

Kansas Administrative Regulations

Department of Health and Environment

Article 39.—Licensure of Adult Care Homes

28-39-225. Physical environment and complete construction; 16 beds or fewer.

(a) General provisions. The following provisions describe the physical environment and complete construction requirements for residential buildings in which not more than 16 residents are housed in one building. The facility shall provide for a safe, sanitary environment and for the safety and comfort of the residents. Residential buildings which house six or fewer residents are governed solely by the code of federal regulations, 42 CFR 483.470, as published in the Federal Register, Vol. 53, No. 107, Friday, June 3, 1988 and adopted by reference in K.A.R. 28-39-226.

(b) Each residential building shall consist of at least the following units, areas, and rooms which shall all be within a single building and under one roof.

(1) A bedroom unit which shall consist of not more than 16 beds. Each bed shall be located in a room designed for not more than four beds. At least one single-bed room shall be provided. Each resident bedroom shall meet the following requirements:

(A) Minimum room areas, excluding toilet rooms, closets, lockers, wardrobes, other built-in fixed items, alcoves, or vestibules, shall be 80 square feet in single-bed rooms and 60 square feet per bed in multi-bed rooms;

(B) Each toilet room shall contain at least a water closet and a lavatory but not more than two water closets. The lavatory may be omitted if the toilet adjoins bedrooms containing a lavatory. There shall be not less than one water closet for each five residents;

(C) Each resident room shall be provided with a fixed closet or freestanding wardrobe with doors. A shelf and hanging rod shall be provided;

(D) Each resident room shall be equipped with furnishings required to meet the developmental needs of the residents; and

(E) Each resident room shall be located not more than 75 feet from a toilet room and not more than 150 feet from any one of the other resident use areas contained within

the residential building, except other bedrooms. Distance shall be measured from one foot outside the resident room door along the shortest line in the general corridor, within one foot of corners, to one foot of the door to each service area.

(2) Service areas required below shall be located in all residential buildings. Each service area shall have a door opening from the general corridor system for direct access without passing through any intervening use area. Exceptions shall include adjoining use areas which have closely related functions. Lounges, living rooms, dens, and large open or central living areas may be considered as corridors. Each facility shall contain:

(A) An administrative area with space for charting, records, and a telephone;

(B) A room with a water closet and lavatory for staff and visitors that is accessible without passing through a resident bedroom;

(C) A locked medication storage area with space for separate storage of each resident's medication. A separate locked compartment shall be provided within the area for controlled drugs and narcotic storage;

(D) Space for storage of clean linen. This space shall be separate from the soiled linen area;

(E) Space for holding soiled laundry with provisions to prevent odors, contamination of clean linen, and spread of disease. In residential buildings where laundry processing is done, commercial or household-type washing and drying machines shall be provided to process soiled laundry in the workroom area. The workroom shall contain a flushing rim clinic sink, a work counter, and a storage cabinet for supplies. In resident buildings for eight or fewer residents, the flushing rim clinic sink shall not be required. Clean supplies and materials shall not be stored in this area;

(F) Space for storage of equipment for the facility's use. This space may be part of the janitor's closet;

(G) Bathing units at the rate of one bathtub or shower per five residents. There shall be separate bathing units for each sex. Each bathing unit shall be located in a room or area with access to a water closet and handwashing lavatory without entering the general corridor. Bathing units shall be located within enclosures which provide privacy;

(H) A janitor's closet with a utility sink, hot and cold water, a shelf, and mop hanging provision. In residential buildings for eight or fewer residents, the janitor's closet shall not be required if other provisions are made for sanitary storage of housekeeping equipment;

(I) Living, dining, and recreational areas at the rate of 27 square feet per bed. At least 14 square feet of this space shall be utilized for dining space;

(J) A separate quiet area unless all single-bed rooms are provided. Residents shall have access to this area for reading, meditation, and private consultation with family, guests, or other residents;

(K) Public areas which include:

(i) An entrance at grade level which is designed to accommodate the handicapped in wheelchairs;

(ii) at least one public toilet accessible to and usable by the physically handicapped; and

(iii) a public telephone accessible for use from a wheelchair;

(L) Dietary areas, including kitchen and pantry areas, in the size required to implement appropriate food service. The dietary area shall include:

(i) Storage for a four-day supply of food, including cold storage;

(ii) food preparation facilities which shall include equipment for thawing, portioning, cooking, and baking;

(iii) a two-compartment sink for vegetable preparation; and

(iv) a commercial or domestic type dishwasher with a sanitizing cycle for warewashing;

(M) Provision for disposal of waste by incineration, mechanical destruction, compaction, removal or by a combination of these techniques. Stored waste shall be in water-tight, closed containers;

(N) An equipment room or rooms or a separate building or buildings for boilers and mechanical and electrical equipment, and storage of building maintenance supplies; and

(O) If tools, supplies, or equipment used for yard or exterior maintenance are stored at the facility, a room which opens to the outside or which is located in a detached building for storage of such equipment.

(c) Details and finishes.

(1) Details.

(A) Rooms containing bathtubs, sitz baths, showers, and toilets subject to occupancy by residents shall be equipped with doors and hardware which will permit access from outside the room.

(B) Windows and outer doors left in an open position shall be provided with insect screens. Windows shall be designed to prevent accidental falls when open or shall be provided with security screens.

(C) Doors, sidelights, borrowed lights, and windows in which the glazing is within 18 inches (46 centimeters) of the floor shall be glazed with safety glass, wire glass, or plastic glazing material that will resist breaking and will not create dangerous cutting edges if broken. If glazing in any area does not meet the above requirement, protective barriers or railing shall be provided. Safety glass or plastic glazing materials as described above shall be used for shower doors and bath enclosures.

(D) Grab bars shall be provided for all residents' toilets, showers, tubs, and sitz baths. The bars shall have 1½ inch (3.8 centimeters) clearance to walls and shall have sufficient strength and anchorage to sustain a concentrated load of 150 pounds (113.4 kilograms).

(E) Shower bases and tubs shall have a nonslip surface.

(2) Finishes.

(A) Wall bases in kitchens, soiled workrooms, and other areas which are frequently subject to wet cleaning methods shall be tightly sealed and constructed without voids that can harbor insects.

(B) Wall finishes shall be washable and in the immediate area of plumbing fixtures shall be smooth and moisture resistant. Finish, trim, wall, and floor constructions in dietary and food preparation areas shall be free from spaces that can harbor rodents and insects.

(C) Floor and wall penetrations by pipes, ducts, and conduits shall be tightly sealed to minimize entry of rodents and insects. Joints of structural elements shall be similarly sealed.

(D) Ceilings in the dietary and food preparation areas shall be cleanable by vacuum cleaning, wet cleaning or other dustless methods. These areas shall not have exposed or unprotected sewer lines.

(d) Mechanical requirements.

(1) Heating, air conditioning, and ventilating systems.

(A) The system shall be designed to maintain a year-round indoor temperature range in resident care areas of 70° F. (21° C.) to 85° F. (29° C.) with a relative humidity range of 30 to 60 percent. The winter outside design temperature of the facility shall be -10° F. (-23° C.) dry bulb and the summer outside design temperature of the facility shall be 100° F. (38° C.) dry bulb.

(B) Each central ventilation or air conditioning system shall be equipped with filters having a minimum efficiency of 25 percent.

(2) Plumbing and piping systems.

(A) Backflow prevention devices (vacuum breakers) shall be installed on each bedpan flushing attachment and on each fixture to which hoses or tubing can be attached.

(B) 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. (36° C.) and 115° F. (46° C.) at shower, bathing, and handwashing facilities throughout the system except when a higher temperature, not to exceed 130° F. (54° C.), is provided as part of a written training program that provides for direct supervision.

(e) Electrical requirements.

(1) All spaces occupied by persons or machinery and equipment within the buildings, approaches to buildings, and parking lots shall have adequate lighting.

(2) Minimum lighting intensity levels shall be as required in Table 1.

(3) Portable lamps shall not be accepted as light sources, except as specifically permitted in Table 1.

(4) Corridors and stairways shall remain lighted at all times.

**TABLE 1. ARTIFICIAL LIGHT
REQUIREMENTS**

Place	Light Measured in Foot Candles	Where Measured
Kitchen and other food preparation and serving areas	30	Counter level
Dining room	25	Table level
Living room and/or recreation room		
General	15	Three feet above floor
Reading and other specialized areas (<i>may be portable lamp</i>)	50	Chair or table level
Nurse's station and office		
General	20	Three feet above floor
Desk and charts	50	Desk level
Clean	30	Counter

workroom		level
Central bath and showers	30	Three feet above floor
Resident's room		
General		
Bed (<i>may be portable lamp</i>)	10	Three feet above floor
	30	Mattress top level
Laundry	30	Three feet above floor
Storage room		
General	5	Three feet above floor
Disinfectant or cleaning agent storage area	15	Three feet above floor
Corridors	10	Floor level
Stairways	20	Step level
Exits	5	Floor level
Heating plant space	5	Floor level

(5) All lights shall be equipped with shades, globes, grids, or glass panels that prevent direct glare to the residents' eyes.

(f) Site location requirements. Each facility shall be:

- (1) Served by all-weather roads or streets;
- (2) free from noxious or hazardous smoke or fumes;

(3) a minimum of 3,000 feet (914 meters) from feedlots, shipping or holding pens, or other concentrated livestock operations.

(4) free of flooding for a 20-year period; and

(5) sufficient in area and configuration to accommodate the facility, drives, parking, sidewalks, and a recreation area.

(g) Site development requirements.

(1) Final grading of the site shall provide topography for positive surface drainage away from the building and positive protection and control of surface drainage and freshets from adjacent areas.

(2) All drives and parking areas shall be surfaced with concrete, asphalt, or equivalent, smooth all-weather finish. Unsealed gravel surfaces shall not be used.

(3) Except for lawn or shrubbery which may be used in landscape screening, an unencumbered outdoor open area of at least 50 square feet per resident shall be provided for recreational use and shall be so designated on the plot plan. The licensing agency may approve equivalent facilities provided by terraces, roof gardens, or similar provisions for homes located in high density urban areas.

(Authorized by K.S.A. 39-932; implementing K.S.A. 39-932; effective May 1, 1982; amended May 1, 1984; amended April 3, 1989.)

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