

CBRF (9 or More Bed) Toilet & Bathing Requirements

Division of Quality Assurance
P-03825 (10/2026)

Community-Based Residential Facilities (CBRF) are licensed according to Wis. Admin. Code ch. DHS 83 and to the Wisconsin Commercial Building Code (WCBC) Wis. Admin. Code chs. SPS 361-366. The WCBC, through the Department of Safety and Professional Services (DSPS), adopted and modified the 2021 edition of the International Building Code (IBC) which took effect in 2025. The WCBC adopts by reference the commercial building accessibility code: American National Standards Institute (ANSI/ICC) A117.1-2017 Accessible and Usable Buildings and Facilities, which includes details for the various types of units: Accessible § 1102, Type A § 1103, and Type B § 1104. Scoping requirements (minimum number and type) are provided in both: DHS § 83.55 (100% of residents have access to an accessible facility at a minimum of 1 bathroom per 10 residents); and the WCBC based on number of residents, license type, and occupancy classification. See the table below for WCBC scoping requirements:

Number of residents	License type	Occupancy	Scoping requirement
9 or more	CA / CS / CNA	I-2 condition 1	§ 1108.5.2
9 - 16	AA	R-4 condition 1	§ 1108.6.4
9 - 16	AS / ANA	R-4 condition 2	§ 1108.6.4
17 or more	AA	I-1 condition 1	§ 1108.5.1.1
17 or more	AS / ANA	I-1 condition 2	§ 1108.5.1.2

Question: Newly licensed CBRFs (9 or more beds) fall under the scope of the WCBC per SPS § 361.02 and SPS § 362.0400 (4). Newly licensed CBRF's classified as CNA (9 or more beds) are a Group I-2 occupancy per DHS § 83.04 and IBC § 308.4. What level of toilet & bathing (bathroom) accessibility can be minimally required for CBRFs class CNA (9 or more beds) of a Group I-2 occupancy classification?

Answer: All CBRFs (9 or more beds) shall comply with DHS 83 and the WCBC. Toilet and bathing (bathroom) accessibility will be demonstrated by an example: Newly licensed 40 Bed CBRF class CNA Group I-2. **Option 1:** If all resident sleeping units contain a private bathroom, and no additional Accessible resident use bathrooms are available via an Accessible public corridor, then all of the private resident sleeping unit bathrooms are required to be Accessible Units (100%). **Option 2:** If 20 of the private resident sleeping unit bathrooms are Accessible Units (50%), then two (one per each group of ten remaining residents who require access) Accessible resident use bathrooms are required to be equally dispersed via Accessible public corridors and available to the remaining Type B sleeping units (50%) residents. **Option 3:** Arrangements between Option 1 and Option 2 are permitted.

Wisconsin Administrative Code References:

- **DHS § 83.32 Rights of residents. (1)(b)** The licensee shall protect the civil rights of residents as these rights are defined in the U.S. Constitution, the Wisconsin Constitution, the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Section 504 of the Rehabilitation Act of 1973, the Fair Housing Amendments Act of 1988, the Americans with Disabilities Act of 1990, and all other applicable federal and state statutes.
- **DHS § 83.04 Licensing categories.** The department shall license each CBRF as follows: (1) SIZE. (a) A CBRF for 5 to 8 residents is a small CBRF. (b) A CBRF for 9 to 20 residents is a medium CBRF. (c) A CBRF for 21 or more residents is a large CBRF.
- **DHS § 83.04 Licensing categories. (2) CLASSIFICATION. (f) Class C non-ambulatory (CNA).** A class C non-ambulatory CBRF serves residents who are ambulatory, semi-ambulatory or non-ambulatory, but one or more of whom are not physically or mentally capable of responding to a fire alarm by exiting the CBRF without help or verbal or physical prompting.
- **DHS § 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.
- **DHS § 83.55 Bath and toilet areas. (2) LOCATION.** Toilet rooms and bathing areas shall be accessible and available to residents on each floor in class AS, class ANA, class CS, and class CNA facilities.
- **DHS § 83.59 (2) DOORS** (d) Levered handles shall be provided on all doors used by residents with manual strength or dexterity limitations.

Disclaimer: This publication does not address all accessibility or access related physical environment provision's a CBRF and/or its' intended resident population may require. This publication does not constitute a guarantee that the minimum code requirements outlined within will provide a fully accessible environment for the lifetime of the facility. Residents age-in-place and it's the CBRF administration responsibility to annually access each individual service plan for changes in a resident's needs, abilities, physical or mental condition ref. DHS § 83.35 (3) (d).

Questions: If you have questions, please contact the Division of Quality Assurance Life Safety Fire Authority at David.Soens@wisconsin.gov, or the OPRI Construction Supervisor at Holly.Kitchell@wisconsin.gov.