Opening and Operating a Community Based Residential Facility (Part 2)

DHS 83.37 – Medications

For information and resources related to medication administration, please visit the Medication Management Initiative website at:
http://dhs.wisconsin.gov/rl_dsl/Med/Management/asstlvgMMI.htm

• Written practitioner’s order required for prescription medications, over-the-counter (OTC) medications or dietary supplements
• Prescription medications must be supplied by a licensed pharmacy or a physician and must be labeled
• OTC medications must be in the original container and labeled with the resident’s name
• The CBRF must have a medication packaging system policy
• A current list of medications and supplements must be maintained in the resident’s record
• A physician, pharmacist or RN must conduct an on-site review of the medication administration and medication storage system annually

DHS 83.37 – Medications (continued)

• All practitioners must be provided with a list of the resident’s medications
• Changed or discontinued medication may not be retained for more than 30 days unless ordered by a physician
• There must be a written policy for disposing of medications
• Residents receiving scheduled psychotropic meds shall be assessed at least quarterly
• Staff must be aware of the benefits and side effects of medications
• If PRN psychotropic medications are prescribed:
  – ISP must include the rationale for use and description of behaviors
  – Use must be monitored monthly
  – Documentation of PRN administration must be maintained
• Proof-of-use record for Schedule II drugs must be maintained and audited daily
• Medication errors, adverse drug reactions or resident refusals must be documented and reported to the practitioner as appropriate

• Competent residents should be encouraged to self-administer medications and have control of their medications
• If medication administration is supervised by an RN, the RN must participate in the assessment and development and review of the ISP
• If medication administration is not supervised by an RN, medications must be packaged in unit dose
• All medications and treatments administered must be documented
• Injectables, nebulizers, stomal and enteral medications and medications, treatments or preparations delivered vaginally or rectally must be administered by an RN, LPN or as a delegated act under N6.03(3)

• Medications must be kept in original containers
• Medications cannot be transferred to another container except by a practitioner, RN, pharmacist or delegated personnel
• Medication cabinets must be kept locked
• Medications stored in a common refrigerator must be in a locked box and labeled
• Medications may not be stored next to chemicals
• Internal and external medications must be separated
• Schedule II drugs must be separately locked within the locked medication area

REMINDER: For additional information and resources related to medication administration, go to the Medication Management Initiative website:

http://dhs.wisconsin.gov/vrl_dsl/MedManagement/asstlvgMMI.htm
DHS 83.38 – Program Services

- The facility must provide or arrange for services to meet resident needs in the following areas:
  - Personal Care
  - Supervision
  - Leisure Time Activities
  - Community Activities
  - Family and Social Contacts
  - Communication Skills
  - Health Monitoring
  - Medication Administration
  - Behavior Management
  - Information and Referral
  - Transportation

DHS 83.38 – Program Services (continued)

- Resident’s food and fluid intake must be noted and deviations reported to the physician
- Communication with the physician and any changes in the resident’s health or mental status must be documented
- A CBRF may provide more than 3 hours of nursing care per week to a resident with a terminal illness if:
  - The resident’s primary care provider is a licensed hospice or home health agency
  - The primary care provider and the CBRF shall develop a written, coordinated plan of care before the initiation of palliative or supportive care

DHS 83.39 – Infection Control Program

- An infection control program must be developed
- Employees must follow accepted hand washing procedures
- Pets must be vaccinated against diseases, including rabies

DHS 83.40 – Oxygen Storage

- Oxygen must be stored in a well ventilated area, secured in an upright position or stored horizontally on a level surface
DHS 83.41 – Food Service

• An adequate food supply must be maintained
• Foods must be obtained from an acceptable food source
• Equipment must be clean and in good repair
• All equipment, dishes and utensils must be cleaned using separate steps for pre-washing, washing, rinsing and sanitizing
• A 3-compartment sink for washing, rinsing and sanitizing utensils is required for all large facilities

DHS 83.41(2) – Nutrition

• Special diets must be served as prescribed by the physician
• 3 meals must be provided
• Nutritious snacks must be offered
• Weekly menus must be available and any deviations from the planned menu must be documented

DHS 83.41(3) – Food Service
Sanitation

• Employees must maintain clean and safe work habits
• Hand-washing facilities must be provided and the use of a common towel is prohibited
• Food must be stored, prepared, and served under sanitary conditions
  – Hot food held at above 140 degrees F. or above and cold food held at or below 40 degrees F.
• Suspected incidents of food-borne illness must be reported to the county public health office
DHS 83.42 – Resident Records

- Records must be maintained for each resident and safeguarded against destruction and unauthorized access
- The staff person in charge must have access to resident records

DHS 83.43 – Furnishings and Equipment

- The environment must be safe, clean, comfortable, and homelike
- Dining and living areas must contain appropriate furnishings
- The CBRF must provide a bed, mattress, mattress pad, a pillow, bedspread and blankets, sheets, pillowcases, towels and washcloths

DHS 83.44 – Housekeeping Services

- Laundry appliances must be available to residents
- Clean and dirty laundry must be stored separately
- Clothes dryers having a rated capacity of more than 37,000 BTU/hour must be enclosed in a one-hour fire resistive rated enclosure
- Dryer vent tubing must be rigid metal
- Rooms must be kept clean and free from odors
- Toilet and bathing areas must be clean and in good working order
- Floors, walls and ceilings must be clean and in good repair
DHS 83.45 – Building and Site Maintenance
- The building, yard, fences, sidewalks, driveways and parking areas must be in good repair.
- All building systems must be maintained in a safe and functioning condition.
- Furnishings must be kept clean, safe, and in good repair.
- Storage areas must be safe, dry and orderly.
- Toxic substances must be labeled and stored in a secure area.
- There must be effective pest control.
- Garbage must be kept in leak-proof, non-absorbent closed containers.
- Garbage stored outside must be in enclosed, covered containers.

DHS 83.46 – Building Support Systems
- Safe and comfortable temperatures must be maintained.
- The use of portable space heaters is prohibited unless UL listed and permanently attached to a wall.
- An oil furnace must be serviced at least once a year.
- A gas furnace must be serviced once every 3 years.
- A chimney must be inspected at intervals corresponding with the heating system service.
- Wood burning stoves or fireplaces must be properly installed and maintained.
- Combustible material must not be placed within 3 feet of any furnace, boiler, water heater, fireplace or similar equipment.
- Any open flame combustible fuel-burning device must be enclosed within a one hour fire rated assembly when sharing a common floor with a habitable room.
- Carbon monoxide alarms may be required (see DQA Memo 11-003):
  http://www.dhs.wisconsin.gov/rl_DSL/Publications/11-003.htm
- All rooms and areas must be well ventilated.
- The electrical service must be of the proper size to handle the connected load.
- Ground fault interrupt protection is required for all outlets within 6 feet of plumbing fixtures, all outlets on the exterior and in the garage.
- There must be at least one ceiling or wall light fixture in each bedroom, bathroom, kitchen, dining room, laundry and furnace room.
- Adequate electrical outlets must be provided.
- Extension cords must not be used in lieu of permanent wiring.
DHS 83.47 – Fire Safety Requirements

- If any resident requires more than 2 minutes and up to 4 minutes to evacuate, with or without assistance, the following is required:
  - Vertical smoke separation between all floors
  - Rated stair enclosure as required
  - Externally monitored smoke detection system with back up battery supply, unless the CBRF is equipped with a sprinkler system

- If any resident requires 4 minutes or more to evacuate, with or without assistance, the following is required:
  - Sprinkler system
  - Vertical smoke separation between all floors
  - Rated stair enclosure as required
  - Twenty-four hour awake qualified resident care staff

- If a resident cannot be safely evacuated, the resident may remain in the bedroom if the following requirements are met:
  - Sprinkler system
  - Fire department notified of specific residents using point of rescue
  - Vertical smoke separation between all floors
  - 24 hour awake qualified resident care staff

The CBRF must have a written emergency and disaster plan
The emergency and disaster plan shall specify:
- Procedures for evacuation during an emergency or disaster
- Procedures for any resident who refuses to follow evacuation or emergency procedures
- Response to serious illness or accidents
- Procedures to follow when a resident is missing
- Response to severe weather, including tornado and flooding
- A route to dry land if located in a flood plain
- Location of emergency shelter for the residents
- A means of transporting residents to the emergency shelter
- How meals and medications will be provided to residents at the emergency shelter

An exit diagram must be posted on each floor
The diagram must identify the exit routes from the floor and a meeting place outside and away from the building
Emergency or disaster procedures must be communicated to residents within 72 hours after admission
Fire drills must be conducted quarterly with employees and residents
Documentation of drills must include the date and time of the drill and the total evacuation time
At least one fire drill must be held annually that simulates the conditions during usual sleeping hours
Tornado, flooding or other emergency evacuation drills must be conducted at least semi-annually
DHS 83.47 – Fire Safety Requirements (continued)

- Emergency phone numbers must be posted near phones
- The CBRF must arrange for an annual inspection by the local fire authority or certified fire inspector
- Fire extinguishers must be provided on each floor, at the head of each stairway, and in or near the kitchen
- Fire extinguishers must be clearly visible and properly mounted or in an unlocked cabinet
- Route to the fire extinguisher must be unobstructed at all times
- Fire extinguishers must be inspected annually
- The CBRF must have a written policy on smoking

http://www.dhs.wisconsin.gov/rl_DSH/Publications/10-016.htm

DHS 83.48 – Fire Protection Systems

- The CBRF must have an interconnected smoke and heat detection system
- Smoke and heat detectors must be properly installed and maintained
- Smoke detectors must be tested according to manufacturer’s recommendation, but not less than once every other month
- Documentation of tests and maintenance must be maintained
- A CBRF must receive plan approval from the department before installing a smoke and heat detection system

DHS 83.48 – Fire Protection Systems (continued)

- Fire detection systems must be inspected, cleaned and tested annually by qualified personnel in accordance with NFPA 72
- Sensitivity testing shall be performed at intervals in accordance with NFPA 72
- Audio, visual or vibrating alarms must be provided if any resident has impaired hearing or vision
A CBRF must have a sprinkler system if required under DHS 83.47 or DHS 83.50.
All Class C facilities must have a sprinkler system.
If any resident has an evacuation time exceeding 4 minutes, the CBRF must have a sprinkler system.

DHS 83.48 – Fire Protection Systems
(continued)

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

- All existing small Class C CBRFs must have a complete sprinkler system installed by 4/1/2014.
- Until the small Class C CBRF has installed a sprinkler system, the following requirements must be met:
  - No more than 4 Class C residents
  - Any resident who is blind or not fully ambulatory must reside on the first floor
  - The CBRF cannot be located in a building with more than 2 living units or more than 2 stories
  - The smoke and heat detection system must have backup battery power and be externally monitored
  - There must be smoke separation between each floor
  - Horizontal evacuation, use of area of refuge or point of rescue is prohibited
  - No resident may exceed a 2 minute evacuation time

DHS 83.50 – Minimum Type of Construction

The number of habitable floors in a CBRF determines the type of construction for each class of licensure, and when an automatic sprinkler system may substitute for the required type of construction.
DHS 83.52 – Common Dining and Living Space

- The minimum common dining and living space is 60 square feet per ambulatory or semi-ambulatory resident and 90 square feet per non-ambulatory resident
- Common dining and living space must be internally accessible
- There must be adequate space and equipment to meet the needs of the residents for social and recreational activities

DHS 83.54 – Resident Bedrooms

- Bedrooms must be fully accessible to the resident
- Bedrooms must have floor to ceiling walls with rigid construction swing-type doors
- Bedrooms must open directly into a corridor, the resident’s private living area or common living space
- Each bedroom must contain:
  - A closet or wardrobe
  - Adequate drawer space
  - Adequate space for storage of a resident’s wheelchair or other adaptive or prosthetic equipment
- Bedrooms must be located near toilet and bathing facilities and provide internal access to dining and living areas

DHS 83.54 – Resident Bedrooms (continued)

- No more than 2 residents per bedroom
- Single occupancy bedrooms must have a minimum of 100 square feet per resident and 80 square feet per resident in multiple occupancy bedrooms
- Minimum square footage must be calculated exclusive of toilet rooms and closets
- If a bedroom is located in a basement, there must be 2 means of exit from the basement
- Windows in the basement are not considered exits
DHS 83.55 – Bath and Toilet Areas

- Grab bars must be provided at toilet and bath fixtures as necessary
- Dispensers for single use paper towels, cloth towel dispensing units that are enclosed or electric hand dryers must be provided
- Bath and toilet rooms must have door locks to ensure privacy
- The temperature of water heaters must be at least 140 °F.
- The temperature of water at fixtures used by residents must be automatically regulated by valves and not exceed 115 °F.

DHS 83.57 – Multiple Occupancies

- If a CBRF is located in the same building as a nursing home, hospital, residential care apartment complex or other residential occupancy, the requirements of DHS 83.57 must be met
- A small CBRF located in a duplex must be a distinct living area, separated from the other occupancy by at least a one hour fire rated construction, and the entire building must be equipped with an interconnected smoke and heat detection system and sprinkler system
- The CBRF must have separate entrance and exit doors

DHS 83.58 – Garages and Utility Buildings

- Walls between a CBRF and an attached garage must provide a complete separation
- A self-closing door must be provided between an attached garage and the CBRF
- A detached garage must be located at least 3 feet from the CBRF
- A utility building where fueled, motorized vehicles and equipment are stored must be located at least 3 feet from the CBRF
DHS 83.59 – Exits & Passageways

- All habitable floors must have 2 exits providing unobstructed travel to the outside.
- For Class AS, ANA, CS and CNA CBRFs, at least 2 exits must be at grade or ramped to grade.
- Exit doors and doors in exit passageways must have a clear opening of at least 32 inches.
- Exit passageways, stairways and doors in class AA facilities must be at least 30 inches clear opening in width.
- No exit may be through a resident room, bath or toilet room, closet or furnace room.
- Exit passageways and stairways to outside exits must be at least 32 inches in width in facilities licensed on or before April 1, 2009.
- Exit passageways and stairways to outside exits must be at least 36 inches in width in facilities licensed after April 1, 2009.
- Exit passageways and stairways to outside exits must be maintained clear and unobstructed at all times.

Exits, sidewalks and driveways used for exiting must be kept free of ice, snow, and obstructions.

For facilities serving only ambulatory residents, the CBRF must 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 must 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.

The exit path from the CBRF through the garage to the outside must be clear, safe and unobstructed.

DHS 83.59(2) – Doors

- Doors must be openable from the inside with a one-hand, one-motion.
- A self-closing solid core wood door must be provided at any interior stair between the basement and the first floor.
- Enclosed furnace and laundry areas must have self-closing solid core wood doors when located on a common level with resident bedrooms.
- Interior doors equipped with locks must be designed to unlock from either side.
- Levered handles must be provided on doors used by residents with manual strength or dexterity limitations.
- The staff member in charge on each work shift must have a means of opening all locks or security devices on all doors in the CBRF.
DHS 83.59(3) – Patio Doors

A patio door may be used as a supplementary exit and must comply with the following:
- The use of bolt locks is prohibited
- Door hardware on hinged patio doors must be operable from the inside with one hand and one motion
- A clear and unobstructed pathway must be maintained to a safe distance away from the building

DHS 83.59(4) – Delayed Egress

Delayed egress door locks are permitted with department approval with the following conditions:
- No more than one device can be present in a means of egress
- A sign must be posted indicating how the door may be opened
- The doors must unlock upon activation of the sprinkler system or fire detection system or loss of power
- The door locks must have the capability of being unlocked by a signal from the CBRF’s fire command center
- The lock will release in not more than 15 seconds when pressure is applied
- Release of the lock must activate an audible signal in the vicinity of the door
- Re-locking must be by manual means only

DHS 83.59(5) – Stairs and Shafts

- Handrails must be provided on the open sides of stairways and platforms
- Spiral stairs are prohibited for use as required exit stairs
- Any shaft must have a door on each level with an automatic closing device and positive latch
DHS 83.59(6) – Ramp Requirements

• All ramps must meet the specifications of DHS 83.59(6)

DHS 83.59(7) – Emergency Lighting

• All exit passageways and stairways must have emergency egress lighting with a stand-by power source
• All required exit signs must be lighted at all times

DHS 83.60 – Windows

• Every habitable room must have at least one outside window
• Windows must be openable from the inside without the use of tools or keys
• Openable windows must have screens
• Every habitable room must have shades, drapes or other covering material or device that affords privacy and light control

DHS 83.63 – Plan Review

• Plan review by the Department of Commerce is required for new construction or remodeling of CBRFs of 9 or more residents
• Plans for all new construction, additions and remodeling projects must be approved by the Department of Health Services (DHS) before beginning construction
• For existing buildings, building plans, fire alarm plans and sprinkler system plans must be submitted to DHS
• Two sets of drawings and specifications, scaled and to dimension, must be submitted to DHS
Resources

- Starting a Community Based Residential Facility (CBRF) (includes funding information): http://dhs.wisconsin.gov/rl_dsl/CFRF/CFRFinqResp.htm
- Wisconsin Assisted Living Facilities and Programs: http://dhs.wisconsin.gov/bqaconsumer/AssistedLiving/AsLivindex.htm
- DQA Memos: http://dhs.wisconsin.gov/rl_DSL/Publications/BQAnodMems.htm
- Provider Associations: http://dhs.wisconsin.gov/rl_DSL/RelatedSites/provassoc.htm
- DQA E-Mail Subscription Service: http://dhs.wisconsin.gov/rl_dsl/listserv/signup.HTM

Verification of Completion

- On the next slide is a form on which to verify that you have viewed this webcast in its entirety.
- Print the form, sign and date where indicated and submit the form with your CBRF application materials.

Thank you!