

PART V *Physical Plant*

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

Section 39.0 *General Provisions - Physical Environment*

- 39.1 Each facility shall be constructed, equipped and maintained to protect the health and safety of residents, personnel and the public. All equipment and furnishings shall be maintained in good condition, properly functioning and replaced when necessary.
- 39.2 All steps, stairs and corridors shall be suitably lighted, both day and night. Stairs used by residents shall have banisters, handrails or other types of support. All stair treads shall be well maintained to prevent hazards.
- 39.3 All rooms utilized by residents shall have proper ventilation and shall have outside openings with satisfactory screens. Shades or Venetian blinds and draperies shall be provided for each window.
- 39.4 Grounds surrounding the facility shall be accessible to and usable by residents and shall be maintained in an orderly and well-kept manner.

Section 40.0 *Fire and Safety*

- 40.1 Each facility shall meet the provisions of reference 16.
- 40.2 Each facility shall establish a monitoring program for the internal enforcement of all applicable fire and safety laws and regulations. Such a program shall include written procedures for the implementation of said rules and regulations and logs shall be maintained.

Section 41.0 *Emergency Power*

- 41.1 The facility shall provide an emergency source of electrical power necessary to protect the health and safety of residents in the event the normal electrical supply is interrupted.
- a) Such emergency power system shall supply power adequate at least for: (1) lighting all means of egress; (2) equipment to maintain detection, alarm and extinguishing systems; and (3) life support systems, where applicable.
- b) Where life support systems are used, emergency electrical service shall be provided by an emergency generator located on the premises.

Section 42.0 *Facility Requirements for the Physically Handicapped*

- 42.1 Each facility shall be accessible to, and functional for, residents, personnel and the public. All necessary accommodations shall be made to meet the needs of persons with mobility disabilities, or sight, hearing and coordination or perception disabilities in accordance with reference 19.
- 42.2 Blind, non-ambulatory, physically handicapped or residents with mobility disabilities which limit self-preservation capability shall not be housed above the street level floor unless the facility is equipped with an elevator and meets other requirements of reference 19. Further, the facility must meet one of the following as defined in the N.F.P.A. Standards No. 220:
- a) is of fire resistive construction, one (1) hour protected non-combustible construction; or
- b) is fully sprinklered one (1) hour protected ordinary construction; or

- c) is fully sprinklered one (1) hour protected wood frame construction.

Section 43.0 *Residential Area*

43.1 Each residential area, as defined in section 1.35 herein, shall have at least the following:

- a) a nurses' station with adjacent hand washing facility;
- b) storage and preparation area(s) for drugs and biologicals;
- c) storage rooms for walkers, wheelchairs and other equipment;
- d) appropriate clean and soiled utility space; and
- e) a telephone with outside line.

43.2 In addition, each residential area shall be equipped with a communication system which, as a minimum, shall be:

- a) electrically activated;
- b) operated from the bedside of each occupant and from all areas used by occupants, including multipurpose rooms, toilet and bathing facilities; and
- c) capable of alerting the responsible person or persons on duty 24 hours a day, wherever their station may be.

Section 44.0 *Resident Rooms and Toilet Facilities*

44.1 Resident rooms shall be designed with a personalized, homelike environment, and equipped for adequate nursing care, comfort and privacy of residents with no more than two (2) beds per room. At least five percent (5%) of the total beds (per unit or per facility) shall be located in single-bed rooms, each with a private bathing facility and toilet.

- a) Single bedrooms shall be no less than 100 square feet in area and no less than eight feet wide exclusive of toilet rooms, closets, lockers, wardrobes, alcoves or vestibules. In new construction, single bedrooms shall be no less than 120 square feet in area.
- b) Multi-bedrooms shall be no less than 160 square feet in area and no less than ten feet wide, exclusive of toilet rooms, closets, lockers, wardrobes, alcoves or vestibules. In new construction, multi-bedrooms shall be no less than 200 square feet in area.

44.2 Each room shall have a window which can be easily opened. The window sill shall not be higher than 3'0" above the floor and shall be above grade level.

44.3 The size of each window shall be no less than 2'6" wide by 4'5" high, double hung or an approved equivalent.

- 44.4 Each room shall have direct access to a corridor and outside exposure with the window at or above grade level.
- 44.5 Lavatories and bathing areas to be used by the handicapped shall be equipped with grab-bars for the safety of the residents and shall meet the requirements of reference 15.
- 44.6 All facilities constructed after the 20th of March 1977 shall have as a minimum, connecting toilet rooms between residents' rooms in accordance with the requirements of section 38.0 herein.

In all facilities constructed after 1 August 2001, patient toilet rooms shall be equipped with facilities for cleaning bedpans.

- a) However, in facilities constructed prior to 20 March 1977, there shall be no less than one toilet per eight beds or fraction thereof on each floor where resident rooms are located.
- 44.7 Separate lavatory and toilet facilities shall be provided for employees and the general public commensurate with the needs of the facility.
- 44.8 A minimum of one (1) bathtub or shower shall be provided for every twelve (12) residents, not otherwise served by bathing facilities in resident rooms. At least one bathtub shall be provided in each residential area.
- 44.9 Each bathtub or shower shall be in an individual room or enclosure which provides space for the private use of the bathing fixture, for drying and dressing and for a wheelchair and an attendant.
- 44.10 Complete privacy shall be provided to each resident in semi-private rooms by the use of overhead type fire resistive screens and/or cubicle fire resistive curtains suspended by inset overhead tracks in accordance with reference 16.
 - a) When overhead type screens and/or cubicle curtains are not provided, each semi-private room shall be equipped with a fire resistive portable screen.
- 44.11 Each resident must be provided with a bed of proper size and height for the convenience of the resident, with a clean, comfortable mattress, bedside stand, comfortable chair, dresser and individual closet space for clothing with clothes racks and shelves accessible to residents in each room, and a reading lamp equipped with bulb of adequate candlepower.
 - a) Bedding including bedspread, shall be seasonally appropriate.
- 44.12 In all situations where physical configuration is not comfortable to adequate nursing care, comfort or privacy in the application of the above standards, the licensing agency shall be the ultimate authority in determining standards to be applied.

Section 45.0 *Special Care Unit*

45.1 A resident room shall be designated for isolation purposes. Such room shall be properly identified with precautionary signs, shall have outside ventilation, private toilet and hand washing facilities, and shall conform to other requirements established for the control of infection in accordance with section 22.0 herein.

Section 46.0 *Dining & Resident Activities Rooms*

46.1 The facility shall provide one or more clean, orderly, appropriately furnished and easily accessible room(s) of adequate size designed for resident dining and resident activities.

- a) These areas shall be appropriately lighted and ventilated with non-smoking areas identified.
- b) If a multipurpose room is used, there must be sufficient space to accommodate dining and resident activities and prevent interference with each other.
- c) The total area set aside for these purposes shall be not less than 30 square feet per bed for the first 100 beds and 27 square feet per bed for all beds in excess of 100.
- d) Storage shall be provided for recreational equipment and supplies.

Section 47.0 *Plumbing*

47.1 All plumbing shall be installed in such a manner as to prevent back siphonage or cross connections between potable and non-potable water supplies in accordance with reference 23.

47.2 Fixtures from which grease is discharged may be served by a line in which a grease trap is installed in accordance with standards of reference 23. The grease trap shall be cleaned sufficiently often to sustain efficient operation.

Section 48.0 *Waste Disposal*

48.1 *Medical Waste:*

Medical waste as defined in the *Rules and Regulations Governing the Generation, Transportation, Storage, Treatment, Management & Disposal of Regulated Medical Waste in Rhode Island (DEM-DAH-MW-01-92)*, Rhode Island Department of Environmental Management (June 1994), shall be managed in accordance with the provisions of the aforementioned regulations.

48.2 *Other Waste:*

Wastes which are not classified as infectious waste, hazardous wastes or which are not otherwise regulated by law or rule may be disposed in dumpsters or load packers provided the following precautions are maintained:

- a) Dumpsters shall be tightly covered, leak proof, inaccessible to rodents and animals, and placed on concrete slabs preferably graded to a drain. Water supply shall be available within easy accessibility for washing down of the area. In addition, the pick-up schedule shall be

maintained with more frequent pick-ups when required. The dumping site of waste materials must be in sanitary landfills approved by the Department of Environmental Management.

- b) Load packers must conform to the same restrictions required for dumpsters and in addition, load packers shall be:
 - i. high enough off the ground to facilitate the cleaning of the underneath areas of the stationary equipment; and
 - ii. the loading section shall be constructed and maintained to prevent rubbish from blowing from said area site.
- c) **Recycleable waste:** Containers for recyclable waste, including paper and cardboard, shall be tightly covered, leak proof, inaccessible to rodents and animals, and placed on concrete slabs preferably graded to a drain. In addition, the pick-up schedule shall be maintained with more frequent pick-ups when required.

Section 49.0 ***Water Supply***

49.1 Water shall be distributed to conveniently located taps and fixtures throughout the building and shall be adequate in volume and pressure for all purposes including fire fighting.

- a) In resident areas, hot water temperatures shall not be less than 100 degrees Fahrenheit nor exceed 110 degrees Fahrenheit (plus or minus two degrees). Thermometers (accuracy of which can be plus or minus two degrees) shall be provided in each residential area to check water temperature periodically on that unit and at each site where residents are immersed or showered.
- b) Thermostatic or pressure balanced mixing valves are required at each site or fixture used for immersion or showering of residents. Thermometers and tactical (skin sense) method shall be used to verify the appropriateness of the water temperature prior to each use.
- c) After 1 July 1991, in addition to temperature regulating devices controlling the generation of domestic hot water, hot water supply(ies) to resident care areas shall be regulated by anti-scalding, water tempering or mixing valves (approved by the director or his/her designee) in order to maintain the temperature standards of 47.1 a).

Section 50.0 ***Waste Disposal Systems***

50.1 Any new facility shall be connected to a public sanitary sewer if available, or otherwise shall be subject to the requirements of reference 18.

Section 51.0 ***Maintenance***

51.1 All essential mechanical, electrical and resident care equipment shall be maintained in safe operating condition and logs or records shall be maintained of periodic inspections.

Section 52.0 ***Other Provisions***

52.1 Facilities shall make provisions to ensure that the following are maintained:

- a) adequate and comfortable lighting levels in all areas in accordance with Appendix D;
- b) limitation of sounds at comfort levels;
- c) comfortable temperature levels for the residents in all parts of resident occupied areas with a centralized heating system to maintain a minimum of 70°F degrees Fahrenheit during the coldest periods;
- d) adequate ventilation through windows or by mechanical means; and
- e) corridors equipped with firmly secured handrails on each side.
- f) ***Heat relief:*** Pursuant to section 23-17.5-27 of the Rhode Island General Laws, as amended, any nursing home facility which does not provide air conditioning in every patient room shall provide an air conditioned room or rooms in a residential section(s) of the facility to provide relief to patients when the outdoor temperature exceeds eighty (80) degrees Fahrenheit.