

Kansas Administrative Regulations

Department of Health and Environment

Article 39.—Licensure of Adult Care Homes

28-39-437. Construction; general requirements.

(a) Each home-plus facility shall be designed, constructed, equipped, and maintained to protect the health and safety of residents, personnel, and the public.

(b) All new construction, renovation, remodeling, and changes in building use in existing buildings shall comply with building and fire codes, ordinances, and regulations enforced by city, county, and state jurisdictions, including the state fire marshal.

(c) Site location requirements. Each facility shall meet the following requirements:

(1) Be served by all-weather roads and streets;

(2) be free from noxious or hazardous smoke or fumes;

(3) be located at least 4,000 feet from concentrated livestock operations, including feedlots and shipping and holding pens;

(4) be free of flooding for a 100-year period; and

(5) be sufficient in area and configuration to accommodate the building or buildings, drives, parking, sidewalks, and outdoor recreation area.

(d) General building exterior.

(1) Each exterior pathway or access to the facility's common use areas and entrance or exit ways shall meet the following requirements:

(A) Be made of hard, smooth material;

(B) be barrier free; and

(C) be maintained in good repair.

(2) Outdoor recreation areas shall be provided and available to residents.

(3) The exterior of the building and the grounds shall be maintained in good repair and in a clean, safe, and orderly manner.

(4) Each facility house address number shall be posted on the exterior of the facility using at least three-inch-high numbers. Address numbers shall be posted on any mailbox located away from the facility.

(e) General building interior.

(1) Resident bedrooms.

(A) Each resident shall be provided a separate bed with the following:

(i) A clean, comfortable mattress; and

(ii) bedding appropriate to the weather.

(B) Each facility shall provide visual privacy for each resident in a multi-bed room.

(C) A space of at least three feet shall be provided between beds in a multi-bed room.

(D) Each resident shall be provided with space for the storage of personal items.

(E) There shall be at least one window to the outside.

(F) Resident bedrooms shall not be located in a basement.

(G) Bedrooms for residents who require physical assistance in transferring from a bed to a wheelchair shall be located on the first floor of the facility.

(2) Toilet facilities.

(A) There shall be at least one toilet room with a lavatory, and a shower or tub, for each five individuals living in the facility.

(B) The facility shall provide grab bars or equivalent assistive devices at each toilet, tub, or shower if required for resident safety.

(C) Showers and tubs shall have nonslip surfaces or be provided with nonslip mats for resident safety.

(3) Living, dining, and activity areas. Each facility shall provide living, dining, and activity areas that meet the following requirements:

(A) Are well lighted;

(B) are adequately furnished;

(C) have sufficient space to accommodate all resident activities; and

(D) are located in an area or areas accessible to all residents.

(4) Laundry area.

(A) If the facility processes laundry, the facility shall provide a work area with a one-way flow of laundry from a soiled area to a clean area.

(B) The laundry area shall not be located in the same room where preparation and service of food occur.

(C) Each facility shall store laundry in a manner that prevents odors and the spread of disease.

(f) Sanitation and maintenance. Each facility shall provide a safe, functional, sanitary, and comfortable environment for residents, staff, and the public.

(g) Public telephone. There shall be a public telephone locally accessible to individuals with disabilities in a private area that allows a resident or another individual to conduct a private conversation.

(h) The heating, air conditioning, and ventilation systems shall maintain a year-round indoor temperature range of 70° F to 85° F in the resident use areas.

(i) Plumbing and piping systems.

(1) Backflow prevention devices or vacuum breakers shall be installed on fixtures to which hoses or tubing can be attached.

(2) Water distribution systems shall be arranged to provide hot water at hot water outlets at all times. The temperature of hot water shall range between 98° F and 120° F at showers, tubs, and lavatories accessible to residents.

(j) Each facility shall ensure that residents who desire to receive mail without staff intervention may do so.

(Authorized by and implementing K.S.A. 39-932; effective Oct. 8, 1999.)

***** Authenticated Kansas Administrative Regulation *****