

March, 2009
DHS 83 Industry Training

Module 4
Subchapters VIII - XI

Subchapter VIII Physical Environment

- 83.43 Furnishings and Equipment
- 83.44 Housekeeping Services
- 83.45 Building Maintenance and Site
- 83.46 Building Support Systems

83.43 Furnishings and Equipment

- (1) The CBRF shall provide a living environment that is safe, clean, comfortable, and homelike.
- (2) ...the CBRF provide:
 - (c) clean comfortable pillow, bedspread and blankets adequate for the season
 - (d) clean sheets, pillowcases, towels and washcloths to meet the needs of the resident

83.44 Housekeeping Services

- (1) Laundry
 - (a) CBRF shall make an adequate number of laundry appliances available. The CBRF shall have an area to sort, process and store clean and soiled laundry.
 - (c) The dryer vent tubing shall be rigid material.
- (2) Cleanliness
 - (a) The CBRF shall keep all rooms clean and make reasonable attempts to keep all rooms free from odors.

83.45 Building Maintenance & Site

- (3) The CBRF shall ensure cleaning compounds.....are labeled and stored in a secure area.

83.46 Building Support Systems

- (1) A CBRF shall maintain comfortable and safe temperatures. The CBRF shall provide tempered air to eliminate cold air drafts.

- (4)(c)2. Ground fault interrupt protection shall be required for all outlets within 6 feet of a plumbing fixture.

SUBCHAPTER IX - SAFETY

- 83.47 – Fire Safety Requirements
- 83.48 – Fire Protection Systems
- 83.49 – Alternative Requirements to a Sprinkler System in a Small Class C CBRF
- 83.50 – Minimum Type of Construction
- 83.51 – Area of Refuge

83.47 Fire Safety Requirements

- (2) EMERGENCY AND DISASTER PLAN.
 - (a) *Written plan.* The CBRF shall have a written plan for responding to emergencies and disasters that is readily available to all employees. The plan shall specify the responsibilities of employees. The plan shall include all of the following:
 - 1. Procedures for orderly evacuation or other department-approved response during an emergency or disaster. The plan shall include procedures for any resident who refuses to follow evacuation or emergency procedures.
 - 3. Procedures to follow when a resident is missing.

83.47 Fire Safety Requirements

- (2)(d) *Fire drills.*
 - 1. Fire evacuation drills shall be conducted at least quarterly with both employees and residents. Drills shall be limited to the employees scheduled to work at that time. Documentation shall include the date and time of the drill and the CBRF's total evacuation time. The CBRF shall record residents having an evacuation time greater than the time allowed under s. HFS 83.35(5) and the type of assistance needed for evacuation. Fire evacuation drills may be announced in advance.
- (2)(e) *Other evacuation drills.* Tornado, flooding, or other emergency or disaster evacuation drills shall be conducted at least semi-annually.

83.47 Fire Safety Requirements

- (2)(f) *Horizontal evacuation.* The CBRF shall have approval from the department before including horizontal evacuation in the emergency and disaster plan. CBRFs using horizontal evacuation shall document the total evacuation time of the fire zone evacuated.
- (2)(h) *Posting of emergency phone numbers.* The phone numbers for emergency services shall be posted near phones used by CBRF employees.
- (3) FIRE INSPECTION The CBRF shall arrange for an annual inspection by the local fire authority or certified fire inspector and shall retain fire inspection reports for 2 years.

83.48 Fire Protection Systems

- (1) INTERCONNECTED SMOKE AND HEAT DETECTION SYSTEM
 - (b) Smoke and heat detectors shall be installed and maintained in accordance with NFPA 72 National Fire Alarm Code and the manufacturer's recommendation. Smoke detectors powered by the CBRF's electrical system shall be tested by CBRF personnel according to manufacturer's recommendation, but not less than once every other month. CBRFs shall maintain documentation of tests and maintenance of the detection system.

83.48 Fire Protection Systems

- (3) TESTING
 - (a) After the first year following installation, fire detection systems shall be inspected, cleaned and tested annually by certified or trained and qualified personnel in accordance with the specifications in NFPA 72 and the manufacturer's specifications and procedures.
 - (b) Sensitivity testing shall be performed at intervals in accordance with NFPA 72.

83.48 Fire Protection Systems

- (4) LOCATION Pursuant to s. 50.035(2)(b), Stats., all facilities shall have at least one smoke detector located at each of the following locations:
 - (f) In all non-resident living areas, except the furnace, bathroom, kitchen and laundry room.
- (8) SPRINKLER SYSTEMS
 - (b) *Installation and maintenance.*
 - 1. All sprinkler systems shall be installed by a state licensed sprinkler contractor. All sprinkler systems shall be maintained, inspected and tested at least annually or at intervals determined by the requirements in NFPA 25.
 - 2. In facilities with sprinklers, sprinkler heads shall be placed at the top of each linen or trash chute and in the rooms where the chutes terminates.

83.48 Fire Protection Systems

- (8)(c) *Reliable water supply.* All sprinkler systems shall have a reliable water supply. If the sprinkler system requires a mechanical device such as a compressor, pump or motor, the device shall be supplied by a reliable source of emergency power in accordance with NFPA 20.

83.49 Alternative Requirements to a Sprinkler System in a Small Class C CBRF

- (1) 5-YEAR DELAY Existing small class CA, small class CS and small class CNA CBRFs using the exemption under sub. (2) shall have a complete sprinkler system as required under s. DHS 83.48(8) within 5 years of April 1, 2009.

83.50 Minimum Type of Construction

- (2) Minimum type of construction for each class of licensure.
 - (a) CBRFs shall meet the construction requirements of Table 83.50
 - 1. Construction Type IB means fire-resistive construction consisting of exterior walls of concrete or masonry, floors and roof of fireproofed steel or concrete and interior partitions of concrete block or steel studs.
 - 2. Construction Type IIA means metal frame protected construction consisting of structural parts and enclosing walls of masonry in combination with other noncombustible material.
 - 3. Construction Type VB means wood frame unprotected construction consisting of exterior walls of wood studs covered with metal or wood siding, brick, stone, slate, wood floors and roof, and interior partitions of wood stud and plaster or drywall.

SUBCHAPTER X – BUILDING DESIGN

- 83.52 – Common Dining and Living Space
- 83.53 – Storage Areas
- 83.54 – Resident Bedrooms
- 83.55 – Bath and Toilet Areas
- 83.56 – Day Care
- 83.57 – Multiple Occupancies
- 83.58 – Garages and Utility Buildings
- 83.59 – Exits and Passageways
- 83.60 – Windows
- 83.61 – Interior Surfaces

83.52 Common Dining & Living Space

- (1) SPACE PER RESIDENT
 - (a) The minimum common dining and living space shall be 60 square feet per ambulatory or semi-ambulatory resident or other occupant, and 90 square feet per non-ambulatory resident or other occupant.
 - (c) Egress paths through common-use areas may not be counted in the common space calculation.
 - (d) Common dining space shall be large enough to accommodate all residents in no more than 2 shifts.

83.54 Resident Bedrooms

□ (1) DESIGN

- (a) Bedrooms shall be designed and equipped to allow residents to achieve the highest level of independent functioning and shall be fully accessible to the resident.
- (c) Bedrooms shall open directly into a corridor, the resident's private living area or common living space.
- (d) Each resident shall have or be provided within the bedroom, a closet or wardrobe with clothes hanging rods and shelves, and drawer space adequate to reasonably meet the needs of the resident. The bedroom shall have adequate accessible space for a resident's wheelchair or other adaptive or prosthetic equipment.

83.54 Resident Bedrooms

■ (3) CAPACITY

- (a) Resident bedrooms shall accommodate no more than 2 residents per room.
- (b) Facilities exclusively serving residents in the custody of a government correctional agency or who is alcohol or drug dependent may accommodate up to 3 residents per room if the facility was licensed before April 1, 2009.

- (5) BASEMENT BEDROOMS Basement bedrooms shall have at least 2 means of exiting that provide unobstructed egress to the outside or grade level. Windows in the basement shall not be considered exits.

83.55 Bath and Toilet Areas

□ (1) NUMBER

- (a) The CBRF shall provide at least one toilet, one sink and one bath or shower for every 10 residents and other occupants or fraction thereof.
- (b) Grab bars shall be provided at toilet and bath fixtures as necessary to meet the needs of the residents. Grab bars shall meet requirements as specified in s. Comm 61.

83.55 Bath and Toilet Areas

- (3) **HAND DRYING** All sink areas shall have dispensers for single use paper towels, cloth towel dispensing units that are enclosed for protection against being soiled or electric hand dryers. This requirement does not apply to sink areas located in toilet rooms accessed directly from a resident bedroom.
- (4) **PRIVACY**
 - (b) All toilet and bathing areas shall have floor to ceiling walls and door assembly.

83.55 Bath and Toilet Areas

- (6) **WATER SUPPLY**
 - (b) The CBRF shall set the temperature of all water heaters connected to sinks, showers and tubs used by residents at a temperature of at least 140°F. The temperature of water at fixtures used by residents shall be automatically regulated by valves and may not exceed 115°F.

83.57 Multiple Occupancies

- (1) **PHYSICAL SEPARATION**
 - (c) A small CBRF located in one living unit of a duplex shall be a distinct living area and shall be separated between the 2 occupancies by at least a one hour fire rated construction.
 - (d) If a common lobby and access area of a multiple occupancy building is not provided, the CBRF shall have separate entrance and exit doors.

83.59 Exits & Passageways

In this section, "exit" means standard exit doors opening to passageways or grade, exit passageways, fire escapes, and stairways as specified in s. Comm 61.

- (1) EXITS All habitable floors shall have at least 2 exits providing unobstructed travel to the outside. Small class AA CBRFs licensed on or before April 1, 2009, with no more than 2 habitable floors may have one exit from the second floor.

83.59 Exits & Passageways

- (1)(d) Exit passageways, stairways and doors in class AA facilities shall be at least 30 inches clear opening in width. Class AA facilities licensed on or before April 1, 2009 shall have a minimum width of 28 inches clear opening for existing passageways, stairways and doors.
- (1)(f) Exit passageways and stairways to outside exits shall be at least 36 inches in width and maintained clear and unobstructed at all times. Exit passageways and stairways to outside exits shall be at least 32 inches in width in facilities licensed on or before April 1, 2009. In existing large facilities, the minimum corridor width shall be at least 4 feet.

83.59 Exits & Passageways

- (1)(g) Exits, sidewalks and driveways used for exiting shall be kept free of ice, snow, and obstructions. For facilities serving only ambulatory residents, the CBRF shall maintain a cleared pathway from all exterior doors to be used in an emergency to a public way or safe distance away from the building. For facilities serving semi-ambulatory and non-ambulatory residents, a CBRF shall maintain a cleared, hard surface, barrier-free walkway to a public way or safe distance away from the building for at least 2 primary exits from the building. All other required exits shall have at least a cleared pathway maintained to a public way or safe distance from the building. An exit door or walkway to a cleared driveway leading away from the CBRF also meets this requirement.
- (1)(h) The exit path from the CBRF through the garage to the outside shall be clear, safe and unobstructed.

83.59 Exits & Passageways

□ (2) DOORS

- (b) A solid core wood door or an equivalent fire resistive door shall be provided at any interior stair between the basement and the first floor. The door shall have a positive latch and an automatic closing device and normally shall be kept closed. Enclosed furnace and laundry areas with self-closing doors in a split level home may substitute for the self-closing door between the first and second levels. Enclosed furnace and laundry areas shall have self-closing solid core wood doors or an equivalent fire resistive door when located on a common level with resident bedrooms.
- (e) Toilet room doors shall not swing into a toilet room unless equipped with 2-way hardware.

83.59 Exits & Passageways

- (4) DELAYED EGRESS Delayed egress door locks are permitted with department approval

83.59 Exits & Passageways

□ (5) STAIRS AND SHAFTS

- (a) All required interior and exterior exit stairways shall be in compliance with s. Comm 61. For small CBRFs, all required interior and exterior exit stairways shall be in compliance with the Uniform Dwelling Code.
- (b) One or more handrails shall be provided on all stairways in accordance with s. Comm 61. For small CBRFs, handrails shall be in compliance with s. Comm 21.04.

83.59 Exits & Passageways

- (6) RAMP REQUIREMENTS
 - (a) *Slope.* In existing buildings, all exterior ramps shall have a slope of not more than one foot of rise in 12 feet of run. In existing buildings, an existing interior ramp with a slope of one foot of rise in 8 feet may be retained to overcome a total height not greater than 2 feet when the floor area does not permit a 1:12 ramp. The ramps shall have a slip-resistant surface and shall have no side slope.
- (7) EMERGENCY LIGHTING
 - (a) All exit passageways and stairways shall be provided with emergency egress lighting with a stand-by power source.
 - (b) All required exit signs shall be lighted at all times.

83.60 Windows

- (3) WINDOW COVERINGS Every habitable room shall have shades, drapes or other covering material or device that affords privacy and light control.

83.61 Interior Surfaces

- (2) CARPET
 - (a) Except in a sprinklered CBRF, all newly installed carpeting shall have a minimum Class rating under the tunnel test with a flame-spread rating of 75 or less when tested in accordance with NFPA 255, or a Class II rating under the radiant panel flux test NFPA 253 with a flame-spread rating of 0.22 watts per square centimeter or greater when tested in accordance with s. Comm 61 or the manufacturer for each specific product.
- (3) POLYURETHANE AND POLYSTYRENE SURFACES Exposed polyurethane and polystyrene surfaces are prohibited, except varnished woodwork.

SUBCHAPTER XI – REQUIREMENTS FOR NEW CONSTRUCTION, REMODELING, ADDITIONS, OR NEWLY-LICENSED EXISTING STRUCTURES

- 83.62 – Codes
- 83.63 – Plan Review
- 83.64 – Building Standards

83.62 Codes

- (1) The following codes and standards are adopted as part of these rules and incorporated by reference:
 - (a) Wisconsin Commercial Building Code, chs. Comm 61 to 66, current edition.
 - (b) NFPA 72, National Fire Alarm Code, 2002 edition.
 - (c) NFPA 13, Standard for the Installation of Sprinkler Systems, 2002 edition.
 - (d) NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, 2002 edition.
 - (e) NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2002 edition.

83.63 Plan Review

- (2) DEPARTMENT PLAN REVIEW AND APPROVAL
 - (b) *Existing buildings.* Existing buildings applying for CBRF licensure after April 1, 2009 shall submit plans for department review for compliance with this subsection.
 - (c) *Plan submission.* At least 2 sets of working drawings and specifications shall be submitted to the department. The drawings shall be scaled and to dimension. The review process begins after the department receives all required documents and fees.

83.63 Plan Review

- (3) REQUIREMENTS FOR SUBMISSION
 - (a) *Specifications.* The working drawing and specifications shall meet the requirements of the department of commerce.
 - (b) *Stamped and sealed.* The drawings shall be stamped and sealed according to s. Comm 61.31.
 - (c) *Changes.* Any changes in the approved plans affecting the application of the requirements of this subchapter shall be submitted to the department before beginning the work. The changes shall be made on the previously approved drawings.
 - (d) *Construction.* If construction above the foundation level is not initiated within one year from the date of the department's approval, the approval shall be void and plans, specifications, and fees shall be resubmitted to the department for approval.

83.63 Plan Review

- (4) FEES FOR PLAN REVIEW.
 - (a) *Fees.* The fees established in this subsection shall be paid to the department for providing the plan review under sub. (2). The department may withhold plan review for those parties who have past due accounts with the department. The department shall charge a CBRF a fee in accordance with the following schedule:
 - 1. For projects with an estimated dollar value of less than \$2,000, a fee of \$100.
 - 2. For projects with an estimated dollar value of at least \$2,000 but less than \$25,000, a fee of \$300.

83.63 Plan Review

- (4)(b) *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 by the department of the plans.
- (4)(c) *Fee for plan revision.* The fee for revision of previously approved plans shall be \$100. This fee applies to plans that are revised for reasons other than those requested by the department. There is no fee for revisions requested by the department as a condition of original plan approval.
- (4)(d) *Payment of fees.* Fees shall be remitted at the time the plans are submitted to the department. No plan examinations, approvals or inspections may be made by the department until fees are received.

83.63 Plan Review

- (5) NEW AND EXISTING BUILDINGS
 - (a) *New construction and additions.* New construction and any additions to CBRFs after April 1, 2009, shall meet the requirements of this subchapter.
 - (b) *Existing facilities.* Any remodeling of or change in licensure class of CBRFs licensed before April 1, 2009, shall meet the requirements of this subchapter. For purposes of this subsection, if a remodeled area in any existing building, wing, or floor exceeds 50% of the total square footage of the building, wing, or floor, then the entire building, wing or floor shall be brought into compliance with the rules governing new construction which are in effect at the time of the plan submittal to the department.
 - (c) *Newly licensed existing structures.* Any existing building, or any portion thereof, seeking licensure as a CBRF after April 1, 2009, shall meet the requirements of this subchapter.

83.64 Building Standards

- (1) Building systems shall be installed according to all referenced standards. Systems include heating, ventilation and air conditioning, plumbing, electrical, and fire protection.

83.64 Building Standards

- (2) Interconnected detection systems in small facilities shall at minimum meet the provisions of NFPA 72, Chapter 11. Initial testing shall meet NFPA 72, Chapter 10.
- (3) Facilities with a licensed capacity of 9 or more residents shall incorporate the interconnected detection system into a building fire alarm system complete with manual pull stations, horns and strobes, and a control panel with battery back-up which will activate a building-wide alarm if any initiating device is automatically or manually activated, including activation of the sprinkler system.

83.64 Building Standards

- (4) CBRFs of the following size and class shall be provided with automatic sprinkler systems in accordance with the chart and with the requirements under DHS 83.48(8)(a).

Facility Class and Size	Sprinkler System Requirement
CBRF Large A' - class (21 or more)	NFPA 13 R or NFPA 13
CBRF Medium A' - class (9-20)	NFPA 13 R or NFPA 13
CBRF Small A' - class (5-8)	Not Required
CBRF Large C' - class (21 or more)	NFPA 13
CBRF Medium C' - class (9-20)	NFPA 13 D or NFPA 13
CBRF Small C' - class (5-8)	NFPA 13 D or NFPA 13 R

83.64 Building Standards

- (5) All CBRF with a license capacity of 9 or more residents shall have smoke compartments formed by smoke barriers in accordance with s. Comm 61.
- (6) Small class AA facilities shall have at least 2 primary exits that are doors from each floor that provide unobstructed travel to grade level.
- (7) All entrance and exit doors and interior doors serving all common living areas and all bathrooms and bedrooms in small CBRFs shall have a clear-width opening of at least 32 inches.
- (8) All interior and exterior ramps shall have a slope of not more than one foot of rise in 12 feet of run.

Contact Information

For questions, you may contact the regional director using the following link:

[http://dhs.wisconsin.gov/rl_dsl/Contacts/ALSreglm
ap.htm](http://dhs.wisconsin.gov/rl_dsl/Contacts/ALSreglm
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