

10A NCAC 13D .3201 is amended with changes as published in the N.C. Register, Volume 28:12, pp. 1297-1306 as follows:

SECTION .3200 - FUNCTIONAL REQUIREMENTS

10A NCAC 13D .3201 REQUIRED SPACES

(a) In a facility, ~~The~~ the ~~net~~ floor area of a single bedroom shall not be less than 100 square feet and the ~~net~~ floor area of a room for more than one bed shall not be less than 80 square feet per bed. The 80 square feet and 100 square feet requirements shall be exclusive of closets, toilet rooms, ~~vestibules~~ vestibules, or wardrobes. When a designated single room exceeds 159 net square feet in floor area, it shall remain a single bedroom and ~~cannot~~ shall not be used as a multi-bedroom unless approved in advance by the Division ~~to meet~~ as meeting the requirements of G.S. 131E, Article 9.

(b) The total space set aside for dining, ~~recreation~~ activity, activity, and other common use shall not be less than 25 square feet per bed for a nursing facility and 30 square feet per bed for the adult care home portion of a combination facility. Physical therapy, occupational therapy and rehabilitation space shall not be included in this total.

(c) In nursing facilities, included in the total square footage required by ~~Rule .3201(b) of this Section, Paragraph (b) of this Rule,~~ a separate dining area or areas ~~at~~ with a minimum of 10 square feet per bed shall be provided and a separate activity area or areas ~~at~~ with a minimum of 10 square feet per bed shall be provided. The remainder of the total ~~required space for dining and activities~~ required space for dining and activities ~~square footage required by Paragraph (b) of this Rule~~ may be in a separate area or combined with either of the ~~required~~ separate dining and activity areas required by this Paragraph. If a facility is designed with patient and resident household units for 30 or less patients and residents, the dining and activity areas in the household units are not required to be separate.

(d) In combination facilities, included in the total square footage required by ~~Rule .3201(b) of this Section, Paragraph (b) of this Rule,~~ a separate dining area or areas ~~at~~ with at least 14 square feet per adult care home bed shall be provided. The adult care home dining area or areas may be combined with the nursing facility dining area or areas. A separate activity area or areas for ~~domiciliary~~ adult care home beds shall be provided ~~at~~ with at least 16 square feet per ~~domiciliary~~ adult care home bed. The adult care home activity area ~~may~~ shall not be combined with the activity area or areas required for nursing ~~beds.~~ beds;

(e) Dining, activity, and living space shall be designed and equipped to provide accessibility to both patients ~~or residents~~ confined to wheelchairs and ambulatory patients ~~or residents.~~ Required dining, Dining, activity, and living areas required by Paragraph (b) of this Rule shall have windows with views to the outside. ~~The glazing material for the windows~~ The gross window area shall not be less than eight percent of the floor area required for each dining, activity, or living space.

(f) Closets and storage units for equipment and supplies shall not be included as part of the ~~required~~ dining, activity, and living floor space ~~area.~~ area required by Paragraph (b) of this Rule.

(g) ~~Handicap accessible outdoor~~ Outdoor areas for individual and group activities shall be provided and shall be accessible to patients and residents with physical disabilities.

- (h) For nursing beds, separate bedroom closets or wardrobes shall be provided in each bedroom to provide each occupant with a minimum of 36 cubic feet of clothing storage space at least half of which is for hanging clothes.
- (i) For adult care home beds, separate bedroom closets or wardrobes shall be provided in each bedroom to provide each adult care home resident with a minimum of 48 cubic feet of clothing storage space at least half of which is for hanging clothes.
- (j) Some means for patients and residents to lock personal articles within the facility shall be provided.
- (k) A toilet room shall be directly accessible from each patient and resident room and from each central bathing area without going through the general corridor. One toilet room may serve two patient or resident rooms but not more than eight beds. The lavatory may be omitted from the toilet room if one is provided in each patient and resident room. One tub or shower shall be provided for each 15 beds not individually served. ~~There shall be at least one bathtub accessible on three sides and one shower provided for each 60 beds or fraction thereof. For each 120 beds or fraction thereof the following shall be provided:~~
- (1) at least one bathtub or a manufactured walk-in bathtub or a similar manufactured bathtub designed for easy transfer of patients and residents into the tub. All bathtubs must be accessible on three sides; and
 - (2) a roll-in shower designed and equipped for unobstructed ease of shower chair entry and use.
- (l) For each nursing unit, or fraction thereof on each floor, the following shall be provided:
- (1) a medication preparation area with a counter, a ~~sink~~, ~~sink with four inch trim handles~~, a medication refrigerator, eye level medication storage, cabinet storage and a double locked narcotic storage room area located adjacent to under the visual control of the nursing station; staff. The sink shall be trimmed with valves that can be operated without hands. If the sink is equipped with blade handles, the blade handles shall not be less than four and one half inches in length. The sink water spout shall be mounted so that its discharge point is a minimum of 10 inches above the bottom of the sink basin;
 - (2) a clean utility room with a counter, ~~sink with four inch handles, wall and under counter sink~~, and storage. The sink shall be trimmed with valves that can be operated without hands. If the sink is equipped with blade handles, the blade handles shall not be less than four and one half inches in length. The sink water spout shall be mounted so that its discharge point is a minimum of 10 inches above the bottom of the sink basin;
 - (3) a soiled utility room with a counter, ~~sink with four inch handles, wall and under counter storage, a flush rim clinical sink or water closet with a device for cleaning bedpans and a means for washing and sanitizing bedpans and other utensils.~~ sink, and storage. The sink shall be trimmed with valves that can be operated without hands. If the sink is equipped with blade handles, the blade handles shall not be less than four and one half inches in length. The sink water spout shall be mounted so that its discharge point is a minimum of 10 inches above the bottom of the sink basin. The soiled utility room shall be equipped for the cleaning and sanitizing of bedpans as required by Rule 15A NCAC 18A .1312 Toilet: Handwashing: Laundry: And Bathing [Facilities.] Facilities.

- (4) a nurses' toilet and locker space for ~~coats, purses, and~~ personal belongings;
- (5) ~~an audio-visual nurse-patient call system arranged to ensure that a patient's call in the facility is noted at a staffed station;~~
- (6)(5) a soiled linen storage ~~room;~~ room. If the soiled linen storage room is combined with the soiled utility room, a separate soiled linen storage room is not required;
- (7)(6) a clean linen storage room;
- (8)(7) a nourishment station in an area enclosed with walls and doors which contains work space, cabinets and refrigerated storage, and a small stove, microwave ~~oven~~ oven, or hot ~~plate; and~~ plate. If a facility is designed with patient and resident household units, a patient and resident dietary area located within the patient and resident household unit may substitute for the nourishment station. The patient and resident dietary area shall include cooking equipment, a kitchen sink, refrigerated storage and storage areas and shall be for the use of staff, patients, residents, and families;
- (9)(8) ~~one nurses' station consisting of desk space for writing, storage space for office supplies, storage space for patients' records and space for nurses' call equipment. An an audio-visual nurse-patient call system arranged to ensure that a patient's or resident's call in the facility readily notifies and directs staff to the location where the call was activated.~~
- (9) a control point with an area for charting patient and resident records, space for storage of emergency equipment and supplies, and nurse-patient call and alarm annunciation systems; and
- (10) a janitor's closet.
- (m) Clean linen storage shall be provided in a separate room from bulk supplies. Clean linen for nursing units may be stored in closed carts, ~~or~~ cabinets in the clean utility room, or ~~in~~ a linen closet on the unit floor.
- ~~(n) A soiled linen room shall be provided.~~
- ~~(o)(n) Each nursing unit shall be provided with at least one janitor's closet.~~ The kitchen area and laundry area each shall have a janitor's closet. Administration, occupational and physical therapy, recreation, personal ~~care~~ care, and employee facilities areas shall be provided janitor's closets and may share one as a group.
- ~~(p)(o) Stretcher and wheelchair storage shall be provided.~~
- ~~(q)(p) Bulk storage shall be provided at the rate of at least five square feet of floor area per licensed bed. This storage space shall be either in the facility or within 500 feet of the facility on the same site. This storage space shall be in addition to the other storage space required by this Rule. (Paragraph.)~~
- ~~(r)(q) Office space shall be provided for persons holding the following positions: administrator, director of nursing, social services director, activities director and physical therapist. There shall also be a business office. Office space shall also be provided for business transactions. Office space shall be provided for persons holding the following positions:~~
- (1) administrator;
- (2) director of nursing;
- (3) social services director;

1 (4) activities director; and

2 (5) physical therapist.

3 (§) (r) Each combination facility shall provide a minimum of one residential washer and residential dryer in a
4 location accessible by ~~located to be accessible by~~ adult care home staff, residents, ~~and family unless personal~~
5 ~~laundry service is provided by the facility. and family.~~ and residents' families.

6
7 History Note: Authority G.S. 131E-104;

8 Eff. January 1, 1996;

9 Amended Eff. October 1, 2008. 2008;

10 Amended Eff. [July 1, 2014.] August 1, 2014.



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June 20, 2014

Megan Lamphere
North Carolina Medical Care Commission
Sent via email to megan.lamphere@dhhs.nc.gov

Re: Extension of the Period of Review for Rule 10A NCAC 13D .3201, Required Spaces

Dear Ms. Lamphere:

At its June 18, 2014 meeting, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from your agency to extend the period in order to allow the agency to make technical changes and submit the rewritten rules at a later meeting.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days. The agency indicated it will submit the rewritten rules for Commission review at its July 2014 meeting.

Should you have any questions regarding the Commission's actions, please let me know.

Sincerely,

Amber Cronk May
Commission Counsel

cc: Beverly Speroff (via email)

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1 10A NCAC 13D .3201 is amended as published in the N.C. Register, Volume 28:12, pp. 1297-1306 as follows:

2
3 **SECTION .3200 - FUNCTIONAL REQUIREMENTS**
4

5 **10A NCAC 13D .3201 REQUIRED SPACES**

6 (a) ~~In a facility, The~~ the net floor area of a single bedroom shall not be less than 100 square feet and the net floor
7 area of a room for more than one bed shall not be less than 80 square feet per bed. The 80 square feet and 100
8 square feet requirements shall be exclusive of closets, toilet rooms, vestibules or wardrobes. When a designated
9 single room exceeds 159 net square feet in floor area, it shall remain a single bedroom and cannot be used as a
10 multi-bedroom unless approved in advance by the Division to meet the requirements of G.S. 131E, Article 9.

11 (b) The total space set aside for dining, ~~recreation activity~~ and other common use shall not be less than 25 square
12 feet per bed for a nursing facility and 30 square feet per bed for the adult care home portion of a combination
13 facility. Physical therapy, occupational therapy and rehabilitation space shall not be included in this total.

14 (c) In nursing facilities, included in the total square footage required by ~~Rule .3201 (b) of this Section Paragraph (b)~~
15 of this Rule, a separate dining area or areas at a minimum of 10 square feet per bed shall be provided and a separate
16 activity area or areas at a minimum of 10 square feet per bed shall be provided. The remainder of the total ~~required~~
17 ~~space for dining and activities~~ square footage required by Paragraph (b) of this Rule may be in a separate area or
18 combined with either of the ~~required separate~~ dining and activity areas required by this Paragraph. If a facility is
19 designed with patient household units for 20 or less patients, the dining and activity areas in the household units are
20 not required to be separate.

21 (d) In combination facilities, included in the total square footage required by ~~Rule .3201(b) of this Section~~
22 Paragraph (b) of this Rule, a separate dining area or areas at 14 square feet per adult care home bed shall be
23 provided. The adult care home dining area or areas may be combined with the nursing facility dining area or areas.
24 A separate activity area or areas for ~~domiciliary adult care home~~ beds shall be provided at 16 square feet per
25 ~~domiciliary adult care home~~ bed. The adult care home activity area ~~may shall~~ not be combined with the activity area
26 or areas required for nursing beds;

27 (e) Dining, activity, and living space shall be designed and equipped to provide accessibility to both patients
28 confined to wheelchairs and ambulatory patients. ~~Required dining, Dining,~~ activity, and living areas required by
29 Paragraph (b) of this Rule shall have windows with views to the outside. ~~The glazing material for the windows The~~
30 gross window area shall not be less than eight percent of the floor area required for each dining, activity, or living
31 space. The windows shall be maintained operable and shall be equipped with insect-proof screens. The window
32 opening may be restricted to a six-inch opening to inhibit patient and resident elopement or suicide.

33 (f) Closets and storage units for equipment and supplies shall not be included as part of the ~~required~~ dining, activity,
34 and living floor space ~~area.~~ area required by Paragraph (b) of this Rule.

35 (g) ~~Handicap accessible outdoor~~ Outdoor areas for individual and group activities shall be provided and shall be
36 accessible to patients and residents with physical disabilities.

37 (h) For nursing beds, separate bedroom closets or wardrobes shall be provided in each bedroom to provide each

occupant with a minimum of 36 cubic feet of clothing storage space at least half of which is for hanging clothes.

(i) For adult care home beds, separate bedroom closets or wardrobes shall be provided in each bedroom to provide each adult care home resident with a minimum of 48 cubic feet of clothing storage space at least half of which is for hanging clothes.

(j) Some means for patients and residents to lock personal articles within the facility shall be provided.

(k) A toilet room shall be directly accessible from each patient room and from each central bathing area without going through the general corridor. One toilet room may serve two patient rooms but not more than eight beds. The lavatory may be omitted from the toilet room if one is provided in each patient room. One tub or shower shall be provided for each 15 beds not individually served. ~~There shall be at least one bathtub accessible on three sides and one shower provided for each 60 beds or fraction thereof.~~

For each 120 beds or fraction thereof the following shall be provided:

(1) at least one bathtub or a manufactured walk-in bathtub or a similar manufactured bathtub designed for easy transfer of patients into the tub. All bathtubs must be accessible on three sides;

(2) a roll-in shower designed and equipped for unobstructed ease of shower chair entry and use.

~~(l) For each nursing unit, or fraction thereof on each floor,~~ patient and resident care floor in the facility, the following shall be provided:

(1) a medication preparation area with a counter, a sink with four inch faucet trim handles, a medication refrigerator, eye level medication storage, cabinet storage and a double locked narcotic storage room area located adjacent to the nursing station or under the visual control of the nursing station staff. The sink shall be trimmed with valves that can be operated without hands. If the sink is equipped with blade handles, the blade handles shall not be less than four and one half inches in length. The handwashing sink water spout shall be mounted so that its discharge point is a minimum of five inches above the rim of the sink;

(2) a clean utility room with a counter, sink with four inch handles, wall and under counter sink, and storage. The sink shall be trimmed with valves that can be operated without hands. If the sink is equipped with blade handles, the blade handles shall not be less than four and one half inches in length. The handwashing sink water spout shall be mounted so that its discharge point is a minimum of five inches above the rim of the sink;

(3) a soiled utility room with a counter, sink with four inch handles, wall and under counter storage, a flush rim clinical sink or water closet with a device for cleaning bedpans; and a means for washing and sanitizing bedpans and other utensils, sink, and storage. The sink shall be trimmed with valves that can be operated without hands. If the sink is equipped with blade handles, the blade handles shall not be less than four and one half inches in length; The soiled utility room shall be equipped for the cleaning and sanitizing of bedpans as required by Rule 15A NCAC 18A .1312 Toilet: Handwashing: Laundry: And Bathing Facilities.

(4) a nurses' toilet and locker space for coats, purses, and personal belongings;

~~(5) an audio visual nurse patient call system arranged to ensure that a patient's call in the facility is~~

1 ~~noted at a staffed station;~~

2 (6)(5) a soiled linen storage room. If the soiled linen storage room is combined with the soiled utility
3 room, a separate soiled linen storage room is not required;

4 (7)(6) a clean linen storage room;

5 (8)(7) a nourishment station in an area enclosed with walls and doors which contains work space,
6 cabinets and refrigerated storage, and a small stove, microwave oven or hot plate. The nourishment station
7 may be located in a resident food preparation area if all residents have access to this area between meals;
8 and

9 (9)(8) ~~one nurses' station consisting of desk space for writing, storage space for office supplies, storage~~
10 ~~space for patients' records and space for nurses' call equipment.~~ An audio-visual nurse-patient call system
11 arranged to ensure that a patient's call in the facility readily notifies and directs staff to the location where
12 the call was activated. A control point with an area for charting patient records, space for storage of
13 emergency equipment and supplies, and nurse-patient call and alarm annunciation systems; and

14 (9) a janitor's closet.

15 (m) Clean linen storage shall be provided in a separate room from bulk supplies. Clean linen for nursing units may
16 be stored in closed carts, or cabinets in the clean utility room, or in a linen closet on the unit floor.

17 ~~(n) A soiled linen room shall be provided.~~

18 ~~(o)(n) Each nursing unit shall be provided with at least one janitor's closet.~~ The kitchen area and laundry area each
19 shall have a janitor's closet. Administration, occupational and physical therapy, recreation, personal care and
20 employee facilities shall be provided janitor's closets and may share one as a group.

21 ~~(p)(o)~~ Stretcher and wheelchair storage shall be provided.

22 ~~(q)(p)~~ Bulk storage shall be provided at the rate of five square feet of floor area per licensed bed. This storage
23 space shall be either in the facility or within 500 feet of the facility on the same site. This storage space shall be in
24 addition to the other storage space required by this Paragraph.

25 ~~(r)(q)~~ Office space shall be provided for persons holding the following positions: administrator, director of nursing,
26 social services director, activities director and physical therapist. ~~There shall also be a business office.~~ Office space
27 shall also be provided for business transactions.

28 ~~(s)(r)~~ Each combination facility shall provide a minimum of one residential washer and residential dryer located to
29 be accessible by adult care home staff, residents, and family ~~unless personal laundry service is provided by the~~
30 ~~facility.~~ family.

31
32 *History Note:* Authority G.S. 131E-104;
33 Eff. January 1, 1996;
34 Amended Eff. October 1, 2008. 2008;
35 Amended Eff. July 1, 2014.