical dependency treatment center, or a free-standing adult day care center:

(a) must meet all applicable building and fire codes and be approved by the officer having jurisdiction to determine if the building codes are met by the facility and by the state fire marshal or his designee;

(b) meet the water and sewer system requirements in (1)(b) and (c) above.

(3) A patient or resident may not be admitted, housed, treated, or cared for in an addition or altered area until inspected and approved, or in new construction until licensed.
(1) A person who contemplates construction of a new institutional health service and has been issued a certificate of need pursuant to Title 50, chapter 5, part 3, MCA, and ARM Title 37, chapter 106, subchapter 1 shall submit plans and specifications to the department for preliminary inspection and approval prior to commencing construction and shall comply with the following procedures.

(a) At least nine months prior to the time a person commences construction, he shall submit a program and schematic plans to the department. This is a maximum time limit. A person may submit a program and schematic plans as soon as he desires after he receives a certificate of need.

(i) The program must include the following:
(A) a narrative description of the rooms or spaces to be included in each department, explaining the functions or services to be provided in each, indicating the size, the number of personnel and the kind of equipment or furniture it will contain;

(B) for inpatient facilities, a schedule showing total number of beds and number of bedrooms.

(ii) The schematic plans must include the following:
(A) single line drawings of each floor which must show the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room must be noted;

(B) the proposed roads and walks, service and entrance courts, and parking must be shown on the plot plan;

(C) total floor area and number of beds must be noted on the plans.

(b) At least three months prior to the time a person commences construction, he shall submit working drawings and specifications to the department. This is a maximum time limit. A person may submit working drawings and specifications as soon as he desires after the department has approved his program and schematic plans.

(i) The working drawings must be complete and adequate for bid, contract and construction purposes and must be prepared for each of the following branches of the work: architectural, structural, mechanical and electrical.

(A) Architectural drawings must include a plot plan showing all new topography, newly established levels and grades, any existing structures on the site, new buildings and structures, roadways, walks and the extent of the areas to be seeded. Any structures and improvements which are to be removed as part of the work must be shown. A print of the site survey drawing must be included with the working drawings. The architectural drawings must also include the following:
(I) plan of each basement, floor and roof;

(II) elevations of each facade;

(III) sections through building;

(IV) required scale and full-size details;

(V) schedule of doors and finishes;

(VI) location of all fixed equipment;

(VII) adequate details of any conveying system.

(B) Structural drawings must include plans for foundations, floors, roofs and all intermediate levels with sizes, sections and the relative location of the various structural members.

(C) Mechanical drawings must include plans for plumbing, heating, ventilation, air conditioning, and refrigeration.

(D) Electrical drawings must include the complete power and lighting layout of all electrical systems to be included in the construction and must include telephone layouts, nurse call system, fire alarm system and the emergency electrical system.
(c) Specifications must supplement the working drawings to fully describe types, sizes, capacities, workmanship, finishes and other characteristics of all materials and equipment.
(d) All plans and specifications must be certified by an engineer or architect licensed to practice in Montana and the certification must state that the plans and specifications are prepared in accordance with the requirements of this subchapter.

(2) A person who contemplates an alteration or addition to a health care facility which does not qualify as a new institutional health service shall submit plans to the department for preliminary inspection and approval prior to commencing construction and shall comply with the following procedures.
(a) A person who contemplates an addition to an existing health care facility shall comply with the requirements set forth in (1) of this rule.
(b) If an alteration to a health care facility is contemplated, a program and schematic plans shall be submitted to the department at least six months prior to commencing construction of the alteration. Within 30 days after this submittal, the department may request a person to comply with the requirements set forth in ARM 37.106.306(1)(b).
(c) The department's approval of an alteration or addition shall terminate one year after issuance.

(1) The construction of or alteration, addition, or renovation to a retirement home must:
(a) meet all applicable local and state building and fire codes;
(b) be approved in writing by the building authority; and
(c) be approved in writing by the fire authority.
(2) A retirement home must be inspected and certified on an annual basis for compliance with the local and state fire codes by the fire authority. A retirement home must maintain a record of such inspection and certification for at least one year following the date of the inspection.

NEBRASKA
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16. For new construction, construction plans completed in accordance with the Engineers and Architects Regulation Act, Neb. Rev. Stat. §§ 81-3401 to 81-3455. Construction plans and description must include the following:
  a. Project name; description of the project with quantity and floor area information on bed, care, treatment, bathing, toileting, dining, and activity locations, building systems, and medical equipment; street address; and contact person;
  b. Site plan, floor plans, elevations, wall and building sections, construction details, plumbing and electrical diagrams, and construction component schedules;
  c. Complete list of names, titles, and telephone numbers of other authorities reviewing or inspecting the construction;
  d. Upon Department request, any additional information that may be required for review, such as structural and mechanical calculations, electrical system calculations, and product and equipment information; and
  e. Certification, if any, from a licensed architect or engineer that the construction plan and any revisions thereof meet the requirements of 175 NAC 12-007;
17. Planned occupancy date;
18. Copies of zoning approval from the relevant jurisdiction;
19. Occupancy certificates issued by the State Fire Marshal or delegated authority;
20. Required licensure fee specified in 175 NAC 12-004.10; and
21. If applicable, the disclosure information required by the Alzheimer’s Special Care Disclosure Act, Neb. Rev. Stat. §§ 71-516.01 to 71-516.04. The following information must be submitted:
   a. The Alzheimer's special care unit’s written statement of its overall philosophy and mission which reflects the needs of residents afflicted with Alzheimer’s disease, dementia, or a related disorder;
   b. The process and criteria for placement in, transfer to, or discharge from the unit;
   c. The process used for assessment and establishment of the plan of care and its implementation, including the method by which the plan of care evolves and is responsible to changes in condition;
   d. Staff training and continuing education practices;
   e. The physical environment and design features appropriate to support the functioning of cognitively impaired adult residents;
   f. The frequency and types of resident activities;
   g. The involvement of families and the availability of family support programs; and
   h. The costs of care and any additional fees.

12-003.01C Department Responsibilities: The Department will:
1. Review the application for completeness;
2. Provide notification to the applicant of any information needed to complete the application;
3. Confirm, either by Department review or by accepting certification from an architect or engineer, that the schematic plans and, if new construction, the construction plans meet the standards of 175 NAC 12-007;
4. Upon receipt of the requested information, conduct an on-site inspection in accordance with 175 NAC 12-005; and
5. Issue or deny a license based on the results of the initial inspection.

12-007.03 Construction Standards: The facility must be designed, constructed, and maintained in a manner that is safe, clean, and functional for the type of care and treatment to be provided. The standards are set forth below.

12-007.03A Codes and Guidelines
12-007.03A1 New construction must comply with the following codes and guidelines to provide a safe and accessible environment that is conducive to the care and treatment to be provided:
5. Accessibility: Nebraska Accessibility Requirements, State Fire Marshal Regulations, 156 NAC 1 to 12;
6. Guidelines for Design and Construction of Hospitals and Health Care Facilities, Chapter 8, 2001 edition, published by the American Institute of Architects; and

12-007.03A2 The facility must comply with the following applicable codes and standards to provide a safe environment:
1. Fire Codes: Nebraska State Fire Code Regulations, State Fire Marshal, 153 NAC 1; and
2. The Food Code, Neb. Rev. Stat. § 81-2,244.01, as published by the Nebraska Department of Agriculture, except for compliance and enforcement provisions.
12-007.03A6 Existing and new facilities must comply with the physical plant standards contained in 175 NAC 12-007. The facility must maintain all building materials and structural components so that total loads imposed do not stress materials and components more than one and one-half times the working stresses allowed in the building code for new buildings of similar structure, purpose, or location.

NEVADA
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NAC 449.0115 Review of building plans for new construction or remodeling by certain applicants: Required documents; payment of fees and costs. (NRS 439.150, 439.200, 449.037)

1. An applicant for a license or the renewal of a license to operate a medical facility or facility for the dependent who wishes or is required to have building plans for new construction or remodeling reviewed by the Health Division must:
   (a) Submit to the Health Division or have on file a current application for a license or renewal of a license;
   (b) Pay to the Health Division any fees required for the issuance or renewal of a license pursuant to NAC 449.013 or 449.016; and
   (c) Submit two complete sets of building plans for new construction or remodeling prepared by a registered architect, registered residential designer or licensed general contractor to the entity designated to review such plans by the Health Division.

2. All costs incurred for the review of building plans and any changes or revisions made to the plans must be borne by the applicant and paid directly to the designee of the Health Division conducting the review of the plans.

3. The costs required to be paid pursuant to subsection 2 are not refundable and are in addition to the fees charged for the issuance or renewal of the license pursuant to NAC 449.013 or 449.016.

NAC 449.01153 Approval of building plans for construction or remodeling of certain facilities: Period of validity. (NRS 449.037) If the Health Division approves building plans for skilled nursing, a facility for the care of adults during the day, a facility for the treatment of abuse of alcohol or drugs, a hospital, a mobile unit, a residential facility for groups or a surgical center for ambulatory patients, the approval is valid for 42 months after it is issued, unless there has been:

1. A modification of the building plans;
2. A change in the ownership of the facility; or
3. A change in the intended use of the facility.

(Added to NAC by Bd. of Health by R065-04, eff. (b) Any new construction, remodeling or change in use of a facility for skilled nursing must comply with the Guidelines for Design and Construction of Hospital and Health Care Facilities, adopted by reference pursuant to NAC 449.0105, unless the remodeling is limited to refurbishing an area within the facility, including, without limitation, painting the area, replacing the flooring, repairing windows, or replacing window and wall coverings.

3. A facility for skilled nursing shall be deemed to be in compliance with the provisions of subsection 2 if:

   (a) The facility is licensed on January 1, 1999, the use of the physical space in the facility is not changed and there are no deficiencies in the construction of the facility that are likely to cause serious injury, harm or impairment to the public health and welfare; or
(b) The facility has submitted building plans to the Bureau before February 1, 1999, and:
(1) The Bureau determines that the plans comply with standards for construction in effect before December 11, 1998;
(2) The facility is constructed in accordance with those standards;
(3) Construction of the facility is begun before August 1, 1999; and
(4) There are no deficiencies in the construction of the facility that are likely to cause serious injury, harm or impairment to the public health and welfare.

4. Except as otherwise provided in subsection 5, a facility for skilled nursing shall comply with all applicable:
(a) Federal and state laws;
(b) Local ordinances, including, without limitation, zoning ordinances; and
(c) Life safety, environmental, health, fire and local building codes, related to the construction and maintenance of the facility. If there is a difference between state and local requirements, the more stringent requirements apply.

5. A facility for skilled nursing which is inspected and approved by the State Public Works Board in accordance with the provisions set forth in chapter 341 of NRS and chapter 341 of NAC is not required to comply with any applicable local building codes related to the construction and maintenance of the facility.

6. A facility for skilled nursing shall submit building plans for new construction or remodeling to the entity designated to review such plans by the Health Division pursuant to NAC 449.0115. The entity's review of those plans is advisory only and does not constitute approval for the licensing of the facility. Before the construction or remodeling may begin, the plans for the construction or remodeling must be approved by the Health Division. The Bureau shall not approve a facility for licensure until all construction is completed and a survey is conducted at the site of the facility.

NEW HAMPSHIRE

He-P 803.07 Nursing Home Construction, Alterations or Renovations.
(a) Sixty days prior to initiating construction, the nursing home shall provide to the department notice and written plans drawn to scale for construction, renovation or structural alterations for the following:
(1) A new building;
(2) Structural alterations to any resident area;
(3) Alterations that require approval from local or state authorities; and
(4) Alterations that might affect compliance with the health and safety, fire or building codes, including but not limited to, fire suppression, detection systems and means of egress.
(b) The department shall review plans for construction, renovation or structural alterations of a nursing home for compliance with all applicable sections of RSA 151 and He-P 803 and notify the applicant or licensee as to whether the proposed changes comply with these requirements.
(c) Department approval shall not be required prior to initiating construction, renovations or structural alterations, however an applicant or licensee who proceeds prior to receiving approval shall do so at their own risk.
(d) The nursing home shall comply with all applicable licensing rules when doing construction, renovations or structural alterations.
(e) A licensee or applicant constructing, renovating, or structurally altering a building shall comply with the following:
(1) The state fire code, Saf-C 6000, including, but not limited to, NFPA 1 and NFPA 101 as adopted by the commissioner of the department of safety under RSA 153; and
(2) The state building code as defined in RSA 155-A:1, IV, as amended by the Building Code Review Board pursuant to RSA 155-A:10, V.
(g) Where renovation or structural alteration work is done within an existing facility, all such work shall comply, insofar as practical, with applicable sections of the AIA “Guidelines for Design and Construction of Health Care Facilities,” Nursing Facilities chapter, 2006 edition.
(h) Per the AIA “Guidelines for Design and Construction of Health Care Facilities,” Nursing Facilities chapter, 2006 edition, and notwithstanding (g) above, where it is evident that a reasonable degree of safety is provided, the requirements for existing buildings shall be permitted to be modified if their application would be impractical in the judgment of the authority having jurisdiction.
(i) The department's health facilities administration shall be the authority having jurisdiction for the application of the AIA “Guidelines for Design and Construction of Health Care Facilities,” Nursing Facilities chapter, 2006 edition, and shall negotiate compliance and grant waivers in accordance with He-P 803.10 as appropriate.
(j) Waivers granted by the department for construction or renovation purposes shall not require annual renewal.
(k) The completed building shall be subject to an inspection pursuant to He-P 803.09 prior to its use.

NEW JERSEY

(a) No construction, renovation or addition shall be undertaken without first obtaining approval from the Department, Long-Term Care Licensing and Certification Program and/or the Department of Community Affairs, Health Care Plan Review Unit.
(b) New construction, alterations and additions of long-term care facilities shall comply with the Uniform Construction Code (N.J.A.C. 5:23) as adopted by the New Jersey Department of Community Affairs. The New Jersey Uniform Construction Code may be obtained from the Construction Code Element of the Department of Community Affairs, P.O. Box 805, Trenton, New Jersey 08625-0805.
(c) Fire safety maintenance and retrofit of long-term care facilities shall comply with the Uniform Fire Safety Code (N.J.A.C. 5:18) as adopted by the New Jersey Department of Community Affairs. The New Jersey Uniform Fire Safety Code may be obtained from the Fire Safety Element of the Department of Community Affairs, P.O. Box 809, Trenton, New Jersey 08625-0809.
(d) Required annual maintenance inspections by the Department of Health and Senior Services for a facility participating in the Medicare or Medicaid programs shall be conducted in accordance with the edition of the National Fire Protection Association’s Life Safety Code that has been adopted by the Federal Health Care Financing Administration, incorporated herein by reference, as amended and supplemented; however, this code shall not be enforced to exceed the requirements of the
Uniform Construction Code referenced in (b) above. A facility that does not participate in either the Medicare or Medicaid programs shall be inspected under the version of the Life Safety Code in effect at the time of original licensure; however, this code shall not be enforced to exceed the requirements of the Uniform Construction Code referenced in (b) above. (Copies of the Life Safety Code may be obtained from the National Fire Protection Association, Battery March Park, Quincy, MA 02200).

NEW MEXICO
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E. GENERAL CONSTRUCTION: All capital investment plans subject to these regulations, shall be submitted to the Department for review and approval.

(1) One copy of preliminary or schematic plans shall be submitted to the Department for review and approval.

(2) One copy of final plans and specifications which are used for bidding purposes shall be submitted to the Department for review and approval before construction is started. Plans must be prepared and stamped by an architect registered in the State of New Mexico.

(3) If on-site construction above the foundation is not started within twelve (12) months of the date of approval of the final plans and specifications, the approval under these regulations shall be void and the plans and specifications shall be resubmitted for reconsideration of approval.

(4) Any changes in the approved final plans affecting the application of the requirements of this subchapter shall be shown on the approved final plans and shall be submitted to the Department for approval before construction is undertaken. The Department shall notify the facility in writing of any conflict with this subchapter found in its review of modified plans and specifications.

(5) General: Projects involving alterations of and additions to existing buildings shall be programmed and phased so that on-site construction will minimize disruptions of existing functions. Access, exit ways, and fire protection shall be so maintained that the safety of the occupants will not be jeopardized.

(6) Minimum requirements: All requirements listed in New Construction, relating to new construction projects, are applicable to renovation projects involving additions or alterations, except that when existing conditions make changes impractical to accomplish, minor deviations from functional requirements may be permitted if the intent of the requirements is met and if the care and safety of patients will not be jeopardized.

(7) Non-conforming conditions: When doing renovation work, if it is found to be unfeasible to correct all of the nonconforming conditions in the existing facility in accordance with these standards, acceptable compliance status may be recognized by the Licensing Agency if the operation of the facility, necessary access by the handicapped, and safety of the patients, are not jeopardized by the remaining non-conforming conditions.

(8) Note #1: Plan approval by Construction Industries Division, labor and human relations under these regulations is also required for any new construction or remodeling.

(9) Note #2: Copies of the 1967, 1973, and 1981 Life Safety Codes and related codes can be obtained from the National Fire Protection Association, Battery March Park, Quincy, PA 02269.

F. CONSTRUCTIONS AND INSPECTIONS:

(1) General: Construction, of other than minor alterations, shall not be commenced until plan-review deficiencies have been satisfactorily resolved.
(a) The completed construction shall be in compliance with the approved drawings and specifications, including all addenda or modifications approved for the project.
(b) A final inspection of the facility will be scheduled for the purpose of verifying compliance with the approved drawings and specifications including all addenda or modifications approved for the project.

(2) In addition to compliance with these standards, all other applicable building codes, ordinances, and regulations under city, county, or other state agency jurisdiction shall be observed. Compliance with local codes shall be prerequisite for licensing. In areas not subject to local building codes, the state building codes, as adopted, shall apply insofar as such codes are not in conflict with these standards.

(a) New Construction is governed by the current editions of the following Codes Standards:
(b) Uniform Building Code (UBC), Uniform Plumbing Code (UPC), Uniform Mechanical Code (UMC), National Electrical Code (NEC), National Fire Protection Association Standards (NFPA), American National Standard Institute (ANSI), American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), Department of Health and Human Services (DHHS) Guidelines for Construction and Equipment of Hospital and Medical Facilities.

A. ZONING: The site shall adhere to local zoning regulations.

7.9.2.87 SUBMISSION OF PLANS AND SPECIFICATIONS: For all new construction:
A. One copy of schematic and preliminary plans shall be submitted to the Department for review and approval of the functional layout.
B. One copy of working plans and specifications shall be submitted to and approved by the Department before construction is begun. The Department shall notify the facility in writing of any divergence in the plans and specifications, as submitted, from the prevailing rules.
C. The plans specified in Section 7.9.2.87 shall show the general arrangement of the buildings, including a room schedule and fixed equipment for each room and a listing of room numbers, together with other pertinent information. Plans submitted shall be drawn to scale.
D. Any changes in the approved working plans affecting the application of the requirements herein established shall be shown on the approved working plans and shall be submitted to the Department for approval before construction is undertaken. The Department shall notify the facility in writing of any divergence in the plans and specifications as submitted, from the prevailing rules.
E. If on-site construction above the foundation is not started within six (6) months of the date of approval of the working plans and specifications under Section 7.9.2.87.B, the approval shall be void and the plans and specifications shall be resubmitted for reconsideration of approval.
F. If there are no divergences from the prevailing rules, the Department shall provide the facility with written approval of the plans as submitted.

NEW YORK

Title: Section 713-2.19 - Construction, including fire-resistive requirements
713-2.19 Construction, including fire-resistive requirements.
(a) Every building and every portion thereof shall be designed and constructed to sustain all dead and live load in accordance with accepted engineering practices and standards, including seismic forces, where they apply.
(b) Foundations shall rest on natural solid bearing if a satisfactory bearing is available at reasonable depths. Proper soil-bearing values shall be established in accordance with recognized
standards. If solid bearing is not encountered at practical depths, the structure shall be supported on driven piles or drilled piers designed to support the intended load without detrimental settlement, except that one-story buildings may rest on a fill designed by a soils engineer. When engineered fill is used, site preparation and placement of fill shall be done under the direct full-time supervision of the soils engineer. The soils engineer shall issue a final report on the compacted fill operation and certification of compliance with the job specifications. All footings shall extend to a depth not less than one foot below the estimated maximum frost line.

(c) Construction standards for nursing home facilities shall comply with the following:
(1) One-story buildings shall be of Type I, or Type II (222) or (111) construction; buildings with two or more stories shall be of Type I construction. Building construction types shall be as defined in NFPA 220, Standard on Types of Building Construction, 1999 edition. Further details concerning the material referenced herein are contained in section 711.2(a) of this Title.
(2) Enclosures for stairs, elevator shafts, chutes and other vertical shafts, boiler rooms, and storage rooms of one hundred square feet or greater area, shall be of construction having a fire resistance rating of at least two hours.
(d) Separate freestanding buildings housing the boiler plant, laundry, shops, or general storage may be of Type I, or Type II (222) or (111) construction. Building construction types shall be as defined in NFPA 220, Standard on Types of Building Construction, 1999 edition. Further details concerning the material referenced herein are contained in section 711.2(a) of this Title.
(e) Building insulation materials, unless sealed on all sides and edges, shall have a flame spread rating of twenty five or less and a smoke developed rating of one hundred fifty or less when tested in accordance with NFPA 255, Standard Method of Test of Surface Burning Characteristics of Building Materials, 2000 edition. Further details concerning the material referenced herein are contained in section 711.2(a) of this Title.
(f) An emergency radio communication system shall be provided in each facility. This system shall be self-sufficient in times of emergency and capable of operation without reliance on the building service or emergency electric power supply. It shall also be linked with the available community or State emergency communication network, including connections with police and fire department or system.

Title: Section 713-4.3 - Pertinent standards

713-4.3 Pertinent standards. Nursing homes shall comply with all pertinent requirements, technical standards and codes set forth or incorporated by reference into Part 711 of this Title, including but not limited to, Chapter 18, "New Health Care Occupancies", of NFPA 101, Life Safety Code, 2000 edition, which is described in more detail in Section 711.2(a) of this Title. Nursing home facilities shall also comply with the Chapter 4.2, "Specific Requirements for Nursing Facilities", of Part 4, "Residential Health Care Facilities", of Guidelines for the Design and Construction of Health Care Facilities, 2010 edition, except where such guidelines and standards are inconsistent with the requirements of this Subpart. The Guidelines for the Design and Construction of Health Care Facilities, 2010 edition, is described in more detail in section 711.2(b)(7) of this Title.
Insurance Engineering and Codes Division located at 410 North Boylan Avenue, Raleigh, NC 27603 at a cost of two hundred fifty dollars ($250.00). Existing licensed facilities shall meet the requirements of the North Carolina State Building Code in effect at the time of construction or remodeling.

(c) Any existing building converted from another use to a nursing facility shall meet all requirements of a new facility.

(d) The sanitation, water supply, sewage disposal and dietary facilities shall comply with the rules of the Commission for Public Health, which are incorporated by reference, including all subsequent amendments. Copies of these Rules may be obtained from the Department of Environment and Natural Resources, Division of Environmental Health, Environmental Health Services Section, 1630 Mail Service Center, Raleigh, NC 27699-1630 at no cost.

(e) The adult care home portion of a combination facility shall meet the rules for a nursing facility contained in Sections .3100, .3200, .3300, and .3400 of this Subchapter, except when separated by two-hour fire resistive construction. When separated by two-hour fire-resistive construction, the adult care home portion of the facility shall meet the rules for domiciliary homes in 10A NCAC 13F, Licensing of Adult Care Homes, which are incorporated by reference, including all subsequent amendments; and domiciliary resident areas must be located in the domiciliary section of the facility. Copies of 10A NCAC 13F can be obtained free of charge from the Division of Health Service Regulation, Adult Care Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708.

(f) An addition to an existing facility shall meet the same requirements as a new facility.

10A NCAC 13D .3102 APPLICATION OF PHYSICAL PLANT REQUIREMENTS

The physical plant requirements for each facility shall be applied as follows:

(1) New construction shall comply with the requirements of Sections .3100-.3400 of this Subchapter.

(2) Except where otherwise specified, existing buildings shall meet licensure and code requirements in effect at the time of construction, alteration or modification.

(3) New additions, alterations, modifications and repairs shall meet the technical requirements of Sections .3100-.3400 of this Subchapter; however, where strict conformance with current requirements would be impractical, the Division may approve alternative measures where the facility can demonstrate to the Division’s satisfaction that the alternative measures do not reduce the safety or operating effectiveness of the facility.

(4) Rules contained in Sections .3100-.3400 of this Subchapter are minimum requirements and are not intended to prohibit buildings, systems or operational conditions that exceed minimum requirements.

(5) Equivalency: Alternate methods, procedures, design criteria and functional variations from the physical plant 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 alternative measures do not reduce the safety or operational effectiveness of the facility.

(6) Where rules, codes or standards have any conflict, the most stringent requirement shall apply.

10A NCAC 13D .3103 SITE

The site of the proposed facility must be approved by the Department prior to construction and shall:

(1) be accessible by public roads and public transportation;
(2) be accessible to fire fighting services;
(3) have a water supply, sewage disposal system, garbage disposal system and trash disposal system approved by the local health department having jurisdiction;
(4) meet all local ordinances and zoning laws; and
(5) be free from exposure to hazards and pollutants.

10A NCAC 13D .3104 PLANS AND SPECIFICATIONS
(a) When construction or remodeling is planned, final working drawings and specifications shall be submitted by the owner or his appointed representative to the Department for review and approval. Schematic drawings and preliminary working drawings shall be submitted by the owner prior to the required submission of final working drawings. The Department will forward copies of each submittal to the Department of Insurance and the Division of Environmental Health for review and approval. Three copies of the plan shall be provided at each submittal.
(b) Approval of final plans and specifications must be obtained from the Department prior to licensure. Approval of plans shall expire after one year unless a building permit for the construction has been obtained prior to the expiration date of the approval of final plans.
(c) If an approval expires, renewed approval shall be issued provided revised plans meeting all current regulations, codes, and standards are submitted and reviewed.
(d) Completed construction or remodeling shall conform to the minimum standards established in Sections .3100, .3200, .3300, and .3400 of this Subchapter. Prior to approval for licensure, one set of "as built working drawings" shall be furnished to the Department. Final working drawings and building construction including building systems operation must be approved by the Department prior to licensure.
(e) The owner or his designated agent shall notify the Department when actual construction or remodeling starts and at points when construction is 50 percent, 75 percent, and 90 percent complete and upon final completion. New construction or remodeling must be approved in writing by the Department prior to use.

10A NCAC 13D .3302 ADDITIONS
An addition to an existing facility shall meet the same requirements as a new facility except that in no case shall more than one horizontal exit be used to replace a required exit to the outside.

NORTH DAKOTA

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.

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**OHIO**

By definition, all new construction of resident rooms must contain a full bathroom.

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**OKLAHOMA**

**310:675-5-1. Application**

(a) The requirements of this Subchapter shall be applicable to all long-term care facilities constructed after the effective date of these regulations. Licensed facilities in operation on the effective date of these regulations shall continue to comply with the construction and safety regulations applicable to the issuance of their 1980 license.

(1) **Existing facilities.** Nonconforming portions which because of financial hardship are not being totally modernized, shall comply with the safety requirements dealing with details and finishes as listed in Chapter 13 NFPA Standard 1-1, 1981.
New and Old Construction, Remodeling, Certificate of Need

(1) New Construction. New construction shall not be eligible for "exceptions" as provided in these rules (OAR 411-087) unless specifically authorized by the Division. All such alterations, additions, conversions in use, and renovations shall be subject to plan review in accordance with section (3) of this rule.

(2) Old Construction:
   (a) Where specifically provided within OAR 411-087-0010 - 411-087-0490, facilities which have been continuously licensed and operational since January 1, 1992 may be exempt from certain specified physical environment requirements. Such exemptions do not apply if there is a change in the purpose for which the room is licensed; e.g., a room which has not been continuously licensed as a resident room must comply with the requirements for new construction in order to be licensed as a resident room. The Division, however, may terminate an exemption if the Division determines that continuation of the exemption adversely impacts the facility's ability to otherwise meet nursing facility law. The exemption may be discontinued if the area subject to the exemption incurs major alterations as defined in OAR 411-085-0005;
   (b) Notwithstanding the "exceptions" provided for in these rules, facilities constructed prior to January 1, 1992 shall, when replacing equipment or remodeling areas subject to such exceptions, comply with the rules to the greatest extent reasonable. Subsection (2)(b) of this rule does not apply to new construction;
   (c) Under no circumstances are the "exceptions" provided for in these rules intended to allow a facility that already meets or previously met these rules without the exception provision to be exempt from meeting the rules without the "exception provision."

(3) Plan Review:
   (a) Schematic Plans. Schematic plans may be submitted for review;
   (b) Construction Plans. Two sets of project construction drawings and specifications must be submitted for review prior to initiation of related construction pursuant to subsection (3)(e) of this rule. Construction documents must be sufficient to allow the Division to determine if the project complies with OAR 411;
   (c) Floor Plan. Projects involving addition, deletion or relocation of beds shall include a floor plan showing the proposed number and location of each bed for which licensure will be requested. The plan shall include dimensions, area and room number of each resident room;
   (d) Program Narrative. All plans submitted shall be accompanied with a narrative description including:
      (A) Identification of services which will not be provided directly, but will instead be provided via contract;
      (B) All specialty services to be offered; and
      (C) Modifications to be made to heating, ventilating, plumbing and electrical systems.
   (e) Submission of Plans. All schematic and construction plans submitted shall be delivered to the Office of Health Policy (OHP), Public Health Division, Department of Human Services, State Office Building, Suite 640, 800 Oregon Street N.E., Portland, OR 97232, in accordance with OAR 409, division 17;
(f) When construction or remodeling includes an increase in bed capacity, exceptions allowed for size of dining, activities and living areas (OAR 411-087-0300) shall no longer be applicable unless specifically authorized by the Division.

(4) Certificate of Need. Before a facility may increase capacity, the licensee shall submit to the Division a Certificate of Need (CN) or a letter from the Office of Health Policy stating that a CN is not required.

Referenced Regulations
In addition to meeting OAR 411, division 087, the following additional requirements must be met except where determined by the Division to not be applicable to nursing facilities. Licensure is contingent on approval of the agency having enforcement authority:

(1) Building and Fire Safety Codes:
(a) State Building Codes as adopted by the Oregon Building Codes Division;
(b) Local building codes and requirements as adopted by local government agencies;
(c) State and local fire codes, NFPA 101 and applicable referenced NFPA publications; and
(d) All facilities and construction completed after January 1, 1992, shall comply with the American National Standards Institute’s "Providing Accessibility and Usability for Physically Handicapped People" effective February 5, 1986, and Title III of the American with Disabilities Act of 1990.

(2) Food Sanitation Rules. Food Sanitation Rules as adopted by the Public Health Division.

(3) Drinking Water. Oregon Drinking Water Quality Act and the rules adopted thereunder by the Public Health Division. Documentation of conformance to this law is required except when the facility is served by an approved community water system.

(4) Sewage. On-site sewage disposal rules as enforced by the Oregon Department of Environmental Quality (DEQ). Documentation of conformance to this law is required except when the facility is served by an approved community sewer system.

Waivers for Physical Environment Requirements
(1) Request. Any request for a waiver of these building requirements (OAR 411, division 087) shall comply with OAR 411-085-0040

(2) Duration. The Division may grant waivers for building requirements for a period not to exceed ten years; however, such waiver may be rescinded if the Division determines continuance of the waiver has a potential adverse impact on resident well-being, privacy or dignity.

PENNSYLVANIA

§ 205.4. Building plans.
(a) There may be no new construction of a facility without the Department’s approval of final plans. There may be no alterations or additions to an existing building or conversion of a building or facility made prior to the Department’s approval of final plans.
(b) Plans, including architectural, mechanical and electrical plans, shall include requested changes and shall be submitted to the Department for final approval before construction, alterations or remodeling begins.
(c) The licensee or prospective licensee shall have the opportunity to present and discuss purposes and plans concerning the requested changes indicated on the architectural plans with the Department. If differences occur and cannot be resolved, administrative hearing may be sought under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).
(d) Plans shall be resubmitted to the Department for approval if construction or alteration has not been started within 24 months from the date the plans received final approval.
(e) Plans submitted to the Department for approval shall include the following items:
(1) Wall sections and details, including stairs, location and fastening of handrails and grab bars.
(2) Mechanical and electrical drawings.
(3) Schedules of room finishes, door type and size, plumbing fixtures, electrical fixtures and special equipment, such as sterilizers, kitchen equipment and the like.
(4) Site plan—1 inch equals 40 feet—indicating new and existing structures, roads, services, walls and north arrow.
(5) Floor plans using a minimum of 1/8 inch scale.
(6) One-fourth inch scale layout: main kitchen, nurse's station, utility room, physical therapy room, occupational therapy room and the like.
(7) One-fourth inch scale layout: typical bedroom, indicating window, door, radiator, air conditioner, electrical outlets, permanent fixtures, furniture placement or other pertinent information; typical bathroom; and a toilet room.
(8) Exterior elevation.
(9) Wall section, typical.
(10) Plans shall be on drawing sheets at least 15 by 24 inches and not exceed 32 by 42 inches in size including the borders.

RHODE ISLAND

Section 38.0 New Construction, Addition or Modification
38.1 All new construction, alterations, extensions or modifications of an existing facility, as defined in rules and regulations pursuant to reference 5, shall be subject to the following provisions:
Reference 5 (Certificate of Need)
Reference 6 (Department of Health)
Reference 10 (Food Code)
Reference 15 (AIA Construction Guidelines)
Reference 16 (State Fire Code)
Reference 18 (Sewage regulations)
Reference 19 (ANSI Code)
Reference 23 (State Building Code)
Reference 28 (Americans with Disabilities Act)
In addition, any other applicable state and local laws, codes and regulations shall apply. Where there is a difference between codes, the code having the higher standard shall apply.
38.2 All plans for new construction or the renovation, alteration, extension, modification or conversion of an existing facility that may affect compliance with sections 41.0, 43.0, 44.0, 45.0, 46.0, and 52.0 herein, and reference 15, shall be reviewed by a Rhode Island licensed architect. Said architect shall certify that the plans conform to the construction requirements of sections 41.0, 43.0, 44.0, 45.0, 46.0, and 52.0 herein, and reference 15, prior to construction. The facility shall maintain a copy of the plans reviewed and the architect's signed certification, for review by the Department of Health upon request.
38.2.1 In the event of non-conformance for which the facility seeks a variance, the general procedures outlined in section 54.0 shall be followed. Variance requests shall include a written
description of the entire project, details of the non-conformance for which the variance is sought and alternate provisions made, as well as detailing the basis upon which the request is made. The Department may request additional information while evaluating variance requests.

38.2.2 If variances are granted, a licensed architect shall certify that the plans conform to all construction requirements of sections 41.0, 43.0, 44.0, 45.0, 46.0, and 52.0 herein, and reference 15, except those for which variances were granted, prior to construction. The facility shall maintain a copy of the plans reviewed, the variance(s) granted and the architect's signed certification, for review by the Department upon request.

38.3 Upon completion of construction, the facility shall provide written notification to the Department describing the project, and a copy of the architect's certification. The facility shall obtain authorization from the Department prior to occupying/re-occupying the area. At the discretion of the Department, an on-site visit may be required.

SOUTH CAROLINA
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A. All buildings of facilities, new and existing, being licensed for the first time, or changing the license to provide a different service, shall meet the applicable sections of the adopted State, Federal, or local codes, ordinances, and regulations, whichever is most stringent (See Section 201.B).

B. Unless specifically required otherwise in writing by the Department's Division of Health Facilities Construction (DHFC), all existing facilities shall meet the construction codes and regulations for the building and its essential equipment and systems in effect at the time the accepted construction documents were professionally stamped and issued. Except for proposed facilities that have received a current and valid written acceptance document by the Department's Division of Health Facilities Construction (DHFC) to begin construction, current construction codes, regulations, and requirements shall apply to those facilities licensed after the effective date of these regulations.

C. Any additions or renovations to an existing facility, other than cosmetic, e.g., painting, wallpapering or carpeting, shall meet the applicable sections of the adopted State, Federal, or local codes, ordinances, and regulations, whichever is most stringent, for the building and its essential equipment and systems in effect at the time of the addition or renovation. When the cost of additions or renovations to the building exceeds fifty percent (50%) of the current market value of the existing facility and its essential equipment and systems, the building shall meet the applicable sections of the adopted State, Federal, or local codes, ordinances, and regulations, whichever is most stringent. An addition separated by a four-hour firewall shall be considered as a separate building and the type of construction, e.g., IIIA, IIB, of the addition shall determine the maximum height and area limitations.

D. Any facility that closes or has its license revoked, and for which application for relicensure is made at the same site, shall be considered a new facility and shall meet the applicable sections of the adopted State, Federal, or local codes, ordinances, and regulations, whichever is most stringent, for the building and its essential equipment and systems in effect at the time of application for relicensing.
2004. Submission of Plans and Specifications (II)

A. In all new construction or existing buildings proposed to be licensed by the Department, plans and specifications shall be reviewed for compliance and shall be submitted to DHFC for review and acceptance.

1. The plans and specifications shall be prepared by an architect or engineer registered in the state of South Carolina and shall bear his or her seal, signature, and date.

2. Construction of, or within buildings, shall meet the requirements outlined in The Board of Architectural Examiners, South Carolina Department of Labor, Licensing, and Regulation.

3. When construction is planned for additions or alterations to existing facilities, the licensee shall contact DHFC regarding code and regulatory requirements that apply to that project. Plans and specifications, defined by DHFC, shall be submitted to that division for review.

4. Those facilities increasing the present bed capacity of the area served by an existing staff work area by more than fifteen percent (15%) shall meet the minimum square footage requirements for dining, recreation, and storage space for the total number of beds served by that staff work area.

5. All plans and specifications shall be drawn to scale with the title, location, and date indicated thereon.

6. Construction work shall not begin until the plans and specifications have been received and a project number issued (orally or in writing) to the facility representative by DHFC. Any construction deviations from the submitted documents shall be reviewed for acceptance.

B. If the start of construction is delayed for a period exceeding twelve (12) months from the date of DHFC acceptance, a new evaluation of the plan by DHFC is required.

C. Plans and specifications are reviewed by DHFC, as necessary, to assure that an acceptable set of documents showing all necessary information has been submitted to the Department. These reviews may be, but are not required to be, in three (3) stages: Preliminary, Design Development, and Final.

D. The components of the three (3) stages submitted shall include the following:

1. Preliminary.
   a. Plot plan showing:
      (1) Size and shape of entire site, including existing and proposed significant topographic, environmental, transportation conditions and utilities including, but not limited to, buildings, vehicular movement, parking areas, information concerning water supply available for fire protection, distance to nearest fire hydrant; any hazardous areas, e.g., cliffs, roads, hills, railroads, industrial and/or commercial sites, and bodies of water;
      (2) Footprint showing orientation and location of proposed facility or alterations to the existing facility.
   b. Floor plans showing blocked functional spaces (areas) of approximate size and shape and their relationship to other spaces;
   c. Compartmentalization for smoke compartments (fire and life safety plan).

2. Design Development drawings shall indicate the following in addition to the requirements in Section 2004.D.1:
   a. Cover sheet:
      (1) Title and location of the project;
      (2) Index of drawings;
      (3) Code analysis listing applicable codes (both local jurisdiction and state);
      (4) Occupancy classification per the applicable sections of the adopted State, Federal, or local codes, ordinances, and regulations, whichever is most stringent;
b. Floor plans:
   (1) Dimensions of buildings;
   (2) Locations, size, and purpose of all rooms, including furniture layout plan;
   (3) Location and size of doors, windows, and other openings with swing of doors indicated;
   (4) Life Safety plan showing all fire walls, exits, exit calculations, locations of smoke barriers, if required, fire-rated walls, locations of stairs, elevators, dumbwaiters, vertical shafts, and chimneys;
   (5) Fixed equipment.
c. Outline specifications that include a description of construction, including interior finishes and mechanical systems.
3. Final submission shall include the requirements of Sections 2004.D.1 and D.2 in addition to complete working drawings and contract specifications, including layouts for site preparation and landscaping, architectural, plumbing, electrical, mechanical, signal system, and complete fire protection.
E. There shall be a separate kitchen floor plan for facilities that provide meal service operations. Construction shall be in compliance with Chapter VII (A - G) of R.61-25, and the floor plan shall depict:
   1. Location of all equipment;
   2. Make and model number of all equipment. All equipment used for the preparation and storage of food shall be approved and certified by the NSF International;
   3. Garbage can wash pad on exterior with hot and cold running water;
   4. Grease interceptor;
   5. Floor drains;
   6. Separate handwashing sinks;
   7. Toilet and locker facilities for kitchen staff and volunteers;
   8. Exhaust hood and duct system to the outside;
   9. Hood extinguishing system.
F. Upon Department request, one (1) complete set of “as-built” drawings shall be filed with DHFC.

2822. Facility Design and Site Location
A. Facility design and site location shall conform to the requirements of the applicable sections of the adopted State, Federal, or local codes, ordinances, and regulations, whichever is most stringent.

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**44:04:02:19. Physical plant changes.** A facility must submit any proposed change by new construction, remodeling, or change of use of an area to the department. Any change must have the approval of the department before it is made.

**44:04:02:20. Location.** The location of facilities must promote the health, treatment, comfort, safety, and well-being of persons accepted and retained for care. Facilities must be served by good, passable roads. Easy accessibility for employees, visitors, and fire-fighting services must be maintained.

**44:04:13:47. Submittal of plans and specifications.** Plans and specifications for new construction must be submitted to the department for evaluation of function and fire protection.
including concealed spaces. The department’s approval must be obtained before beginning
construction. Modification during construction must be submitted to the department for review
and must be approved prior to the modification.

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(3) No new nursing home shall hereafter be constructed, nor shall major alterations be made to
existing nursing homes, or change in nursing home type be made without the prior written
approval of the department, and unless in accordance with plans and specifications approved in
advance by the department. Before any new nursing home is licensed or before any alteration or
expansion of a licensed nursing home can be approved, the applicant must furnish two (2) complete
sets of plans and specifications to the department, together with fees and other information as
required. Plans and specifications for new construction and major renovations, other than minor
alterations not affecting fire and life safety or functional issues, shall be prepared by or under the
direction of a licensed architect and/or a qualified licensed engineer.

(4) After the application and licensure fees have been submitted, the building construction plans
must be submitted to the department. All new facilities shall conform to the current addition of the
Standard Building Code, the National Fire Protection Code (NFPA), the National Electrical Code and
the AIA Guidelines for Design and Construction of Hospital and Health Care Facilities, and the U.S
Public Health Service Food Code as adopted by the Board for Licensing Health Care Facilities. When
referring to height, area or construction type, the Standard Building Code shall prevail. All new and
existing facilities are subject to the requirements of the Americans with Disabilities Act (A.D.A).
Where there are conflicts between requirements in the above listed codes and regulations and
provisions of this chapter, the most restrictive shall apply.

(5) The codes in effect at the time of submittal of plans and specifications, as defined by these
regulations shall be the codes to be used throughout the project.

(6) Review of plans and specifications shall be acknowledged in writing with copies sent to the
architect and the owner, manager or other executive of the institution. The distribution of such
review may be modified at the discretion of the department.

(7) All construction shall be executed in accordance with the approved plans and specifications.
(8) All new construction and renovations to nursing homes, other than minor alterations not
affecting fire and life safety or functional issues, shall be performed in accordance with the specific
requirements of these regulations governing new construction in nursing homes, including the
submission of phased construction plans and the final drawings and the specifications to each.

(9) In the event submitted materials do not appear to satisfactorily comply with 1200-08-06-08
(4) the department shall furnish a letter to the party submitting the plans which shall list the
particular items in question and request further explanation and/or confirmation of necessary
modifications.

(10) Notice of satisfactory review from the department constitutes compliance with this
requirement if construction begins within one hundred eighty (180) days of the date of such notice.
This approval shall in no way permit and/or authorize any omission or deviation from the
requirements of any restrictions, laws, regulations, ordinances, codes or rules of any responsible
agency.
(11) Final working drawings and specifications shall be accurately dimensioned and include all necessary explanatory notes, schedules and legends. The working drawings and specifications shall be complete and adequate for contract purposes.

(12) Prior to final inspection, a CD Rom disc, in TIF or DMG format, of the final approved plans including all shop drawings, sprinkler, calculations, hood and duct, addenda, specifications, etc., shall be submitted to the department.

(13) Detailed plans shall be drawn to a scale of at least one-eighth inch equals one foot (1/8” = 1’), and shall show the general arrangement of the building, the intended purpose and the fixed equipment in each room, with such additional information as the department may require. These plans shall be prepared by an architect or engineer licensed to practice in the State of Tennessee. The plans shall contain a certificate signed by the architect or engineer that to the best of his or her knowledge or belief the plans conform to all applicable codes.

(a) Two (2) sets of plans shall be forwarded to the appropriate section of the department for review. After receipt of approval of phased construction plans, the owner may proceed with site grading and foundation work prior to receipt of approval of final plans and specifications with the understanding that such work is at the owner’s risk and without assurance that final approval of final plans and specifications shall be granted. Final plans and specifications shall be submitted for review and approval. Final approval must be received before proceeding beyond foundation work.

(b) Review of plans does not eliminate responsibility of owner and/or architect to comply with all rules and regulations.

(14) Specifications shall supplement all drawings. They shall describe the characteristics of all materials, products and devices, unless fully described and indicated on the drawings. Specification copies should be bound in an 8½ x 11 inch folder.

(15) Drawings and specifications shall be prepared for each of the following branches of work: Architectural, Structural, Mechanical, Electrical and Sprinkler.

(16) Architectural drawings shall include:

(a) Plot plan(s) showing property lines, finish grade, location of existing and proposed structures, roadways, walks, utilities and parking areas;

(b) Floor plan(s) showing scale drawings of typical and special rooms, indicating all fixed and movable equipment and major items of furniture;

(c) Separate life safety plans showing the compartment(s), all means of egress and exit markings, exits and travel distances, dimensions of compartments and calculation and tabulation of exit units. All fire and smoke walls must be identified;

(d) The elevation of each facade;

(e) The typical sections throughout the building;

(f) The schedule of finishes;

(g) The schedule of doors and windows;

(h) Roof plans;

(i) Details and dimensions of elevator shaft(s), car platform(s), doors, pit(s), equipment in the machine room, and the rates of car travel must be indicated for elevators; and

(j) Code analysis.

(17) Structural drawings shall include:

(a) Plans of foundations, floors, roofs and intermediate levels which show a complete design with sizes, sections and the relative location of the various members;

(b) Schedules of beams, girders and columns; and

(c) Design live load values for wind, roof, floor, stairs, guard, handrails, and seismic.
(18) Mechanical drawings shall include:
(a) Specifications which show the complete heating, ventilating, fire protection, medical gas systems and air conditioning systems;
(b) Water supply, sewerage and HVAC piping systems;
(c) Pressure relationships shall be shown on all floor plans;
(d) Heating, ventilating, HVAC piping, medical gas systems and air conditioning systems with all related piping and auxiliaries to provide a satisfactory installation;
(e) Water supply, sewage and drainage with all lines, risers, catch basins, manholes and cleanouts clearly indicated as to location, size, capacities, etc., and location and dimensions of septic tank and disposal field; and,
(f) Color coding to show clearly supply, return and exhaust systems.
(19) Electrical drawings shall include:
(a) A certification that all electrical work and equipment is in compliance with all applicable local codes and laws, and that all materials are currently listed by recognized testing laboratories;
(b) All electrical wiring, outlets, riser diagrams, switches, special electrical connections, electrical service entrance with service switches, service feeders and characteristics of the light and power current, and transformers when located within the building;
(c) The electrical system shall comply with applicable codes, and shall include:
1. The nurses call system;
2. The paging system;
3. The fire alarm system; and
4. The emergency power system including automatic services as defined by the codes.
(d) Color coding to show all items on emergency power.
(20) Sprinkler drawings shall include:
(a) Shop drawings, hydraulic calculations, and manufacturer cut sheets;
(b) Site plan showing elevation of fire hydrant to building, test hydrant, and flow data (Data from within a 12 month period); and
(c) Show “Point of Service” where water is used exclusively for fire protection purposes.
(21) No system of water supply, plumbing, sewage, garbage or refuse disposal shall be installed nor shall any existing system be materially altered or extended until complete plans and specifications for the installation, alteration or extension have been submitted to the department and show that all applicable codes have been met and necessary approval has been obtained.
(a) Before the facility is used, the water supply system shall be approved by the Tennessee Department of Environment and Conservation.
(b) Sewage shall be discharged into a municipal system or approved package system where available; otherwise, the sewage shall be treated and disposed of in a manner of operation approved by the Department of Environment and Conservation and shall comply with existing codes, ordinances and regulations which are enforced by cities, counties or other areas of local political jurisdiction.
(22) The following alarms are required and shall be monitored twenty-four (24) hours per day:
(a) Fire alarms;
(b) Generators; and
(c) Medical gas alarms.
(23) A negative air pressure shall be maintained in the soiled utility area, toilet room, janitor’s closet, dishwashing and other such soiled spaces, and a positive air pressure shall be maintained in all clean areas including, but not limited to, clean linen rooms and clean utility rooms.
(24) Each nursing home shall ensure that an emergency keyed lock box is installed next to each bank of functioning elevators located on the main level. Such lock boxes shall be permanently mounted seventy-two inches (72") from the floor to the center of the box, be operable by a universal key no matter where such box is located, and shall contain only fire service keys and drop keys to the appropriate elevators.

(B) After consideration of the findings of the Texas Department of Human Services (DHS) for Medicare/Medicaid certified facilities, the Health Care Financing Administration (HCFA) may waive specific provisions of the Life Safety Code which, if rigidly applied, would result in unreasonable hardship on the facility, but only if the waiver does not adversely affect the health and safety of residents or personnel.

(c) The following codes, standards, or guidelines generally govern their subject areas for existing construction:

(1) If the municipality has a building code and a plumbing code, those codes govern.
(2) In the absence of municipal codes, nationally recognized codes must be used. To assure continuity, all nationally recognized codes, when used, must be publications of the same group or organization.

**RULE §19.330 Construction and Initial Survey of Completed Construction**

(a) Construction phase.

(1) DADS Regulatory Services Division in Austin, Texas, must be notified in writing of construction start.

(2) All construction must be done in accordance with minimum licensing requirements. It is the sponsor's responsibility to employ qualified personnel to prepare the contract documents for construction of a new facility or remodeling of an existing facility. Contract documents for additions and remodeling and for the construction of an entirely new facility must be prepared by an architect licensed by the Texas State Board of Architectural Examiners. Drawings must bear the seal of the architect. Certain parts of contract documents (including final plans, designs, and specifications) must bear the seal of a licensed professional engineer approved by the Texas Board of Professional Engineers to operate in Texas or, as permitted by subsections (b)(12) and (15) of this section, signed by a Responsible Managing Employee or Alarm Planning Superintendent licensed by the State Fire Marshal’s Office. These certain parts include sheets and sections covering structural, electrical, mechanical, sanitary, and civil engineering.

(A) Remodeling is the construction, removal, or relocation of walls and partitions, the construction of foundations, floors, or ceiling-roof assemblies, the expanding or altering of safety systems (including, but not limited to, sprinkler, fire alarm, and emergency systems), or the conversion of space in a facility to a different use.

(B) General maintenance and repairs of existing material and equipment, repainting, applications of new floor, wall, or ceiling finishes, or similar projects are not included as remodeling, unless as a part of new construction. DADS must be provided flame spread documentation for new materials applied as finishes.

(b) Contract documents.

(1) Site plan documents must include grade contours; streets (with names); north arrow; fire hydrants; fire lanes; utilities, public or private; fences; unusual site conditions, such as ditches, low
water levels, other buildings on-site; and indications of buildings five feet or less beyond site property lines. Site plan documents for nursing facilities may include the developed landscaping plan for resident use as called for in §19.332(f) of this chapter (relating to Location and Site).

(2) Foundation plan documents must include general foundation design and details.

(3) Floor plan documents must include room names, numbers, and usages; resident care areas; doors (numbered) including swing; windows; legend or clarification of wall types; dimensions; fixed equipment; plumbing fixtures; and kitchen basic layout; and identification of all smoke barrier walls (outside wall to outside wall) or fire walls.

(4) For both new construction and additions or remodeling to existing buildings, an overall plan of the entire building must be drawn or reduced to fit on an 8 1/2 inch by 11 inch sheet.

(5) Schedules must include door materials, widths, types; window materials, sizes, types; room finishes; and special hardware.

(6) Elevations and roof plan must include, but is not limited to, exterior elevations, including material note indications and any roof top equipment, roof slopes, drains, and gas piping, and interior elevations where needed for special conditions.

(7) Details must include wall sections as needed (especially for special conditions); cabinet and built-in work, basic design only; cross sections through buildings as needed; and miscellaneous details and enlargements as needed.

(8) Building structure documents must include structural framing layout and details (primarily for column, beam, joist, and structural frame building); roof framing layout (when this cannot be adequately shown on cross section); cross sections in quantity and detail to show sufficient structural design and structural details as necessary to assure adequate structural design, also calculated design loads.

(9) Electrical documents must include electrical layout, including lights, convenience outlets, equipment outlets, switches, and other electrical outlets and devices; service, circuiting, distribution, and panel diagrams; exit light system (exit signs and emergency egress lighting); emergency electrical provisions (such as generators and panels); and similar systems (such as control panel, devices, and alarms); a nurse call system; and sizes and details sufficient to assure safe and properly operating systems.

(10) Plumbing documents must include plumbing layout with pipe sizes and details sufficient to assure safe and properly operating systems, water systems, sanitary systems, gas systems, other systems normally considered under the scope of plumbing, fixtures, and provisions for combustion air supply.

(11) Heating, ventilation, and air-conditioning (HVAC) documents must include sufficient details of HVAC systems and components to assure a safe and properly operating installation including, but not limited to, heating, ventilating, and air-conditioning layout, ducts, protection of duct inlets and outlets, combustion air, piping, exhausts, and duct smoke and/or fire dampers; and equipment types, sizes, and locations.

(12) Fire sprinkler system plans and hydraulic calculations, must be designed in accordance with the applicable sections of the National Fire Protection Association (NFPA) 13, and signed by a Responsible Managing Employee, licensed by the State Fire Marshal's Office, or sealed by a licensed professional engineer.

(13) Other layouts, plans, or details as may be necessary for a clear understanding of the design and scope of the project; including plans covering private water or sewer systems must be reviewed by the local health or wastewater authority having jurisdiction.
Specifications must include installation techniques, quality standards and/or manufacturers, references to specific codes and standards, design criteria, special equipment, hardware, painting, and any others as needed to amplify drawings and notes.

Fire detection and alarm system working plans must be designed in accordance with the applicable sections of the National Fire Alarm and Signaling Code, NFPA 72, and the National Electric Code, NFPA 70, and signed by an Alarm Planning Superintendent licensed by the State Fire Marshal’s Office or sealed by a licensed professional engineer.

(c) Initial survey of completed construction.

(1) Upon completion of construction, including grounds and basic equipment and furnishings, a final construction inspection (initial survey) of the facility, including additions or remodeled areas, is required to be performed by DADS’ architectural inspecting surveyor prior to occupancy. The completed construction must have the written approval of the local authorities having jurisdiction, including the fire marshal and building inspector.

(2) The inspection described in paragraph (1) may be obtained on an expedited basis. An applicant may obtain a Life Safety Code inspection within 15 business days after DADS receives a written request if the applicant submits:

(A) a complete application as required in §19.201(b) of this chapter (relating to Criteria for Licensing) and §19.204 of this chapter (relating to Application Requirements); and

(B) the appropriate Life Safety Code fee listed in §19.220 of this chapter (relating to Expedited Life Safety Code and Physical Plant Inspection Fees).

(3) After the completed construction has been surveyed by a representative of DADS’ architectural section and found acceptable, this information will be conveyed to the licensing officer as part of the information needed to issue a license to the facility. In the case of additions or remodeling of existing facilities, a revision or modification to an existing license may be necessary. Note that the building, grades, drives, parking, and grounds must be essentially 100% complete at the time of this initial survey visit for occupancy approval and licensing, including basic furnishings and operational needs.

(4) A copy of the following documents must be provided to DADS’ architectural inspecting surveyor at the time of the survey of the completed building:

(A) written approval of local authorities as called for in paragraph (1) of this subsection;

(B) record drawings of the fire detection and alarm system as installed, signed by an Alarm Planning Superintendent licensed by the State Fire Marshal’s Office or sealed by a licensed professional engineer, including a sequence of operation, the owner's manuals and the manufacturer’s published instructions covering all system equipment, a signed copy of the State Fire Marshal’s Office Fire Alarm Installation Certificate, and, for software-based systems, a record copy of the site-specific software (excluding the system executive software or external programmer software) in a non-volatile, non-erasable, non-rewritable memory;

(C) documentation of materials used in the building which are required to have a specific limited fire or flame spread rating including, but not limited to, special wall finishes or floor coverings, flame retardant curtains (including cubicle curtains), and rated ceilings. This must include a signed letter from the installer verifying that the material installed, such as carpeting, is the same material named in the laboratory test document;

(D) record drawings of the fire sprinkler system as installed, signed by a Responsible Managing Employee licensed by the State Fire Marshal’s Office or sealed by a licensed professional engineer, including the hydraulic calculations, alarm configuration, aboveground and underground Contractor’s Material and Test Certificate, all literature and instructions provided by the
manufacturer describing the proper operation and maintenance of all equipment and devices in accordance with Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, NFPA 25;
(E) service contracts for maintenance and testing of systems, including, but not limited to, alarm systems and sprinkler systems;
(F) a copy of gas test results of the facility's gas lines from the meter;
(G) a written statement from an architect and/or engineer stating that he certifies that the building was constructed to meet NFPA 101, Life Safety Code, and all locally applicable codes, and that the facility is in substantial conformance with minimum licensing requirements; and
(H) the contract documents specified in subsection (b) of this section.
(d) Nonapproval of new construction.
(1) If, during the survey of completed construction, the surveyor finds certain basic requirements not met, DADS will not license the facility or approve it for occupancy. Such basic items may include the following:
(A) construction which does not meet minimum code or licensure standards for basic requirements such as corridor widths being less than eight feet clear width, ceilings installed at less than the minimum seven feet six inches height, resident bedroom dimensions less than required width, and other similar features which would disrupt or otherwise adversely affect the residents and staff if corrected after occupancy;
(B) no written approval by local authorities;
(C) fire protection systems not completely installed or not functioning properly including, but not limited to, fire alarm systems, emergency power and lighting, and sprinkler systems;
(D) required exits are not all usable according to Life Safety Code requirements;
(E) telephone not installed or not properly working;
(F) sufficient basic furnishings, essential appliances and equipment are not installed or not functioning; and
(G) any other basic operational or safety feature which the surveyor, as the authority having jurisdiction, encounters which in his judgment would preclude safe and normal occupancy by residents on that day.
(2) If the surveyor encounters deficiencies that do not affect the health and safety of the residents, licensure may be recommended based on an approved written plan of correction by the facility's administrator.
(3) Copies of reduced size floor plan on an 8 1/2 inch by 11 inch sheet must be submitted in duplicate to DADS for record and/or file use and for the facility to use in evacuation planning and fire alarm zone identification. The plan must contain basic legible information such as overall dimensions, room usage names, actual bedroom numbers, doors, windows, and any other pertinent information.

RULE §19.331 Construction Standards for Additions, Remodeling, and New Nursing Facilities

(a) This subchapter is written for, and applies to, new construction, including conversions, additions, and remodelings. The requirements of the Life Safety Code, Standard 101 of the National Fire Protection Association (NFPA), as required under Health and Safety Code, §242.039, and other applicable NFPA codes and standards referenced in NFPA 101 will apply unless otherwise noted or modified in this subchapter. The provisions of the chapter or subchapter and the provisions of the New Health Care Occupancies of the Life Safety Code are applicable.
(2) The definitions listed in §19.101 of this title (relating to Definitions) also apply to this subchapter.

(3) In addition to the Life Safety Code and the standards referenced therein, this subchapter is subject to the codes, standards, and requirements established by the following: Underwriters Laboratories, Inc.; the American National Standards Institute, Inc. (ANSI); the National Electrical Code (NFPA 70); the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE); and the American Society for Testing Materials (ASTM). Various references to these entities will be made throughout these sections.

(b) All applicable local, state, or national codes and ordinances must be met as determined by the authority having jurisdiction for those codes and ordinances and by the Texas Department of Human Services (DHS). Any conflicts must be made known to DHS Long Term Care-Regulatory office for appropriate resolution.

(c) The design of structural systems must be done by or under the direction of a professional engineer who is currently registered by the Texas State Board of Registration for Professional Engineers.

(d) If an existing licensed facility plans building additions or remodeling which includes construction of additional resident beds, then the ratio of bathing units must be reevaluated to meet minimum standards and the square footage of dining and living areas must be reevaluated by DHS at a minimum of 19 square feet per bed. Conversion of existing living, dining, or activity areas to resident bedrooms must not reduce these functions to a total area of less than 19 square feet per bed. The dietary department must be evaluated by the facility’s registered or licensed dietitian or architect having knowledge in the design of food service operations. This evaluation must be provided to DHS.

(e) No building may be occupied by residents prior to inspection and approval to occupy by DHS.

(f) The words "shall" or "must" are requirements. The word "should" is a recommendation which is expected to be followed unless there is valid reason not to do so.

(g) Nothing in §§19.332-19.343 of this title ((relating to Location and Site, General Considerations, Architectural Space Planning and Utilization, Exit Provisions, Smoke Compartmentation (Subdivision of Building Spaces), Fire Protection Systems, Hazardous Areas, Structural Requirements, Mechanical Requirements, Electrical Requirements, Miscellaneous Details, and Elevators)) may be construed as prohibiting a better type of building or construction, more space, services, features, or greater degree of safety than the minimum requirements.

RULE §19.332 Location and Site

(a) Site approval is normally required of the local building department and fire marshal having jurisdiction. Any conditions considered to be a fire, safety, or health hazard will be grounds for disapproval of the site by the Texas Department of Human Services (DHS). New facilities may not be built in an area designated as a floodplain of 100 years or less.

(b) Site grades must provide for positive surface water drainage so that there will be no ponding or standing water on the designated site. This does not apply to local government requirements for engineered controlled run-off holding ponds.

(c) A new building (or addition) must be set back at least ten feet from the property lines except as otherwise approved by DHS.

RULE §19.344 Plans, Approvals, and Construction Procedures

At the option of the applicant, the Texas Department of Human Services (DHS) will review plans for new buildings, additions, conversion of buildings not licensed by DHS, or remodeling of existing licensed facilities. DHS will, within 30 days, inform the applicant in writing of the results of the review. If the plans comply with DHS's architectural requirements, DHS may not subsequently
change the architectural requirement applicable to the project unless the change is required by federal law or the applicant fails to complete the project within two years. DHS may grant a waiver of this two-year period for delays due to unusual circumstances. There is no time limit to complete a project, only a time limit for completing a project using requirements that have been revised after the project was reviewed.

(1) Submittal of plans.
(A) For review of plans, submit one copy of working drawings and specifications (contract documents) before construction begins. Documents must be in sufficient detail to interpret compliance with these standards and assure proper construction. Documents must be prepared according to accepted architectural practice and must include general construction, special conditions, and schedules.
(B) Final copies of plans must have (in the reproduction process by which plans are reproduced) a title block that shows name of facility, person, or organization preparing the sheet, sheet numbers, facility address, and drawing date. Sheets and sections covering structural, electrical, mechanical, and sanitary engineering final plans, designs, and specifications must bear the seal of a registered professional engineer approved by the State Board of Registration for Professional Engineers to operate in Texas. Contract documents for additions, remodeling, and construction of an entirely new facility must be prepared by an architect licensed by the Texas State Board of Architectural Examiners. Drawings must bear the seal of the architect.
(C) A final plan for a major addition to a facility must include a basic layout to scale of the entire building onto which the addition will connect. North direction must be shown. The entire basic layout usually can be to scale such as 1/16 inch per foot or 1/32 inch per foot for very large buildings.
(D) Plans and specifications for conversions or remodeling must be complete for all parts and features involved.
(E) The sponsor is responsible for employing qualified personnel to prepare the contract documents for construction. If the contract documents have errors or omissions to the extent that conformance with standards cannot be reasonably assured or determined, a revised set of documents for review may be requested.
(F) The review of plans and specifications by DHS is based on general utility, the minimum licensing standards, and conformance of the Life Safety Code, and is not to be construed as all-inclusive approval of the structural, electrical, or mechanical components, nor does it include a review of building plans for compliance with the Texas Accessibility Standards as administered and enforced by the Texas Department of Licensing and Regulation.
(G) Fees for plan review will be required in accordance with §19.219 of this title (relating to Plan Review Fees).

(2) Contract documents.
(A) Site plan documents must include:
   (i) grade contours;
   (ii) streets (with names);
   (iii) north arrow;
   (iv) fire hydrants;
   (v) fire lanes;
   (vi) utilities, public or private;
   (vii) fences; and
   (viii) unusual site conditions, such as
   (I) ditches;
(II) low water levels;
(III) other buildings on-site; and
(IV) indications of buildings five feet or less beyond site property lines.
(B) Foundation plan documents must include general foundation design and details.
(C) Floor plan documents must include:
(i) room names, numbers, and usages;
(ii) doors (numbered), including swing;
(iii) windows;
(iv) legend or clarification of wall types;
(v) dimensions;
(vi) fixed equipment;
(vii) plumbing fixtures;
(viii) kitchen basic layout; and
(ix) identification of all smoke barrier walls (outside wall to outside wall) or fire walls.
(D) For both new construction and additions or remodeling to existing buildings, an overall plan of
the entire building must be drawn or reduced to fit on an 8 1/2-inch by 11-inch sheet.
(E) Schedules must include:
(i) door materials, widths, and types;
(ii) window materials, sizes, and types;
(iii) room finishes; and
(iv) special hardware.
(F) Elevations and roof plan must include:
(i) exterior elevations, including
(I) material note indications; and
(II) any rooftop equipment;
(ii) roof slopes;
(iii) drains;
(iv) gas piping, etc.; and
(v) interior elevations where needed for special conditions.
(G) Details must include:
(i) wall sections as needed, especially for special conditions;
(ii) cabinet and built-in work, basic design only;
(iii) cross sections through buildings as needed; and
(iv) miscellaneous details and enlargements as needed.
(H) Building structure documents must include:
(i) structural framing layout and details (primarily for column, beam, joist, and structural building);
(ii) roof framing layout (when it cannot be adequately shown on cross section); and
(iii) cross sections in quantity and detail to show sufficient structural design and structural details
as necessary to assure adequate structural design and calculated design loads.
(I) Electrical documents must include:
(i) electrical layout, including lights, convenience outlets, equipment outlets, switches, and other
electrical outlets and devices;
(ii) service, circuiting, distribution, and panel diagrams;
(iii) exit light system (exit signs and emergency egress lighting);
(iv) emergency electrical provisions (such as generators and panels);
(v) staff communication system;
(vi) fire alarm and similar systems (such as control panel, devices, and alarms); and
(vii) sizes and details sufficient to assure safe and properly operating systems.
(J) Plumbing documents must include:
(i) plumbing layout with pipe sizes and details sufficient to assure safe and properly operating systems;
(ii) water systems;
(iii) sanitary systems;
(iv) gas systems; and
(v) other systems normally considered under the scope of plumbing, fixtures, and provisions for combustion air supply.
(K) Heating, ventilating, and air-conditioning systems (HVAC) documents must include:
(i) sufficient details of HVAC systems and components to assure a safe and properly operating installation, including, but not limited to, heating, ventilating, and air-conditioning layout, ducts, protection of duct inlets and outlets, combustion air, piping, exhausts, and duct smoke and/or fire dampers; and
(ii) equipment types, sizes, and locations.
(L) Sprinkler system documents must include:
(i) plans and details of National Fire Protection Association (NFPA) designed systems;
(ii) plans and details of partial systems provided only for hazardous areas; and
(iii) electrical devices interconnected to the alarm system.
(M) Specifications must include:
(i) installation techniques;
(ii) quality standards and/or manufacturers;
(iii) references to specific codes and standards;
(iv) design criteria;
(v) special equipment;
(vi) hardware;
(vii) finishes; and
(viii) any others as needed to amplify drawings and notes.
(N) Other layouts, plans, or details as may be necessary for a clear understanding of the design and scope of the project, including plans covering private water or sewer systems, must be reviewed by local health or wastewater authority having jurisdiction.
(3) Construction phase.
(A) DHS must be notified in writing before construction starts.
(B) All construction not done in accordance with the completed plans and specifications as submitted for review and as modified in accordance with review requirements will require additional drawings if the change is significant.
(4) Initial survey of completed construction.
(A) Upon completion of construction, including grounds and basic equipment and furnishings, a final construction inspection (initial survey) of the facility must be performed by DHS before admitting residents. An initial architectural inspection will be scheduled after DHS receives a notarized licensure application, required fee, fire marshal approval, and a letter from an architect or engineer stating that to the best of their knowledge the facility meets the architectural requirements for licensure.
(B) After the completed construction has been surveyed by DHS and found acceptable, this information will be forwarded to the DHS Facility Enrollment Section as part of the information needed to issue a license to the facility. In the case of additions or remodeling of existing facilities, a
revision or modification to an existing license may be necessary. The building, including basic furnishings and operational needs, grades, drives, and parking, must essentially be 100% complete at the time of this initial visit for occupancy approval and licensing. A facility may accept up to three residents between the time it receives initial approval from DHS and the time the license is issued.

(C) The following documents must be available to DHS's architectural inspecting surveyor at the time of the survey of the completed building:

(i) written approval of local authorities as required in subparagraph (A) of this paragraph;
(ii) written certification of the fire alarm system by the installing agency (the Texas State Fire Marshal’s Fire Alarm Installation Certificate);
(iii) documentation of materials used in the building that are required to have a specific limited fire or flame spread rating, including special wall finishes or floor coverings, flame retardant curtains (including cubicle curtains), rated ceilings, etc., and, in the case of carpeting, a signed letter from the installer verifying that the carpeting installed is named in the laboratory test document;
(iv) approval of the completed sprinkler system installation by the Texas Department of Insurance or designing engineer. A copy of the material list and test certification must be available;
(v) service contracts for maintenance and testing of alarm systems, sprinkler systems, etc.;
(vi) a copy of gas test results of the facility's gas lines from the meter;
(vii) a written statement from an architect/engineer stating, to the best of his knowledge, the building was constructed in substantial compliance with the construction documents, the Life Safety Code, DHS licensure standards, and local codes; and
(viii) any other such documentation as needed.

(5) Nonapproval of new construction.

(A) If, during the initial on-site survey of completed construction, the surveyor finds certain basic requirements not met, DHS may recommend the facility not be licensed and approved for occupancy. Such items may include the following:

(i) substantial changes made during construction that were not submitted to DHS for review and that may require revised "as-built" drawings to cover the changes. This may include architectural, structural, mechanical, and electrical items as specified in paragraph (3)(B) of this section;
(ii) construction that does not meet minimum code or licensure standards, such as corridors that are less than required width, ceilings installed at less than the minimum seven-foot, six-inch height, resident bedroom dimensions less than required, and other such features that would disrupt or otherwise adversely affect the residents and staff if corrected after occupancy;
(iii) no written approval by local authorities;
(iv) fire protection systems, including, but not limited to, fire alarm systems, emergency power and lighting, and sprinkler systems, not completely installed or not functioning properly;
(v) required exits not all usable according to National Fire Protection Association (NFPA) 101 requirements;
(vi) telephone not installed or not properly working;
(vii) sufficient basic furnishings, essential appliances, and equipment not installed or not functioning; and
(viii) any other basic operational or safety feature that would preclude safe and normal occupancy by identified residents on that day.

(B) If the surveyor encounters only minor deficiencies, licensure may be recommended based on an approved written plan of correction from the facility’s administrator.

(C) Copies of reduced-size floor plans on an 8 1/2-inch by 11-inch sheet must be submitted in duplicate to DHS for record/file use and for the facility's use for evacuation plan, fire alarm zone
identification, etc. The plan must contain basic legible information such as scale, room usage names, actual bedroom numbers, doors, windows, and any other pertinent information.

**UTAH**

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**R432-5-6. General Construction Requirements.**

(1) Nursing facilities shall be constructed in accordance with the Guidelines for Design and Construction of Hospital and Health Care Facilities (Guidelines), Section 8 and Appendix A, 2001 edition which is adopted by reference.

(2) Where a modification is cited, the modification supersedes conflicting requirements of the Guidelines.

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(4) Proposals for new construction, expansion, renovation or substantial rehabilitation of a facility requiring Certificate of Need approval pursuant to 18 V.S.A. §9434 will not be approved by the licensing agency unless the construction proposal includes a plan for elimination or conversion of all three- and four-bed rooms to rooms which accommodate no more than two persons.  
(i) The terms “renovation or substantial rehabilitation” shall not be deemed to include routine maintenance or repairs due to normal wear and tear.  
(ii) “Routine maintenance or repairs” includes, but is not limited to, furnace replacement, roof replacement, rewiring, and repainting and other improvements that do not alter the appearance or layout of the facility.  
(iii) Construction that alters the appearance or layout of the facility, including relocation of walls, partitions, doors, creation or subdivision of rooms, or conversion of a portion of the facility for a different use, shall be considered “renovation or substantial rehabilitation” and not “routine maintenance or repair”.

(b) After consideration of state licensing agency findings, the Vermont Department of Labor and Industry may waive specific provisions of the Vermont Fire Prevention and Building Code which, if rigidly applied, would result in unreasonable hardship upon the facility, but only if the waiver does not adversely affect the health and safety of residents or personnel.

(4) Proposals for new construction, expansion, renovation or substantial rehabilitation of a facility requiring Certificate of Need approval pursuant to 18 V.S.A. §9434 will not be approved by the licensing agency unless the construction proposal includes a plan for elimination or conversion of all three- and four-bed rooms to rooms which accommodate no more than two persons.  
(i) The terms “renovation or substantial rehabilitation” shall not be deemed to include routine maintenance or repairs due to normal wear and tear.  
(ii) “Routine maintenance or repairs” includes, but is not limited to, furnace replacement, roof replacement, rewiring, and repainting and other improvements that do not alter the appearance or layout of the facility.  
(iii) Construction that alters the appearance or layout of the facility, including relocation of walls, partitions, doors, creation or subdivision of rooms, or conversion of a portion of the facility for a
different use, shall be considered "renovation or substantial rehabilitation" and not "routine maintenance or repair".

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12 VAC 5-371-400. Unique design solutions.
A. All unique design solutions shall be described with outcome measures. This shall be reviewed in cooperation with the OLC.
B. The description and outcome measures shall be a part of the material used to review the design solution at the time of the facility survey.
C. All unique design solutions, unless specifically excluded by contract, shall comply with Parts II (12 VAC 5-371-110 et seq.) and III (12 VAC 5-371-200 et seq.) of this chapter.

A. All construction of new buildings and additions, renovations or alterations of existing buildings for occupancy as a nursing facility shall conform to state and local codes, zoning and building ordinances, and the Uniform Statewide Building Code. In addition, nursing facilities shall be designed and constructed according to Part 1 (1.1 through 1.6-2) and sections 4.1-1 through 4.1-10 of Part 4 the 2006 Guidelines for Design and Construction of Health Care Facilities of the American Institute of Architects. However, the requirements of the Uniform Statewide Building Code and local zoning and building ordinances shall take precedence.
B. Architectural drawings and specifications for all new construction or for additions, alterations or renovations to any existing building, shall be dated, stamped with licensure seal and signed by the architect. The architect shall certify that the drawings and specifications were prepared to conform to building code requirements.
C. Additional approval may include a Certificate of Public Need.
D. Upon completion of the construction, the nursing facility shall maintain a complete set of legible "as built" drawings showing all construction, fixed equipment, and mechanical and electrical systems, as installed or built.

All buildings shall be inspected and approved as required by the appropriate building regulatory entity. Approval shall be a Certificate of Use and Occupancy indicating the building is classified for its proposed licensed purpose.

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New construction compliance.
The nursing home must ensure that:
(1) New construction, as defined in WAC 388-97-2160, complies with all the requirements of subchapter II of this chapter;
(2) New construction must maintain compliance with the regulations in effect at the time of initial submission to the department of health, certificate of need and construction review services; except if the previous construction jeopardizes resident health and safety, the department may require compliance with current construction rules;
(3) The department of health, certificate of need and construction review programs, are contacted for review and that the programs issue applicable determinations and approvals for all new construction; and
(4) Construction is completed in compliance with the final construction review services approved documents. Compliance with these standards and regulations does not relieve the nursing home of the need to comply with applicable state and local building and zoning codes.
(5) The department has done a pre-occupancy survey and has notified the nursing home that it may begin admitting residents.

**Types of new construction.**

New construction includes, but is not limited to:

1. New structures.
   (a) A new building to be licensed as a nursing home; or
   (b) An addition to a building currently licensed as a nursing home.
2. Existing buildings.
   (a) Conversion of another building to a nursing home;
   (b) Change in the use of space for access by residents within an existing nursing home; and
   (c) Alterations including physical, mechanical, or electrical changes made to an existing nursing home, except for normal routine maintenance and repair.
(3) See WAC 388-97-3400(3) for less extensive alterations.

**General new construction documents.**

1. The project sponsor must submit plans for all new construction to the department of health, construction review, for review and approval. Documents must be approved before the work begins. The project sponsor must also submit documents to department of health, certificate of need for review and applicable determination.
2. The nursing home may request exemptions to new construction requirements as described in WAC 388-97-3500.
3. If the proposed project is not extensive enough to require professional architectural or engineering services, the project sponsor must submit a written description to the department of health, construction review, to determine if WAC 388-97-3440 applies.

**Preliminary new construction documents.**

If preliminary documents and specifications are submitted, they must:

1. Include a narrative program with drawings. Copies of these documents must be sent to the department of health, certificate of need and construction review, and to aging and disability services administration. The narrative program must identify:
   (a) How the design promotes a homelike environment and facilitates resident-centered care and services;
   (b) Functional space requirements;
   (c) Staffing patterns;
   (d) Each function to be performed;
   (e) Types of equipment required; and
   (f) Services that will not be provided directly, but will instead be provided through contract.
2. Refer to WAC 388-97-3400(3), if the proposed project is not extensive enough to require professional architectural or engineering services.
3. Be drawn to scale and include:
   (a) A site plan showing streets, entrance ways, driveways, parking, design statements for adequate water supply, sewage and disposal systems, space for the storage of recycled materials, and the arrangement of buildings on the site noting handicapped accessible parking and entrances;
(b) Floor plans showing existing and proposed arrangements within the building, including the fixed and major movable equipment; and
(c) Each room, space, and corridor identified by function and number.
(4) Include a general description of construction and materials, including interior finishes.

**Final new construction documents.**

(1) Construction must not start until at least two sets of final construction documents drawn to scale with complete specifications have been submitted to and approved by the department of health, construction review, in coordination with aging and disability services administration and the department of health, certificate of need.
(2) An architect or engineer licensed by the state of Washington must prepare, stamp, sign, and date the final construction documents.
(3) Construction documents that are changed after approval by the department of health, construction review, require resubmission before any construction on the proposed change is started.
(4) The construction of the facility must follow the final approved construction documents.
(5) These drawings and specifications must show complete details to be furnished to contractors for construction of the buildings, including:
   (a) Site plan;
   (b) Drawings of each floor of the building, including fixed equipment;
   (c) Elevations, sections, and construction details;
   (d) Schedule of floor, wall, and ceiling finishes, door and window sizes and types, and door finish hardware;
   (e) Mechanical and electrical systems;
   (f) Provision for noise, dust, smoke, and draft control, fire protection, safety and comfort of the residents if construction work takes place in or near occupied areas; and
   (g) Landscape plans and vegetation planting schedules for dementia care units.
(6) A reduced set of the final construction floor plans on eight and one half by eleven inch or eleven by seventeen inch sheets showing each room function and number must be submitted.

**Preinstallation submissions for new construction.**

The department of health, construction review, must receive and approve preinstallation submissions prior to installation. Preinstallation submissions may include any or all of the following:
(1) Stamped shop drawings, hydraulic calculations, and equipment information sheets for fire sprinkler system(s);
(2) Shop drawings, battery calculations, and equipment information sheets for fire detection and alarm systems;
(3) Shop drawings and equipment information sheets for a kitchen hood and duct automatic fire extinguishing system;
(4) Drawings and equipment information sheets for special egress control devices; and
(5) Drawings and/or a finish schedule denoting areas to be carpeted with:
   (a) A coding system identifying type of carpet in each area;
   (b) A copy the manufacturer's specifications for each type of carpet; and
   (c) A copy of a testing laboratory report of the radiant panel and smoke density tests for each type of carpet.

**New construction timelines.**

(1) Construction documents must be resubmitted for review as a new project according to current requirements if construction:
(a) Has not started within one year from the date of approval; or
(b) Is not completed within two years from the date of approval.
(2) To obtain an extension beyond two years, a written request must be submitted and approved thirty days prior to the end of the two-year period.

Exemptions to new construction requirements.
(1) The director of residential care services, aging and disability services administration, may grant exemptions to new construction requirements for:
(a) Alterations when the applicant demonstrates the proposed alterations will serve to correct deficiencies or will upgrade the nursing home in order to better serve residents; and
(b) Substitution of procedures, materials, or equipment for requirements specified in this chapter when such procedures, materials, or equipment have been demonstrated to the director’s satisfaction to better serve residents.
(2) The nursing home must ensure requests for exemptions are in writing and include any necessary approvals from the local code enforcement authority and the state fire marshal.
(3) The nursing home must ensure all exemptions granted under the foregoing provisions are kept on file at the nursing home.

State building code in new construction.
The nursing home must through its design, construction and necessary permits demonstrate compliance with the following codes and local jurisdiction standards. The nursing home that submitted plans for construction review after July 1, 2007 must also comply with the following International Building Codes and Standards:
(1) The International Building Code, and International Building Code Standards, as published by the International Conference of Building Officials as amended and adopted by the Washington state building code council and published as chapter 51-50 WAC, or successor laws;
(2) The International Mechanical Code, including chapter 22, Fuel Gas Piping, Appendix B, as published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials as amended and adopted by the Washington state building code council and published as chapter 51-52 WAC, or successor laws;
(3) The International Fire Code, and International Fire Code Standards, as published by the International Conference of Building Officials and the Western Fire Chiefs Association as amended and adopted by the Washington state building code council and published as chapter 51-54 WAC, or successor laws;
(4) The Uniform Plumbing Code, and Uniform Plumbing Code Standards, as published by the International Association of Plumbing and Mechanical Officials, as amended and adopted by the Washington state building code council and published as chapters 51-56 and 51-57 WAC, or successor laws;
(5) The Washington state ventilation and indoor air quality code, as adopted by the Washington state building code council and filed as chapter 51-13 WAC, or successor laws; and
(6) The Washington state energy code, as amended and adopted by the Washington state building code council and filed as chapter 51-11 WAC, or successor laws.

Local codes and ordinances in new construction.
The nursing home must:
(1) Follow all local ordinances relating to zoning, building, and environmental standards; and
(2) Obtain all local permits before construction and keep permits on file at the nursing home.
9.1.a. If the director determines that changes necessary for compliance with this section of this rule would create an undue hardship for a nursing home in existence at the time this rule becomes effective, the 64CSR13 nursing home may be governed by rules which were in effect prior to the effective date of this rule.


9.2.a. Sites for all new nursing homes and sites for additions to existing nursing homes shall be inspected.

9.1.e. A nursing home shall comply with all applicable provisions of the Americans with Disabilities Act (ADA).

9.1.f. A nursing home shall submit a complete set of architectural, structural, and mechanical drawings, drawn to scale not less than one-eighth (1/8) inch equals one (1) foot, and shall be approved by the director before construction begins.

9.1.f.1. This requirement applies to new construction, additions, renovations, or alterations to existing nursing homes.

9.1.g. The submitted drawings and specifications shall be prepared, signed and sealed by a person registered to practice architecture in the State of West Virginia.

9.1.g.1. The project shall be inspected during the construction phase by a registered professional architect or his or her representative.

9.1.h. The requirement for a registered architect may be waived by the director depending on the scope of the project.

9.1.i. A nursing home shall submit complete architectural drawings and specifications for any alterations, renovations, and equipment modifications or additions which may necessitate changes to the nursing home floor plan, impact on safety, or require the services of a design professional, and shall be approved by the director prior to beginning any construction.

9.1.j. Minor renovations that do not alter floor plans, impact on safety or require the services of a design professional may not require approval of the director.

9.1.k. A performance statement shall be obtained by the owner from the builder and design professional of a proposed nursing home stating that in constructing the nursing home the builder has followed the plans which are on file with and approved by the director.

9.1.l. All new facilities, additions, and alterations shall be inspected by the director and shall have the director’s approval in writing prior to admitting residents.

9.1.l.1. A nursing home shall request in writing a pre-opening inspection no less than thirty (30) days prior to the proposed opening date.

9.1.m. All fees specified in the Division of Health rule, “Fees for Services,” 64CSR51, for site inspections of new construction or major renovations, architectural review of drawings and
specifications, and inspections of new projects prior to opening are the responsibility of the nursing home or design professional. 

9.1.n. Unless substantial construction is started within one (1) year of the date of approval of final drawings, the owner or architect shall secure written notification from the director that the plan approval for construction is still valid and in compliance with this rule, by the director prior to site development and the completion of final drawings and specifications.

9.2.b. The site shall be located in an environment that is free from flooding and excessive noise sources such as railroads, freight yards, traffic arteries and airports.

9.2.b.1. The site shall not be exposed to excessive smoke, foul odors or dust.

9.2.c. The site shall have good drainage, approved sewage disposal, an approved potable water supply, electricity, telephone and other necessary utilities available on or near the site.

9.2.d. The site shall be accessible to physicians, emergency services and other necessary services.

9.2.e. Accessibility and transportation to the site and the nursing home shall be facilitated by paved, hard surfaced, all weather roads which are kept passable at all times.

9.2.e.1. The road shall connect directly to a paved hard surface highway.

9.2.e.2. Grades to all sites shall permit access for emergency vehicles and fire fighting equipment in all weather conditions.

9.2.f. Parking areas shall be sufficient according to the guidelines set by the American Institute of Architects.

9.2.g. Hard surface walks, a minimum of forty-eight (48) inches wide with a slip resistant surface, shall be provided at all entries and exits and connect into the main walk or parking area.

9.2.h. Soil conditions shall be reviewed as necessary by a qualified soils engineer and if conditions require, earth core boring shall be conducted.

9.2.h.1. The design professional shall supply the director with copies of soil test reports if engineered fill is installed or if other soil tests are conducted.

9.2.i. Local building codes and zoning restrictions shall be followed.

9.2.i.1. The owner, or his or her designee, shall maintain documentation certifying compliance signed by local fire, building and zoning officials, and this documentation shall be available for review.

HFS 132.812 Review for compliance with this chapter and the state building code. (1) The department shall review nursing home construction and remodeling plans for compliance with this chapter and for compliance with the state commercial building code, chs. Comm 61 to 65, with the exception of s. Comm 61.31 (3). Where chs. Comm 61 to 65 refer to the department of commerce, those rules shall be deemed for purposes of review under this chapter to refer to the department of health and family services.

(2) The department shall have 45 working days from receipt of an application for plan review and all required forms, fees, plans and documents to complete the review and approve, approve with conditions or deny approval for the plan.

HFS 132.815 Fees for plan reviews. (1) REQUIREMENT. Before the start of any construction or remodeling project for a nursing home, the plans for the construction or remodeling shall be submitted to the department, pursuant to s. HFS 132.84 (17), for review and approval by the
department. The fees established in this section shall be paid to the department for providing plan
review services.

(2) FEE SCHEDULE. (a) General. The department shall charge a fee for the review under s. HFS
132.812 of plans for a nursing home capital construction or remodeling project. The fee shall be
based in part on the dollar value of the project, according to the schedule under par. (b), and in part
on the total gross floor area in the plans, as found in par. (c). The total fee for plan review is
determined under par. (d). Fees for review of partial plans, for revision of plans, for extensions of
plan approval, and for handling and copying, and provisions for the collection and refund of fees are
found in par. (e).

(b) Fee part based on project dollar value. The part of the fee based on project dollar value shall be
as follows:
1. For projects with an estimated dollar value of less than $5,000, $100;
2. For projects with an estimated dollar value of at least $5,000 but less than $25,000, $300;
3. For projects with an estimated dollar value of at least $25,000 but less than $100,000, $500;
4. For projects with an estimated dollar value of at least $100,000 but less than $500,000, $750;
5. For projects with an estimated dollar value of at least $500,000 but less than $1 million, $1,500;
6. For projects with an estimated dollar value of at least $1 million but less than $5 million, $2,500;
and
7. For projects with an estimated dollar value of $5 million or more, $5,000.

(c) Fee part based on total gross floor area. 1. ‘General.’ The part of the fee based on total gross floor
area shall be as provided in Table 132.815 subject to the conditions set out in this paragraph. 2.
‘Building, heating and ventilation.’ The fees in Table 132.815 apply to the submittal of all building
and heating, ventilation and air conditioning (HVAC) plans. A fee for review of plans shall be
computed on the basis of the total gross floor area of each building.
3. ‘Scope of fee.’ The fees indicated in Table 132.815, relating to building and heating, ventilation
and air conditioning plans, include the plan review and inspection fee for all components, whether
submitted with the original submittal or at a later date. Components covered by that fee are:

a. Building plans;
b. Heating, ventilation and air conditioning plans;
c. Bleacher plans for interior bleachers only;
d. Fire escape plans;
e. Footing and foundation plans; and
f. Structural component plans, such as plans for floor and roof trusses, precast concrete, laminated
wood, metal buildings, solariums and other similar parts of the building.

4. ‘Building alteration.’ a. The examination fee for review of plans for alteration of existing buildings
and structures undergoing remodeling or review of tenant space layouts shall be determined in
accordance with Table 132.815 on the basis of the gross floor area undergoing remodeling.
b. The fee specified in subd. 4. a. shall be based on the actual gross square footage of the area being
remodeled. When remodeling of an individual building component affects building code compliance
for a larger area, the fee shall be computed on the basis of the total square footage of the affected
area.

(d) Total fee for review of plans. To determine the total fee for review of plans, the department shall:
1. Add the fee parts from pars. (b) and (c); and
2. Multiply the sum obtained in subd. 1. by 0.95.

(e) Other fee provisions related to review of plans. 1. ‘Fee for miscellaneous plans.’ Miscellaneous
plans are plans that have no building or heating, ventilation and air conditioning plan submissions.
and for which there may not be an associated area. The fee for a miscellaneous plan shall be $250. This fee is for plan review and inspection. Miscellaneous plans include:

a. Footing and foundation plans submitted prior to the submission of the building plans;
b. Plans for industrial exhaust systems for dust, fumes, vapors and gases, for government-owned buildings only;
c. Spray booth plans, for government-owned buildings only;
d. Stadium, grandstand and bleacher plans, and interior bleacher plans submitted as independent projects;
e. Structural plans submitted as independent projects, such as docks, piers, antennae, outdoor movie screens and observation towers; and
f. Plans for any building component, other than building and heating, ventilation and air conditioning, submitted following the final inspection by the department.

2. ‘Fee for permission to start construction.’ The fee for permission to start construction shall be $80. This fee shall apply to those applicants proposing to start construction prior to the approval of the plans by the department.

3. ‘Fee for plan revision.’ The fee for revision of previously approved plans shall be $100. This paragraph applies when plans are revised for reasons other than those that were requested by the department. The department may not charge a fee for revisions requested by the department as a condition of original plan approval.

4. ‘Fee for extension of plan approval.’ The examination fee for a plan previously approved by the department for which an approval extension [was requested] beyond the time limit specified in this chapter shall be $75 per plan.

5. ‘Collection of fees.’ Fees shall be remitted at the time the plans are submitted. No plan examinations, approvals or inspections may be made until fees are received.

6. ‘Handling and copying fees.’ a. The department shall charge a handling fee of $50 per plan to the submitting party for any plan which is submitted to the department, entered into the department’s system and subsequently requested by the submitting party to be returned prior to departmental review.
b. The department may charge a photocopying fee of 25 cents per page to anyone who requests copies of construction or remodeling plans, except that a fee of $5 per plan sheet shall be charged for reproduction of plan sheets larger than legal size.

(3) HANDLING AND COPYING FEES.

(a) The department shall charge a handling fee of $50 per plan to the submitting party for any plan which is submitted to the department, entered into the department’s system and then the submitting party requests that it be returned prior to review.

(b) The department may charge a photocopying fee of 25 cents per page to anyone who requests copies of construction or remodeling plans, except that a fee of $5 per plan sheet shall be charged for reproduction of plan sheets larger than legal size.


Note: Copies of the 2000 Life Safety Code and related codes are on file in the Department’s Bureau of Quality Assurance, the Revisor of Statutes’ Bureau and the Secretary of State’s Office, and may be obtained from the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(2) FIRE SAFETY EVALUATION SYSTEM. A proposed or existing facility not meeting all requirements of the applicable life safety code shall be considered in compliance if it achieves a passing score on the Fire Safety Evaluation System (FSES), developed by the United States
department of commerce, national bureau of standards, to establish safety equivalencies under the life safety code.

**16) LOCATION AND SITE.** For period C facilities:

(a) **Zoning.** The site shall adhere to local zoning regulations.

(b) **Outdoor areas.** A minimum of 15 square feet per resident bed shall be provided for outdoor recreation area, exclusive of driveways and parking area.

(c) **Parking.** Space for off-street parking for staff and visitors shall be provided.

**17) SUBMISSION OF PLANS AND SPECIFICATIONS.** For all new construction:

(a) One copy of schematic and preliminary plans shall be submitted to the department for review and approval of the functional layout.

(b) One copy of working plans and specifications shall be submitted to and approved by the department before construction is begun. The department shall notify the facility in writing of any divergence in the plans and specifications, as submitted, from the prevailing rules.

(c) The plans specified in pars. (a) and (b) shall show the general arrangement of the buildings, including a room schedule and fixed equipment for each room and a listing of room numbers, together with other pertinent information. Plans submitted shall be drawn to scale.

(d) Any changes in the approved working plans affecting the application of the requirements herein established shall be shown on the approved working plans and shall be submitted to the department for approval before construction is undertaken. The department shall notify the facility in writing of any divergence in the plans and specifications, as submitted, from the prevailing rules.

(e) If on-site construction above the foundation is not started within 6 months of the date of approval of the working plans and specifications under par. (b), the approval shall be void and the plans and specifications shall be resubmitted for reconsideration of approval.

(f) If there are no divergences from the prevailing rules, the department shall provide the facility with written approval of the plans as submitted.

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**WYOMING**

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Must follow: Wyoming Design and Construction Minimum standards for Health Care Facilities

**FEDERAL REGULATIONS**

§ 483.70  Physical environment.

The facility must be designed, constructed, equipped, and maintained to protect the health and safety of residents, personnel and the public.

(a) **Life safety from fire.** (1) Except as otherwise provided in this section—

(i) The facility must meet the applicable provisions of the 2000 edition of the Life Safety Code of the National Fire Protection Association. The Director of the Office of the Federal Register has approved the NFPA 101®2000 edition of the Life Safety Code, issued January 14, 2000, for incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. A copy of the Code is available for inspection at the CMS Information Resource Center, 7500 Security Boulevard, Baltimore, MD or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to:
http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269. If any changes in this edition of the Code are incorporated by reference, CMS will publish notice in the Federal Register to announce the changes.

(ii) Chapter 19.3.6.3.2, exception number 2 of the adopted edition of the LSC does not apply to long-term care facilities.

(2) After consideration of State survey agency findings, CMS may waive specific provisions of the Life Safety code which, if rigidly applied, would result in unreasonable hardship upon the facility, but only if the waiver does not adversely affect the health and safety of the patients.

(3) The provisions of the Life Safety Code do not apply in a State where CMS finds, in accordance with applicable provisions of sections 1819(d)(2)(B)(ii) and 1919(d)(2)(B)(ii) of the Act, that a fire and safety code imposed by State law adequately protects patients, residents and personnel in long term care facilities.

(4) Beginning March 13, 2006, a long-term care facility must be in compliance with Chapter 19.2.9, Emergency Lighting.

(5) Beginning March 13, 2006, Chapter 19.3.6.3.2, exception number 2 does not apply to long-term care facilities.

(6) Notwithstanding any provisions of the 2000 edition of the Life Safety Code to the contrary, a long-term care facility may install alcohol-based hand rub dispensers in its facility if—

(i) Use of alcohol-based hand rub dispensers does not conflict with any State or local codes that prohibit or otherwise restrict the placement of alcohol-based hand rub dispensers in health care facilities;

(ii) The dispensers are installed in a manner that minimizes leaks and spills that could lead to falls;

(iii) The dispensers are installed in a manner that adequately protects against inappropriate access;

(iv) The dispensers are installed in accordance with chapter 18.3.2.7 or chapter 19.3.2.7 of the 2000 edition of the Life Safety Code, as amended by NFPA Temporary Interim Amendment 00–1(101), issued by the Standards Council of the National Fire Protection Association on April 15, 2004. The Director of the Office of the Federal Register has approved NFPA Temporary Interim Amendment 00–1(101) for incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. A copy of the amendment is available for inspection at the CMS Information Resource Center, 7500 Security Boulevard, Baltimore, MD and at the Office of the Federal Register, 800 North Capitol Street NW, Suite 700, Washington, DC. Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269; and

(v) The dispensers are maintained in accordance with dispenser manufacturer guidelines.

(7) A long term care facility must:

(i) Install, at least, battery-operated single station smoke alarms in accordance with the manufacturer's recommendations in resident sleeping rooms and common areas.

(ii) Have a program for inspection, testing, maintenance, and battery replacement that conforms to the manufacturer's recommendations and that verifies correct operation of the smoke alarms.

(iii) Exception:

(A) The facility has system-based smoke detectors in patient rooms and common areas that are installed, tested, and maintained in accordance with NFPA 72, National Fire Alarm Code, for system-based smoke detectors; or

(B) The facility is fully sprinklered in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems.

(8) A long term care facility must:


(b) *Emergency power.*

(1) An emergency electrical power system must supply power adequate at least for lighting all entrances and exits; equipment to maintain the fire detection, alarm, and extinguishing systems; and life support systems in the event the normal electrical supply is interrupted.

(2) When life support systems are used, the facility must provide emergency electrical power with an emergency generator (as defined in NFPA 99, *Health Care Facilities*) that is located on the premises.

(c) *Space and equipment.* The facility must—

(1) Provide sufficient space and equipment in dining, health services, recreation, and program areas to enable staff to provide residents with needed services as required by these standards and as identified in each resident’s plan of care; and

(2) Maintain all essential mechanical, electrical, and patient care equipment in safe operating condition.

(d) *Resident rooms.* Resident rooms must be designed and equipped for adequate nursing care, comfort, and privacy of residents.

(1) Bedrooms must—

(i) Accommodate no more than four residents;

(ii) Measure at least 80 square feet per resident in multiple resident bedrooms, and at least 100 square feet in single resident rooms;

(iii) Have direct access to an exit corridor;

(iv) Be designed or equipped to assure full visual privacy for each resident;

(v) In facilities initially certified after March 31, 1992, except in private rooms, each bed must have ceiling suspended curtains, which extend around the bed to provide total visual privacy in combination with adjacent walls and curtains;
(vi) Have at least one window to the outside; and
(vii) Have a floor at or above grade level.
(2) The facility must provide each resident with—
   (i) A separate bed of proper size and height for the convenience of the resident;
   (ii) A clean, comfortable mattress;
   (iii) Bedding appropriate to the weather and climate; and
   (iv) Functional furniture appropriate to the resident’s needs, and individual closet space in the
resident’s bedroom with clothes racks and shelves accessible to the resident.
(3) CMS, or in the case of a nursing facility the survey agency, may permit variations in
   requirements specified in paragraphs (d)(1) (i) and (ii) of this section relating to rooms in
individual cases when the facility demonstrates in writing that the variations—
   (i) Are in accordance with the special needs of the residents; and
   (ii) Will not adversely affect residents’ health and safety.
(e) Toilet facilities. Each resident room must be equipped with or located near toilet and bathing
   facilities.
(f) Resident call system. The nurse’s station must be equipped to receive resident calls through a
   communication system from—
   (1) Resident rooms; and
   (2) Toilet and bathing facilities.
(g) Dining and resident activities. The facility must provide one or more rooms designated for
   resident dining and activities. These rooms must—
   (1) Be well lighted;
   (2) Be well ventilated, with nonsmoking areas identified;
   (3) Be adequately furnished; and
   (4) Have sufficient space to accommodate all activities.
(h) Other environmental conditions. The facility must provide a safe, functional, sanitary, and
   comfortable environment for the residents, staff and the public. The facility must—
   (1) Establish procedures to ensure that water is available to essential areas when there is a loss of
   normal water supply;
   (2) Have adequate outside ventilation by means of windows, or mechanical ventilation, or a
   combination of the two;
   (3) Equip corridors with firmly secured handrails on each side; and
   (4) Maintain an effective pest control program so that the facility is free of pests and rodents.
47091, Aug. 13, 2008]