

8. PHYSICAL ENVIRONMENT

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

8.1 Life Safety from Fire

(a) The facility must meet the applicable provisions of the Vermont Fire Prevention and Building Code.

(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.

8.2 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 in the event 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 Vermont Fire Prevention and Building Code) that is located on the premises.

8.3 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 residents plan of care; and

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

8.4 Resident Rooms

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

(b) Bedrooms must:

(1) accommodate no more than two residents, except as provided in (e) below;

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

(3) have direct access to an exit corridor;

(4) be designed or equipped to assure full visual privacy for each resident;

(5) in facilities initially certified after March 31, 1992, except in private rooms, have ceiling suspended curtains for each bed that extend around the bed to provide total visual privacy in combination with adjacent walls and curtains;

(6) have at least one window to the outside; and

(7) have a floor at or above grade level.

(c) The facility must provide each resident with:

(1) a separate bed of proper size and height for the convenience of the resident;

(2) a clean, comfortable mattress;

(3) bedding appropriate to the weather and climate; and

(4) 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.

(d) The licensing agency may permit variations in requirements specified in subsections

8.4(b)(1) and (2) of this section relating to rooms in individual cases when the facility demonstrates in writing that the variations:

(1) are in accordance with the special needs of the residents; and

(2) will not adversely affect residents' health and safety.

(e) Resident bedrooms in existence on the effective date of this rule that are designed to accommodate three or four persons may remain in operation, subject to the following conditions:

(1) At least annually, residents who reside in three- or four-bed rooms will be offered the first vacant bed in a semi-private or private room (depending upon payment source) when such bed becomes available and prior to admission of a new resident into such bed. The resident's patient record shall record the date on which the resident was offered the opportunity to relocate to a semi-private or private room, the resident's response and, if the resident requests a transfer to a semi-private or private room, the date on which the transfer occurred.

(2) Admission of a new resident to a three- or four-bed room may occur only with the resident's or the resident's legal representative's consent.

(3) Any downsizing or reduction in licensed capacity initiated by the facility must first reduce the number of beds contained in three- and four-bed rooms such that these rooms are converted to semi-private or private occupancy.

(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".

(5) Facilities shall provide private space for residents of three or four bedrooms to visit with family, relatives, friends, clergy, etc.

8.5 Toilet Facilities

Each resident room must be equipped with or located near toilet facilities.

8.6 Resident Call System

The nurses' station must be equipped to receive resident calls through a communication system from:

(a) resident rooms; and

(b) toilet and bathing facilities.

8.7 Dining and Resident Activities

The facility must provide one or more rooms designated for resident dining and activities. These rooms must:

- (a) be well lighted;
- (b) be well ventilated, with non-smoking areas identified;
- (c) be adequately furnished; and
- (d) have sufficient space to accommodate all activities.

8.8 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 or 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.