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# Texas Administrative Code

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AND MEDICAID CERTIFICATION****SUBCHAPTER R****PHYSICAL PLANT AND ENVIRONMENT****RULE §19.1701****Physical Environment**

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

(1) Life safety from fire.

(A) The facility must meet the applicable provisions of the 1985 edition of the Life Safety Code of the National Fire Protection Association (NFPA) as designated by federal law and regulations (Health and Safety Code, §242.039(b)). The Life Safety Code is available for inspection at the Office of the Federal Register Information Center, Washington, D.C. Copies may be obtained from the NFPA, Batterymarch Park, Quincy, Massachusetts 02200. The New Health Care Occupancies chapter of the Life Safety Code is applicable to new construction, conversions of existing unlicensed buildings, remodeling, and additions. The Existing Health Care Occupancies chapter of the Life Safety Code is applicable to existing nursing homes.

(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.

(2) Emergency power.

(A) 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 if the normal electrical supply is interrupted.

(B) 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) located on the premises.

(3) Space and equipment. The facility must:

(A) 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

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

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

(A) 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, have ceiling-suspended curtains for each bed, which extend around the bed to provide total visual privacy, in combination with adjacent walls and curtain;
- (vi) have at least one window to the outside; and
- (vii) have a floor at or above grade level.

(B) 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.

(C) DHS may permit variations in requirements specified in paragraph (1)(A) and (B) of this section relating to rooms in individual cases when the facility demonstrates in writing that the variations:

- (i) are required by the special needs of the residents; and
- (ii) will not adversely affect residents' health and safety.

(5) Toilet facilities. Each resident room must be equipped with or located near toilet and bathing facilities.

(6) Resident call system. The nurse's station must be equipped to receive resident calls through a communication system from:

- (A) resident rooms; and
- (B) toilet and bathing facilities.

(7) Dining and resident activities. The facility must provide one or more rooms designated for resident dining and activities. These rooms must be:

- (A) well-lighted;

(B) well ventilated, with nonsmoking areas identified;

(C) adequately furnished; and

(D) sufficiently spacious to accommodate all activities.

(8) Other environmental conditions. The facility must provide a safe, functional, sanitary, and comfortable environment for residents, staff, and the public. The facility must:

(A) establish procedures to ensure that water is available to essential areas when there is a loss of normal water supply;

(B) have adequate outside ventilation by means of windows, mechanical ventilation, or a combination of the two;

(C) equip corridors with firmly secured handrails on each side; and

(D) maintain an effective pest control program so that the facility is free of pests and rodents.

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**Source Note:** The provisions of this §19.1701 adopted to be effective July 1, 1996, 21 TexReg 4408.

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