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DQA Memo 10-017

To: Community Based Residential Facilities

CBRF 09

From: Kevin Coughlin, Director
Bureau of Assisted Living

Via: Otis Woods, Administrator
Division of Quality Assurance

Construction Requirements for New "Class-C" CBRF Structures

As a result of the revised Wisconsin Administrative Code, Chapter DHS 83, effective April 1, 2009, this memorandum is being issued to provide updated information to Division of Quality Assurance (DQA) memorandum DSL-BQA-04-016, issued July 21, 2004, concerning the Department's position regarding the physical plant requirements for *new* Community Based Residential Facility (CBRF) licensure, as these requirements relate to the Wisconsin Commercial Building Code (WCBC).

The WCBC adopts and modifies the International Building Code (IBC). Chapter 3 of the IBC controls the classification of commercial buildings in relation to use and occupancy. Depending on the number of people being cared for, and the extent of their physical condition, CBRFs will typically be classified as I-1, I-2, R-3 or R-4 under the WCBC.

Note: Small CBRFs serving 5 to 8 persons can be constructed to the Uniform Dwelling Code standards in Wisconsin Administrative Code, Chapters Comm 20 to 25.

Regarding the I-1 group, Section 308.2 of the WCBC states, "The occupants **are** capable of responding to an emergency situation without physical assistance from staff." Under Wisconsin Administrative Code, § DHS 83.04, a "Class-C" CBRF may admit residents who are **not** mentally or physically **capable** of responding to an electronic fire alarm and exiting the facility without help or verbal or physical prompting. Thus, the I-1 group's standard is inconsistent with the requirements of § DHS 83.04, Wis. Admin. Code. However, the I-2 group, Section 308.3 of the WCBC states the occupants "are not capable of self-preservation." This is consistent with § DHS 83.04.

For the above reasons, Class-C CBRFs of nine (9) or more beds, i.e., commercial size, seeking licensure *in a new structure* will be reviewed by DQA under the I-2 group and must be constructed as an IBC Group I-2.

If you have any questions concerning this memorandum, please contact the Assisted Living Regional Director for your county.

http://dhs.wisconsin.gov/rl_DSL/Contacts/alsreglmap.htm

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