Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Secure Residential Treatment Facilities.

28-4-343. Environmental standards.

(a) General building requirements.

(1) Each secure residential treatment facility shall use public water and sewage systems, or shall have private water and sewage systems approved pursuant to K.S.A. 65-163 and K.S.A. 65-165, and amendments thereto.

(2) A licensed architect shall be responsible for the plans for any newly constructed building or for any major addition or alteration to an existing building.

(A) In the case of a new building, preliminary plans and outline specifications, including plot plans, shall be submitted to the department for review before commencing the final working drawings and specifications. The licensee shall submit the final working drawings, construction specifications, and plot plans to the department for review and written approval before the letting of contracts.

(B) In the case of an addition or alteration to an existing building, the licensee shall submit a written statement defining the proposed use of the construction and detailing the plans and specifications to the department for review and written approval before commencing construction.

(3) If construction is not commenced within one year of submitting a proposal for a new building or an addition or alteration to an existing building, the licensee shall resubmit the plans and proposal to the department before proposed construction begins.

(b) Location and grounds requirements.

(1) Community resources, including health services, police protection, and fire protection from an organized fire department, shall be available.

(2) There shall be at least 100 square feet of outside activity space available per youth allowed to utilize each area at any one time.

(3) The outside activity area shall be free of physical hazards.

(4) Sufficient space for visitor and staff parking at each secure residential treatment facility shall be provided.

(c) The water supply to each secure residential treatment facility shall be from a source approved and certified by the department. Any privately owned water supply shall be approved by the county health officer or the department.

(d) Structural requirements.

(1) Facility construction shall provide for the removal of architectural barriers to disabled persons. All parts of each secure residential treatment facility shall be accessible to and usable by disabled persons.

(2) Each secure residential treatment facility's structural design shall facilitate personal contact and interaction between staff members and youth.

(3) Floors shall be smooth and free from cracks, easily cleanable, and not slippery. Floor covering for living quarters shall be required. All floor covering shall be kept clean and be maintained in good repair.

(4) Walls shall be smooth, easily cleanable, and sound. Lead-free paint shall be used on all painted surfaces.

(5) No youth's room shall be in a basement. The minimum square footage of floor space shall be 80 square feet in single rooms, and an average of no fewer than 60 square feet of floor space per person in rooms accommodating more than one person. At least one dimension of the usable floor space unencumbered by furnishings or fixtures shall be no fewer than seven feet. The minimum ceiling height shall be seven feet, eight inches over 90% of the room area. An even temperature of between 68° Fahrenheit and 78° Fahrenheit shall be maintained, with an air exchange of at least four times per hour.

(6) Bedrooms occupied by youth shall have a window source of natural light. Access to a drinking water source and toilet facilities shall be available 24 hours a day.

(7) Separate beds with level, flat mattresses in good condition shall be provided for each youth. Beds shall be above the floor level.

(8) Adequate, clean bedding shall be provided for each youth.

(9) All quarters utilized by youth shall have minimum lighting of 20 foot-candles in all parts of the room. There shall be minimum lighting of 35 foot-candles in areas used for reading, study, or other close work.

(10) There shall be adequate space for study and recreation.

(11) Each living unit shall contain the following:

(A) Furnishings that provide sufficient seating for the maximum number of youth expected to use the area at any one time;

(B) writing surfaces that provide sufficient space for the maximum number of youth expected to use the area at any one time;

(C) furnishings that are consistent with the security needs of the assigned youth; and

(D) adequate central storage for household supplies, bedding, linen, and recreational equipment.

(12) If the secure residential treatment facility is on the same premises as another child care facility, the living unit of the secure residential treatment facility shall be maintained in a separate, self-contained unit. Youth of the secure residential treatment facility shall not use space shared with other child care facilities at the same time.

(13) If a secure residential treatment facility has day rooms, the day rooms shall provide space for varied youth activities. Day rooms shall be situated immediately adjacent to the youth sleeping rooms, but separated from them by a floor-to-ceiling wall. Each day room shall provide at least 35 square feet per person, exclusive of lavatories, showers, and toilets, for the maximum number of youth expected to use the day room area at any one time.

(14) There shall be a working telephone readily accessible to staff members in all areas of the building. Emergency numbers, including fire, police, hospital, physician, poison control facility, and ambulance, shall be posted by each phone.

(15) The inside program and activity areas, excluding the sleeping rooms, day room, and classrooms, shall provide floor space equivalent to a minimum of 100 square feet per youth.

(16) Sufficient space shall be provided for contact visiting. There shall be adequately designed space to permit the screening and search of both youth and visitors. Storage

space shall be provided for the secure storage of visitors' coats, handbags, and other personal items not allowed into the visiting area.

(17) Each room used for involuntary seclusion shall meet the following requirements for an individual bedroom:

(A) The walls of each room used for involuntary seclusion shall be completely free of objects.

(B) The door of each room used for involuntary seclusion shall be equipped with a window mounted in a manner that allows inspection of the entire room. The glass in this window shall be impact-resistant and shatterproof.

(C) The locking system for a room used for involuntary seclusion shall be approved by the state fire marshal or the fire marshal's designee.

(18) A service sink and storage area for cleaning supplies shall be provided in a well-ventilated room separate from kitchen and living areas.

(e) Food services.

(1) Food storage, preparation, and service shall comply with the departmental regulations governing food and lodging services.

(2) All foods not requiring refrigeration shall be stored at least six inches above the floor in clean, dry, well-ventilated storerooms or other approved areas with no overhead drain or sewer lines.

(3) Dry bulk food that is not in an original, unopened container shall be stored in metal, glass, or food-grade plastic containers with tightly fitting covers and shall be labeled.

(4) Poisonous or toxic materials shall not be stored with or over food. If medication requiring refrigeration is stored with refrigerated food, the medication shall be stored in a locked medicine box under all food items in the refrigerator.

(5) All perishables and potentially hazardous foods shall be continuously maintained at 45° Fahrenheit or lower in the refrigerator, or 10° Fahrenheit or lower in the freezer.

(A) Each cold storage facility shall be provided with a clearly visible, accurate thermometer.

(B) All foods stored in the refrigerator shall be covered.

(C) Food not stored in the original container shall be labeled with the contents and date.

(D) Raw meat shall be stored under all other food items in the refrigerator before cooking.

(E) Adequate facilities to maintain food temperatures required in this regulation shall be available.

(6) All dense, hot foods shall be stored in containers four or fewer inches deep.

(7) Food preparation and service.

(A) Each food preparation area shall be adequately equipped for the sanitary preparation and storage of food and washing of dishes and utensils. Food shall be prepared and served in a sanitary manner.

(B) Cooking equipment shall be kept clean and in good condition.

(C) Dishes shall have hard-glazed surfaces and shall be free of cracks and chips.

(D) Dishes, kitchen utensils, and serving equipment shall be maintained in a sanitary condition using one of the following methods:

(i) A three-compartment sink supplied with hot and cold running water to each compartment and a drain board for washing, rinsing, sanitizing, and air drying, with an appropriate chemical test kit for testing the sanitizing solution;

(ii) a domestic-type dishwasher for groups of 24 or fewer persons;

(iii) a commercial-type dishwasher providing a 12-second rinse with 180° Fahrenheit water, for groups of 25 persons or more;

(iv) other methods of sanitizing by manual or mechanical cleaning in accordance with K.A.R. 28-36-24(a) (3) and (4); or

(v) the use of disposable plates, cups, and plastic utensils of food-grade medium weight. Disposable table service shall be used only one time and then destroyed.

(E) Tables shall be in good condition and shall be washed before and after each meal. Floors shall be swept after meals.

(F) Meat shall be thawed using one of the following methods:

(i) Removing the meat from the freezer in advance and putting it in the refrigerator to thaw;

(ii) placing the meat under running, tepid water 72° Fahrenheit until thawed; or

(iii) thawing in the microwave as part of the cooking process.

(8) Sanitary conditions.

(A) Only authorized persons shall be in the kitchen.

(B) Each kitchen shall be equipped with separate hand-washing facilities. Personnel shall wash their hands before handling food and after working with raw meat.

(C) Hair shall be restrained.

(D) No staff member with any open wounds or infections shall be involved in food preparation or service.

(E) Clean and soiled linen shall be properly stored in the kitchen area.

(F) All trash cans in the restroom used by the kitchen staff shall be covered.

(9) Food safety.

(A) All dairy products shall be pasteurized. Dry milk shall be used for cooking only.

(B) Home-canned foods, other than jams and jellies, and home-frozen foods shall not be served.

(C) Commercially canned food from dented, rusted, bulging, or leaking cans, and food from cans without labels shall not be used.

(10) Nutrition.

(A) Meals and snacks shall meet the nutritional needs of the youth in accordance with recommended dietary allowances. A sufficient quantity of food shall be prepared for each meal to allow each youth second portions of vegetables, fruit, bread, and milk.

(B) Special diets shall be provided for youth, if medically indicated, or to accommodate religious practice, as indicated by a religious consultant.

(C) Menus shall be planned one week in advance. Copies of the menus for the preceding month shall be kept on file and available for inspection.

(11) If meals are catered, the following requirements shall be met:

(A) The meals shall be obtained from sources licensed by the department.

(B) Food shall be transported in covered and temperature-controlled containers. Hot foods shall be maintained at not less than 140° Fahrenheit, and cold foods shall be maintained at 45° Fahrenheit or less.

(f) Toilets and lavatories.

(1) For each eight or fewer youth of each sex, there shall be at least one toilet, one lavatory, and either a bathtub or a shower. All toilets shall be above floor level.

(2) Each bathroom shall be ventilated. Each inside bathroom shall have a mechanical ventilating system to the outside, with a minimum of 10 air changes per hour.

(3) Toilet and bathing facilities and drinking water shall be convenient to sleeping quarters and living and recreation rooms.

(4) Cold and hot water, not exceeding 120° Fahrenheit, shall be supplied to lavatories, bathtubs, and showers.

(5) Toilet facilities and drinking water shall be convenient to the reception and admission areas.

(6) Locked sleeping rooms shall be equipped with a drinking fountain, lavatory, and toilet, unless a communication system or procedure is in effect to give the resident immediate access to a lavatory, toilet, and drinking water.

(g) Laundry.

(1) If laundry is done at the secure residential treatment facility, laundry fixtures shall be located in an area separate from food preparation areas and shall be installed and used in a manner that safeguards the health and safety of the youth.

(2) Soiled linen shall be stored separately from clean linen.

(3) Blankets shall be laundered or sanitized before reissue.

(4) Blankets, when used with sheets, shall be laundered at least once each month.

(5) Mattresses shall be water-repellent and washed down and sprayed with disinfectant before reissue. Mattress materials and treatments shall meet state fire marshal regulations.

(6) Adequate space shall be allocated for the storage of clean and dirty linen and clothing. If an in-house laundry service is provided, adequate space shall be allocated for the laundry room and the storage of laundry supplies, including locked storage for chemical agents used in the laundry area.

(h) Building maintenance standards.

(1) Each building shall be clean at all times and free from accumulated dirt, vermin, and rodent infestation.

(2) Floors and walking surfaces shall be kept free of hazardous substances at all times.

(3) A schedule for cleaning each building shall be established and maintained.

(4) Floors shall be swept and mopped daily.

(5) Washing aids, including brushes, dish mops, and other hand aids used in dishwashing activities, shall be clean and used for no other purpose.

(6) Mops and other cleaning tools shall be cleaned and dried after each use and stored in a well-ventilated place on adequate racks.

(7) Insecticides, rodent killers, and other poisons shall be used under careful supervision. These and other poisons shall be stored in a locked area.

(8) Toilets, lavatories, sinks, and other such facilities in the living quarters shall be cleaned thoroughly each day.

(Authorized by and implementing K.S.A. 1998 Supp. 65-508; effective, T-28-7-8-99, July 8, 1999; effective Nov. 5, 1999.)

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