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(b) *Provision of service.* Pest control services shall be provided in accordance with the requirements of s. 94.705, Stats.

(c) *Screening of windows and doors.* All windows and doors used for ventilation purposes shall be provided with wire screening of not less than number 16 mesh or its equivalent and shall be properly installed and maintained to prevent entry of insects. Screen doors shall be self-closing and shall not interfere with exiting. Properly installed airflow curtains or fans may be used in lieu of screens.

**History:** Cr. Register, July, 1982, No. 319, eff. 8-1-82; am. (2) (b), (c) and (e), (6) (c), Register, January, 1987, No. 373, eff. 2-1-87.

### Subchapter VIII — Life Safety, Design and Construction

**HFS 132.81 Scope and definitions. (1) APPLICATION.** This subchapter applies to all facilities except where noted. Whenever the rules in ss. HFS 132.83 and 132.84 modify the applicable life safety code under s. HFS 132.82, these rules shall take precedence.

**(2) DEFINITIONS.** The definitions in the applicable life safety code required under s. HFS 132.82 apply to this subchapter. In addition, in this subchapter:

(a) "Life safety code" means the National Fire Protection Association's standard 101.

(b) "Period A facility" means a facility or a portion of a facility which before July 1, 1964, was either licensed as a nursing home or had the plans approved by the department; a county home or county mental hospital approved under former ch. PW 1 or 2 before July 1, 1964, which is to be converted to nursing home use; a hospital approved under ch. HFS 124 before July 1, 1964, which is to be converted to nursing home use; or any other recognized inpatient care facility in operation before July 1, 1964, to be converted to nursing home use.

(c) "Period B facility" means a facility or a portion of a facility the plans for which were approved by the department on or after July 1, 1964, but no later than December 1, 1974; a county home or county mental hospital approved under former ch. PW 1 or 2, on or after July 1, 1964, but no later than December 1, 1974, which is to be converted for nursing home use; or any other recognized inpatient care facility in operation on or after July 1, 1964, but no later than December 1, 1974, which is to be converted to nursing home use.

(d) "Period C facility" means a facility, the plans for which were approved by the department after December 1, 1974, including new additions to existing licensed facilities and major remodeling and alterations.

**History:** Cr. Register, July, 1982, No. 319, eff. 8-1-82; r. and recr. (2), Register, January, 1987, No. 373, eff. 2-1-87; reprinted to restore dropped copy in (2) (b), Register, May, 1987, No. 377.

**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.

**History:** Emerg. cr., eff. 7-1-96; cr. Register, December, 1996, No. 492, eff. 7-1-96; corrections in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 2000, No. 536; corrections in (1) made under s. 13.93 (2m) (b) 7., Stats., Register December 2003 No. 576.

**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.

**TABLE 132.815**  
**Fee Part Based on Total Gross Floor Area**

Area (Sq. Feet)	FEE		
	Bldg. & HVAC	Bldg. Area Only	HVAC Area Only
Up to 2,500	\$320	\$270	\$190
2,501 – 5,000	430	320	240
5,001 – 10,000	580	480	270
10,001 – 20,000	900	630	370
20,001 – 30,000	1,280	900	480
30,001 – 40,000	1,690	1,220	690
40,001 – 50,000	2,280	1,590	900
50,001 – 75,000	3,080	2,120	1,220
75,001 – 100,000	3,880	2,600	1,690
100,001 – 200,000	5,940	4,240	2,120
200,001 – 300,000	12,200	7,430	4,770
300,001 – 400,000	17,190	11,140	6,900
400,001 – 500,000	21,220	13,790	9,020
Over 500,000	22,810	14,850	10,080

**Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.**

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 that 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.

**History:** Emerg. cr. eff. 1-1-94; cr. Register, August, 1994, No. 464, eff. 9-1-94; emerg. r. and recr. (2), eff. 7-1-96; r. and recr. (2), Register, December, 1996, No. 492, eff. 1-1-97.

**HFS 132.82 Life safety code. (1) APPLICABILITY.** Facilities shall meet the applicable provisions of the 2000 edition of the Life Safety Code.

**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.

(3) **RESIDENT SAFETY AND DISASTER PLAN.** (a) *Disaster plan.* 1. Each facility shall have a written procedure which shall be followed in case of fire or other disasters, and which shall specify persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating helpless residents, frequency of fire drills, and assignment of specific tasks and responsibilities to the personnel of each shift and each discipline.

2. The plan shall be developed with the assistance of qualified fire and safety experts, including the local fire authority.

3. All employees shall be oriented to this plan and trained to perform assigned tasks.

4. The plan shall be available at each nursing station.

5. The plan shall include a diagram of the immediate floor area showing the exits, fire alarm stations, evacuation routes, and locations of fire extinguishers. The diagram shall be posted in conspicuous locations in the corridor throughout the facility.

(b) *Drills.* Fire drills shall be held at irregular intervals at least 4 times a year on each shift and the plan shall be reviewed and modified as necessary. Records of drills and dates of drills shall be maintained.

(c) *Fire inspections.* The administrator of the facility shall arrange for fire protection as follows:

1. At least semiannual inspection of the facility shall be made by the local fire inspection authorities. Signed certificates of such inspections shall be kept on file in the facility.

2. Certification by the local fire authority as to the fire safety of the facility and to the adequacy of a written fire plan for orderly evacuation of residents shall be obtained and kept on file in the facility.

3. Where the facility is located in a city, village, or township that does not have an official established fire department, the licensee shall obtain and maintain a continuing contract for fire protection service with the nearest municipality providing such service. A certification of the existence of such contract shall be kept on file in the facility.

**Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.**

(d) *Fire equipment.* All fire protection equipment shall be maintained in readily usable condition and inspected annually. In addition to any other equipment, a fire extinguisher suitable for grease fires shall be provided in or adjacent to the kitchen. Each extinguisher shall be provided with a tag for the date of inspection.

**Note:** See NFPA 10, 1973 edition.

(e) *Fire report.* All incidents of fire in a facility shall be reported to the department within 72 hours.

(f) *Smoking.* Smoking by residents shall be permitted only in designated areas supervised in accordance with the conditions, needs, and safety of residents.

(g) *Prevention of ignition.* Heating devices and piping shall be designed or enclosed to prevent the ignition of clothing or furnishings.

(h) *Floor coverings.* Scatter rugs and highly polished, slippery floors are prohibited, except for non-slip entrance mats. All floor coverings and edging shall be securely fastened to the floor or so constructed that they are free of hazards such as curled and broken edges.

(i) *Roads and sidewalks.* The ambulatory and vehicular access to the facility shall be kept passable and open at all times of the year. Sidewalks, drives, fire escapes, and entrances shall be kept free of ice, snow, and other obstructions.

**History:** Cr. Register, July, 1982, No. 319, eff. 8-1-82; r. and recr. (1) and (2), r. (4), renun. (3) and (5) to be (4) and (6), cr. (3) and (5), Register, January, 1987, No. 373, eff. 2-1-87; emerg. am. (3), cr. (3m), r. and recr. (5) and Table, eff. 7-1-94; am. (3), cr. (3m), r. and recr. (5) and Table, Register, January, 1995, No. 469, eff. 2-1-95; **CR 04-053: r. and recr. (1) to (5), renun. (6) to be (3) Register October 2004 No. 586, eff. 11-1-04.**

**HFS 132.83 Safety and systems. (1) MAINTENANCE.** The building shall be maintained in good repair and kept free of hazards such as those created by any damaged or defective building equipment.

**(2) CORRIDORS.** (a) *Handrails.* Corridors used by residents shall be equipped with handrails firmly secured on each side of the corridor.

(b) *Size.* 1. In period A facilities, all corridors in resident use areas shall be at least 4 feet wide.

2. In period B facilities, all corridors in resident use areas shall be at least 7 feet wide.

3. In period C facilities, all corridors in resident use areas shall be at least 8 feet wide.

**(3) DOORS.** (a) *Size.* 1. Doorways to residents' rooms, between residents' rooms and exits, and exit doorways shall be at least 28 inches wide.

2. In period B and C facilities, doors to residents' rooms shall not be less than 3 feet 8 inches wide and 6 feet 8 inches in height, and shall be at least one and three-quarter inches solid core wood or equivalent construction.

(b) *Latches.* Each exit door shall have such latches or hardware that the door can be opened from the inside by pushing against a single bar or plate or by turning a single knob or handle.

(c) *Locks.* 1. Exit doors from the building and from nursing areas and wards may not be hooked or locked to prevent exit from the inside, unless this is authorized under s. HFS 132.33.

**Note:** See rules adopted under chs. Comm 61 to 65 for other restrictions on locking of exits.

2. No lock shall be installed on the door of a resident's room, unless:

a. The lock is operable from inside the room with a simple one-hand, one-motion operation without the use of a key unless the resident is confined in accordance with s. HFS 132.33;

b. All personnel regularly assigned to work in a resident care area have in their possession a master-key for the rooms in that area;

c. A master-key is available to emergency personnel such as the fire department; and

d. The resident is capable of following directions and taking appropriate action for self-preservation under emergency conditions.

(d) *Toilet room doors.* In period B and C facilities, resident toilet room doors shall be not less than 3 feet 0 inches by 6 feet 8 inches, and shall not swing into the toilet room unless they are provided with two-way hardware.

(e) *Thresholds.* In period B and C facilities, raised thresholds which cannot be traversed easily by a bed on wheels, a wheelchair, a drug cart, or other equipment on wheels shall not be used.

**(4) EMERGENCY POWER.** Emergency electrical service with an independent power source which covers lighting at nursing stations, telephone switchboards, exit and corridor lights, boiler room, fire alarm systems, and medical records when solely electronically based, shall be provided. The service may be battery operated if effective for at least 4 hours.

**(5) FIRE PROTECTION.** (a) *Carpeting.* Carpeting shall not be installed in rooms used primarily for the following purposes: food preparation and storage, dish and utensil washing, soiled utility workroom, janitor closet, laundry processing, hydro-therapy, toilet and bathing, resident isolation, and resident examination.

(e) *Vertical exit stairways.* At least one interior exit stairway shall be provided so that an enclosed protected path of at least one-hour fire-resistive construction is available for occupants to proceed with safety to the exterior of the facility.

(f) *Fire escapes.* In period A and period B facilities, outside fire escapes are permitted as one means of egress if they meet all of the following requirements:

1. Iron, steel, or concrete or other approved noncombustible material shall be used in the construction and support of the fire escape.

2. No part of access or travel in the path of exit shall be across a roof or other part of a facility which is of combustible construction.

3. Protection against fire in the facility shall be by blank or closed walls directly under the stairway and for a distance of 6 feet in all other directions. A window shall be permitted within this area if it is stationary, of steel sash construction, and is glazed with wire glass of not less than 1/4-inch thickness. The size of wire glass shall not exceed 1296 square inches with no dimension exceeding 54 inches in either length or width.

4. The fire escape shall be protected with a roof and at least partial sidewalls to prevent the accumulation of snow and ice.

5. The bottom riser shall terminate at ground level, with the last riser not more than the spacing of the riser above.

6. A tubular or spiral slide-type fire escape shall not be permitted.

(g) *Housing blind, nonambulatory, or handicapped residents.* In an existing facility of 2 or more stories which is not of at least two-hour fire-resistive construction, blind, nonambulatory, or physically handicapped residents shall not be housed above the street level floor unless the facility is either of one-hour protected noncombustible construction (as defined in national fire protection standard 220), fully sprinklered one-hour protected ordinary construction, or fully sprinklered one-hour protected woodframe construction.

(h) *Storage of oxygen.* Oxygen tanks, when not in use, shall be stored in a ventilated closet designated for that purpose or stored outside the building of the home in an enclosed secured area.

**(6) SPRINKLERS FOR FIRE PROTECTION.** (a) *Facilities licensed prior to December 1, 1974.* Unless all walls, partitions, piers, columns, floors, ceilings, roofs and stairs are built of noncombustible material, and all metallic structural members are protected by a noncombustible fire-resistive covering, facilities licensed prior to December 1, 1974 shall have automatic sprinkler protection throughout all buildings.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

(b) *Facilities licensed on or after December 1, 1974.* Except for the following, all facilities licensed on or after December 1, 1974 shall have automatic sprinkler protection throughout all buildings.

1. In the event of an addition to, or remodeling of, a facility licensed prior to December 1, 1974, the entire facility shall have automatic sprinkler protection throughout unless there is a 2-hour fire-rated partition wall between the old and new construction, in which case only the new or remodeled area shall be sprinklered.

2. In the event of the conversion of a portion of a recognized inpatient care facility in operation prior to December 1, 1974 to a facility licensed under this chapter, the facility shall have automatic sprinkler protection throughout unless there is a 2-hour fire-rated partition wall separating the portion of the facility licensed under this chapter from the rest of the building, in which case only the portion of the facility licensed under this chapter shall be sprinklered.

**(7) MECHANICAL SYSTEMS.** (a) *Water supply.* 1. A potable water supply shall be maintained at all times. If a public water supply is available, it shall be used. If a public water supply is not available, the well or wells shall comply with ch. NR 812.

2. An adequate supply of hot water shall be available at all times. The temperature of hot water at plumbing fixtures used by residents may not exceed the range of 110–115° F.

(b) *Sewage disposal.* All sewage shall be discharged into a municipal sewage system if available. Otherwise, the sewage shall be collected, treated, and disposed of by means of an independent sewage system approved under applicable state law and the local authority.

(c) *Plumbing.* The plumbing for potable water and drainage for the disposal of excreta, infectious discharge, and wastes shall comply with applicable state plumbing standards.

(d) *Heating and air conditioning.* 1. The heating and air conditioning systems shall be capable of maintaining adequate temperatures and providing freedom from drafts.

2. A minimum temperature of 72° F. (22° C.) shall be maintained during the day and at least 70° F. (21° C.) during the night in all bedrooms and in all other areas used by residents.

(e) *Incineration.* 1. Facilities for the incineration of soiled dressings and similar wastes, as well as garbage and refuse, shall be provided when other methods of disposal are not available.

2. An incinerator shall not be flue fed nor shall any upper floor charging chute be connected with the combustion chamber.

(f) *Telephone.* There shall be at least one operational non-pay telephone on the premises and as many additional telephones as are deemed necessary in an emergency or required by s. HFS 132.84 (3).

(g) *General lighting.* 1. Adequate lighting shall be provided in all areas of the facility. Lighting shall be of a type that does not produce discomfort due to high brightness, glare or reflecting surface. No candles, oil lanterns, or other open flame method of illumination may be used.

2. Period C facilities shall have night lighting.

(h) *Ventilation.* 1. The facility shall be well-ventilated through the use of windows, mechanical ventilation, or a combination of both. Rooms and areas which do not have outside windows and which are used by residents or personnel shall be provided with functioning mechanical ventilation to change the air on a basis commensurate with the type of occupancy.

2. All inside bathrooms and toilet rooms shall have mechanical ventilation to the outside.

3. In period A facilities, kitchens, bathrooms, utility rooms, janitor closets, and soiled linen rooms shall be ventilated.

4. In period B facilities, when mechanical ventilation is provided, the corridors, solaria, dining, living, and recreation areas shall be under positive pressure.

5. In period C facilities:

a. Mechanical ventilation shall be provided to the resident area corridors, solaria, dining, living and recreation areas, and nursing station. These areas shall be under positive pressure.

b. All rooms in which food is stored, prepared or served, or in which utensils are washed shall be well-ventilated. Refrigerated storage rooms need not be ventilated.

(i) *Elevators.* 1. In period B facilities, at least one elevator shall be provided when residents' beds are located on one or more floors above or below the dining or service floor. The platform size of the elevator shall be large enough to hold a resident bed and attendant.

2. In period C facilities, at least one elevator shall be provided in the facility if resident beds or activities are located on more than one floor. The platform size of the elevator shall be large enough to hold a resident bed and an attendant.

(j) *Electrical.* 1. In all facilities, nonconductive wall plates shall be provided where the system is not properly grounded.

2. In period B and C facilities:

a. At least one duplex-type outlet shall be provided for every resident's bed; and

b. Silent-type wall switches shall be provided.

3. In new construction begun after the effective date of this chapter, at least 2 duplex-type outlets shall be provided for each bed.

**History:** Cr. Register, July, 1982, No. 319, eff. 8-1-82; am. (3) (c) 1., (5) (e) and (f) (intro), (6) (b), (7) (a), (f), (g) 1., (j) 2., Register, January, 1987, No. 373, eff. 2-1-87; emerg. am. (6) (a), r. and recr. (6) (b), eff. 7-1-94; am. (6) (a), r. and recr. (6) (b), Register, January, 1995, No. 469, eff. 2-1-95; **CR 04-053: am. (4) and (7) (a) 2., r. (5) (b), (c) and (d), Register October 2004 No. 586, eff. 11-1-04.**

**HFS 132.84 Design. (1) RESIDENTS' ROOMS.** (a) *Assignment of residents.* Sexes shall be separated by means of separate wings, floors, or rooms, except in accordance with s. HFS 132.31 (1) (f) 1.

(b) *Location.* No bedroom housing a resident shall:

1. Open directly to a kitchen or laundry;

2. Be located so that a person must pass through another resident's bedroom, a toilet room or a bathroom to gain access to any other part of the facility; or

3. Be located so that a person must pass through a kitchen or laundry to gain access to the resident's room or other part of the facility.

(c) *Access to corridor and outside.* Each bedroom shall have direct access to a corridor and outside exposure with the floor at or above grade level.

(d) *Size.* 1. The minimum floor area per bed shall be 100 square feet in single rooms and 80 square feet per bed in multiple bedrooms, exclusive of vestibule, closets, built-in vanity and wardrobe, toilet rooms and built-in lockers. The department may waive this requirement in individual cases where the facility has demonstrated in writing that such variations are in accordance with the particular needs of the residents and will not adversely affect their health and safety.

2. In period C facilities, resident rooms shall be large enough to permit the sides and feet of all beds to be not less than 2 feet from the nearest walls.

3. a. In period A facilities, ceilings shall be at least 7 feet in height.

b. In period B and C facilities, ceilings shall be at least 8 feet in height.

(e) *Windows.* In period B and C facilities, the bottom sill of windows in bedrooms shall be no more than 3 feet from the floor.

(f) *Bed capacity.* No rooms shall house more than 4 beds.

(g) *Bed arrangement.* The beds shall be arranged so that the beds shall be at least 3 feet apart and a clear aisle space of at least 3 feet from the entrance to the room to each bed shall be provided.

**Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.**

(h) *Closet space.* A closet or locker shall be provided for each resident in each bedroom. Closets or lockers shall afford a space of not less than 15 inches wide by 18 inches deep by 5 feet in height for each resident bed.

(i) *Cubicle curtains.* 1. In period A and B facilities, each bed in a multiple-bed room shall have a flameproof cubicle curtain or an equivalent divider that will assure resident privacy.

2. In period C facilities, each bed in a multiple-bed room shall be provided with a flameproof cubicle curtain to enclose each bed and to assure privacy.

(j) *Room identification.* Each bedroom shall be identified with a unique number placed on or near the door.

(k) *Design and proximity to baths.* Residents' bedrooms shall be designed and equipped for adequate nursing care and the comfort and privacy of residents. Each bedroom shall have or shall be conveniently located near adequate toilet and bathing facilities.

**(2) TOILET AND BATHING FACILITIES.** (a) *General.* All lavatories required by this subsection shall have hot and cold running water. Toilets shall be water flushed and equipped with open front seats without lids.

(b) *Employee and family facilities.* Toilets, baths, and lavatories for use by employees or family members shall be separate from those used by residents.

(c) *Grab bars.* Firmly secured grab bars shall be installed in every toilet and bathing compartment used by residents.

(d) *Wheelchair facilities.* 1. On floors housing residents who use wheelchairs, there shall be at least one toilet room large enough to accommodate wheelchairs.

2. In all facilities licensed for skilled care, a bathtub or shower room large enough to accommodate a wheelchair and attendant shall be provided.

**Note:** Requirements for wheelchair access to public toilets are contained in ch. Comm 62.

(e) *Period A and B.* In period A and B facilities:

1. Separate toilet and bath facilities shall be provided for male and female residents in at least the following number:

a. One toilet and one lavatory for every 8 female residents;

b. One toilet and one lavatory for every 8 male residents. One urinal may be substituted for one toilet for every 24 male residents;

c. In period A facilities, one tub or shower for every 20 residents; and

d. In period B facilities, one tub or shower for every 20 female residents and one for every 20 male residents.

2. Toilet and bath facilities shall be located on the floors of the residents to be served, and shall be separated in such a manner that they can be used independently and afford privacy.

(f) *Period C.* In period C facilities:

1. Toilet facilities shall be provided in conjunction with each resident's room, with not more than 2 residents' rooms, and not more than 4 beds per toilet room.

2. One toilet and one lavatory for not more than 4 residents shall be provided and separate facilities shall be provided for each sex.

3. One tub or shower for every 20 residents of each sex shall be provided. The bath or shower shall be located on the same floor as the residents served. Facilities for showering with a wheeled shower chair shall be provided.

4. Every tub, shower, or toilet shall be separated in such a manner that it can be used independently and afford privacy.

5. On floors where wheelchair residents are cared for, there shall be a toilet room large enough to accommodate a wheelchair and attendant.

(g) The requirement in pars. (e) and (f) of separate facilities for male and female residents is not applicable to facilities used by

married couples sharing a room, if the facilities are not used by other residents.

**(3) STAFF WORK STATIONS AND OTHER REQUIRED FACILITIES.** Each resident living area shall have all of the following:

(a) A staff work station whose location allows staff to provide services to all living areas, resident bedrooms and resident use spaces. The facility shall contain adequate storage space for records and charts and shall contain a desk or work counter for staff, a functional telephone for emergency calls and a resident communication system as required under sub. (4). Staff work stations shall be located to meet the needs of the resident population being served.

(b) Space for storage of linen, equipment and supplies, unless a central space for storage is provided.

(c) 1. Except as provided in subs. 2. and 3., a well-lit, secure medicine preparation, storage and handling room or area available to each staff work station with a work counter, refrigerator, sink with hot and cold running water, and a medicine storage cabinet with lock or space for drug carts. The room shall be mechanically ventilated.

2. In period A nursing homes, a well-lit medicine preparation, storage and handling area equipped with a sink and hot and cold running water may continue to be used. Mechanical ventilation is not required.

3. In period B nursing homes, cart storage space and mechanical ventilation within the medicine preparation room are not required.

(d) 1. Except as provided in subs. 2., 3. and 4., a soiled utility room central to each resident sleeping room wing or module that is equipped with a flush-rim siphon jet service sink, a facility for sanitizing bedpans, urinals, emesis basins, thermometers and related nursing care equipment, appropriate cabinet and counter space, and sink with hot and cold running water. The room shall be mechanically ventilated and under negative pressure.

2. Period A nursing homes shall have a utility room that shall be located, designed and equipped to provide areas for the separate handling of clean and soiled linen, equipment, and supplies.

3. Period B nursing homes shall have a ventilated utility room with a flush-rim service sink.

4. Central location of soiled utility rooms is not required in existing nursing homes.

(e) 1. Except as provided in subd. 2., a clean utility area or room central to each resident sleeping room wing or module that is equipped with a sink with hot and cold running water, counter, and cabinets for storage of clean utensils and equipment.

2. Period A and B nursing homes shall have a utility room located, designed and equipped to provide areas for the separate handling of clean and soiled linen, equipment and supplies.

(f) Period C nursing homes shall have staff toilet and hand-washing facilities separate from those used by residents.

(g) Period C nursing homes shall have a nourishment station with sink, hot and cold running water, refrigerator and storage for serving between-meal nourishment if a kitchen is not open at all times. Nourishment stations may serve more than one nursing area but not more than a single floor.

**(4) RESIDENT AND STAFF COMMUNICATION.** (a) Except as provided in pars. (b) and (c), the nursing home shall have a department-approved resident and staff communication system comprised of components listed by an independent testing laboratory to permit each resident to activate the call from resident rooms, toilet area, bathing areas, and activity areas. Nurse calls shall be visible from corridor or access aisles within each resident living area and an audible sounder shall announce upon failure of staff response. The communication signal emanating from the toilet, bath and shower areas shall be that of a distinctive emergency call. The activation device shall be reachable by the residents from each toilet, bath or shower location.

**Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.**

**Note:** Underwriter's Laboratory (UL) is an example of an independent testing laboratory.

(b) Nursing homes in existence November 1, 2004, may continue using a nurse call system that registers calls from each resident bed, resident toilet room and each tub and shower area. In addition, in period B and C nursing homes, the resident staff signal may register in the corridor directly outside the room and at the staff work station.

(c) In all nursing homes in existence November 1, 2004, the nursing home may retain use of non-source signal canceling equipment until any remodeling is undertaken within the smoke compartment where the equipment is located.

(d) Communication systems shall be functioning at all times.

**(5) DINING, RECREATION AND ACTIVITY AREAS.** (a) *Multipurpose space.* The facility shall provide one or more appropriately furnished multipurpose areas of adequate size for dining and for diversional and social activities of residents.

(b) *Lounge.* At least one dayroom or lounge, centrally located, shall be provided for use of the residents.

(c) *Size of dining rooms.* Dining rooms shall be of sufficient size to seat all residents at no more than 2 shifts. Dining tables and chairs shall be provided. TV trays or portable card tables shall not be used as dining tables.

(d) *Space.* If a multipurpose room is used for dining and diversional and social activities of residents, there shall be sufficient space to accommodate all activities and minimize their interference with each other.

(e) *Total area.* 1. In period A and B facilities, the combined floor space of dining, recreation, and activity areas shall not be less than 15 square feet per bed. Solaria and lobby sitting space may be included, but shall not include required exit paths. Required exit paths in these areas shall be at least 4 feet wide.

2. In period C facilities, the combined floor space of dining, recreation, and activity areas shall not be less than 25 square feet per bed. Solaria and lobby sitting areas, exclusive of traffic areas, shall be categorized as living room space.

**(6) FOOD SERVICE.** (a) *General.* The facility shall have a kitchen or dietary area which shall be adequate to meet food service needs and shall be arranged and equipped for the refrigeration, storage, preparation, and serving of food, as well as for dish and utensil cleaning and refuse storage and removal. Dietary areas shall comply with the local health or food handling codes. Food preparation space shall be arranged for the separation of functions and shall be located to permit efficient services to residents and shall not be used for nondietary functions.

(b) *Period A.* In period A facilities:

1. 'Location.' The kitchen shall be located on the premises or a satisfactory sanitary method of transportation of food shall be provided.

2. 'Proximity.' Kitchen or food preparation areas shall not open into resident rooms, toilet rooms, or laundry.

3. 'Handwashing.' Adequate and convenient handwashing facilities shall be provided for use by food handlers, including hot and cold running water, soap, and sanitary towels. Use of a common towel is prohibited.

4. 'Sink.' At least a 2-compartment sink for manual dishwashing shall be provided in kitchens or dishwashing areas. A minimum three-compartment sink shall be provided for replacement.

5. 'Sanitation.' Rooms subject to sewage or wastewater backflow or to condensation or leakage from overhead water or waste lines shall not be used for storage or food preparation unless provided with acceptable protection from such contamination.

(c) *Period B.* In period B facilities:

1. 'Traffic.' Only traffic incidental to the receiving, preparation, and serving of food and drink shall be permitted.

2. 'Proximity.' Toilet facilities shall not open directly into the kitchen.

3. 'Storage.' Food day-storage space shall be provided adjacent to the kitchen.

4. 'Lavatory.' A separate handwashing lavatory with soap dispenser, single service towel dispenser, or other approved hand drying facility shall be located in the kitchen.

5. 'Dishwashing area.' A separate dishwashing area, preferably a separate room, shall be provided.

6. 'Sanitation.' Rooms subject to sewage or wastewater backflow or to condensation or leakage from overhead water or waste lines shall not be used for storage or food preparation unless provided with acceptable protection from such contamination.

(d) *Period C.* In period C facilities:

1. 'Kitchen and dietary.' Kitchen and dietary facilities shall be provided to meet food service needs and arranged and equipped for proper refrigeration, heating, storage, preparation, and serving of food. Adequate space shall be provided for proper refuse handling and washing of waste receptacles, and for storage of cleaning compounds.

2. 'Traffic.' Only traffic incidental to the receiving, preparation and serving of food and drink shall be permitted.

3. 'Toilets.' No toilet facilities may open directly into the kitchen.

4. 'Food storage.' Food day-storage space shall be provided adjacent to the kitchen and shall be ventilated to the outside.

5. 'Handwashing.' A separate handwashing sink with soap dispenser, single service towel dispenser, or other approved hand drying facility shall be located in the kitchen.

6. 'Dishwashing.' A separate dishwashing area, preferably a separate room, with mechanical ventilation shall be provided.

7. 'Sink.' At least a 3-compartment sink shall be provided for washing, rinsing and sanitizing utensils, with adequate drainboards at each end. In addition, a single-compartment sink located adjacent to the soiled utensil drainboard shall be available for prewashing. The additional sink may also be used for liquid waste disposal. The size of each sink compartment shall be adequate to permit immersion of at least 50% of the largest utensil used. In lieu of the additional sink for prewashing, a well-type garbage disposal with overhead spray wash may be provided.

8. 'Mechanical dishwashers.' Mechanical dishwashers and utensil washers, where provided, shall meet the requirements of the current approved list from the national sanitation foundation or equivalent with approval of the department.

**Note:** Copies of the National Sanitation Foundation's "Listing of Food Service Equipment" are kept on file and may be consulted in the department and in the offices of the secretary of state and the revisor of statutes.

9. 'Temperature.' Temperature gauges shall be located in the wash compartment of all mechanical dishwashers and in the rinse water line at the machine of a spray-type mechanical dishwasher or in the rinse water tank of an immersion-type dishwasher. The temperature gauges shall be readily visible, fast-acting and accurate to plus or minus 2° F. or one° C.

10. 'Fire extinguishers.' Approved automatic fire extinguishing equipment shall be provided in hoods and attached ducts above all food cooking equipment.

11. 'Walls.' The walls shall be of plaster or equivalent material with smooth, light-colored, nonabsorbent, and washable surfaces.

12. 'Ceiling.' The ceiling shall be of plaster or equivalent material with smooth, light-colored, nonabsorbent, washable surfaces.

13. 'Floors.' The floors of all rooms, except the eating areas of dining rooms, in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be nonabsorbent and easily cleaned.

**Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.**

14. 'Screens.' All room openings to the out-of-doors shall be effectively screened. Screen doors shall be self-closing.

15. 'Lighting.' All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well-lighted.

16. 'Sewage contamination.' Rooms subject to sewage or waste water backflow or to condensation or leakage from overhead water or waste lines shall not be used for storage or food preparation unless provided with acceptable protection from such contamination.

**(7) STORAGE.** (a) *Resident's storage.* In period B and C facilities, one or more central storage spaces shall be provided in the facility building for the storing of residents' possessions such as trunks, luggage, and off-season clothing. The storage space shall total at least 50 cubic feet per resident bed.

(b) *General storage.* A general storage area shall be provided for supplies, equipment, and wheelchairs. Period C facilities shall have such storage space on each nursing unit.

(c) *Linen.* 1. Period B facilities shall provide a linen closet or cabinet for each floor or wing.

2. Period C facilities shall provide a linen storage space or cabinet for each nursing unit.

**(8) FAMILY AND EMPLOYEE LIVING QUARTERS.** Any family and employee living quarters shall be separate from the residents' area.

**(9) EMPLOYEE FACILITIES.** (a) In period A and B facilities, space shall be provided for employee wraps, purses, and other personal belongings when on duty, but this space shall not be located in food preparation, food storage or utensil washing areas, or in residents' rooms.

(b) In period C facilities, the following shall be provided for employees, and shall not be located in food preparation, food storage, utensil washing areas, or in resident's rooms:

1. A room or rooms for employee wraps, with lockers for purses and other personal belongings when on duty;

2. Handwashing lavatories with soap dispenser, single-service towel dispenser, or other approved hand drying equipment; and

3. Toilet facilities separate from those used by residents.

**(10) JANITOR FACILITIES.** (a) Period B facilities shall have a ventilated janitor closet on each floor equipped with hot and cold running water and a service sink or receptor.

(b) Period C facilities shall have a mechanically ventilated janitor closet of adequate size on each floor and in the food service area, equipped with hot and cold running water and a service sink or receptor.

**(11) LAUNDRY FACILITIES.** (a) *Facilities.* A laundry room shall be provided unless commercial laundry facilities are used. Laundry facilities shall be located in areas separate from resident units and shall be provided with necessary washing, drying, and ironing equipment.

(b) *Work room.* When commercial laundries are used, a room for sorting, processing, and storing soiled linen shall be provided and shall have mechanical exhaust ventilation.

(c) *Period C.* In addition to the requirements of pars. (a) and (b), period C facilities shall have:

1. A soiled linen sorting room separate from the laundry, which shall be mechanically ventilated and under negative pressure.

2. A lavatory with both hot and cold running water, soap, and individual towels in the laundry area.

**(12) ISOLATION ROOM.** (a) *Period B.* Period B facilities shall have available a room with handwashing facilities for the temporary isolation of a resident.

(b) *Period C.* For every 100 beds or fraction thereof, period C facilities shall have available one separate single room,

equipped with separate toilet, handwashing, and bathing facilities, for the temporary isolation of a resident. The isolation room bed shall be considered part of the licensed bed capacity of the facility.

**(13) ROOMS FOR OTHER SERVICES IN PERIOD C FACILITIES.** (a) *Requirement.* Period C facilities which are licensed for skilled care shall have at least one room available for examinations, treatments, dental services, and other therapeutic procedures needed by residents.

(b) *Equipment.* The examination room shall be of sufficient size and shall be equipped to provide for resident needs.

(c) *Rooms for rehabilitative services.* Rooms for rehabilitative services shall be of sufficient size to accommodate necessary equipment and facilitate the movement of disabled residents. Lavatories and toilets designed for use by wheelchair residents shall be provided in these rooms.

**(14) ADMINISTRATION AND ACTIVITY AREAS.** In period C facilities:

(a) *Administration and resident activity areas.* Administration and resident activities areas shall be provided. The sizes of the various areas will depend upon the requirements of the facility. Some functions allotted separate spaces or rooms under par. (b) may be combined, provided that the resulting plan will not compromise acceptable standards of safety, medical and nursing practices, and the social needs of residents.

(b) Administration department areas shall include:

1. Business office;
2. Lobby and information center;
3. Office of administrator;
4. Admitting and medical records area;
5. Public and staff toilet room;
6. Office of director of nurses; and
7. Inservice training area.

(c) Resident activities areas shall include:

1. Occupational therapy;
2. Physical therapy;
3. Activity area; and
4. Beauty and barber shop.

**(15) MIXED OCCUPANCY.** Rooms or areas within the facility may be used for occupancy by individuals other than residents and facility staff if the following conditions are met:

(a) The use of these rooms does not interfere with the services provided to the residents; and

(b) The administrator takes reasonable steps to ensure that the health, safety and rights of the residents are protected.

**(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,

**Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.**

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.

**History:** Cr. Register, July, 1982, No. 319, eff. 8-1-82; am. (3) (b) 2. and (13) (c), renum. (15) and (16) to be (16) and (17), cr. (15), Register, January, 1987, No. 373, eff. 2-1-87; am. (1) (b) 2., (2) (e) 1. c. and (5) (a); **CR 04-053: r. and recr. (3) and (4) and am. (6) (d) 12. Register October 2004 No. 586, eff. 11-1-04.**

**Next page is numbered 183**