

1 10A NCAC 13K .1109 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1109 RESIDENT CARE AREAS**

4 (a) ~~Resident rooms shall meet the following requirements:~~ A facility shall meet the following requirements for resident
5 bedrooms:

- 6 (1) ~~There shall be private or semiprivate rooms;~~ private bedroom with not less than 100 square feet of
7 floor area or semi-private bedroom with not less than 80 square feet of floor area per bed shall be
8 provided;
- 9 (2) ~~Infants~~ infants and small children shall not ~~be assigned to share a room~~ bedroom with an adult
10 resident unless requested by ~~residents~~ the resident and families;
- 11 (3) ~~Each resident room~~ each bedroom shall ~~contain at least~~ be furnished with a bed, a mattress protected
12 by waterproof material, a mattress pad, a pillow, and ~~a chair;~~ one chair per resident;
- 13 (4) ~~Each resident room shall have a minimum of 48 cubic feet of closet space or wardrobe for clothing~~
14 ~~and personal belongings that provides security and privacy for each resident. Each resident room~~
15 ~~shall be equipped with a towel rack for each individual;~~ each bedroom shall be provided with one
16 closet or wardrobe per bed. Each closet or wardrobe shall have clothing storage space of not less
17 than 48 cubic feet per bed with one-half of this space for hanging clothes;
- 18 (5) ~~Each resident~~ each bedroom shall:
19 (A) be located at or above grade level;
20 (B) have provisions to ensure visual privacy for treatment or visiting; ~~[be provided with a~~
21 ~~cubicle curtain enclosing each bed to ensure visual privacy;]~~ and
22 (C) be equipped with a towel rack for each resident;
- 23 (6) ~~Artificial lighting shall be provided sufficient~~ each bedroom shall provide lighting for treatment and
24 non-treatment needs, ~~50 foot candles~~ foot-candles for ~~treatment;~~ treatment needs, and 35 foot
25 ~~candles~~ foot-candles for non-treatment ~~areas;~~ needs; and
- 26 (7) ~~A room where access is through a bathroom, kitchen or another bedroom will not be approved for a~~
27 ~~resident's bedroom.~~ no resident bedroom shall be accessed through a bathroom, kitchen, or another
28 bedroom.

29 (b) ~~Bathrooms shall meet the following requirements:~~ A facility shall meet the following requirements for bathrooms:

- 30 (1) ~~Bathroom facilities~~ bathrooms shall be ~~conveniently~~ directly accessible to ~~resident rooms.~~ each
31 resident bedroom without going through the general corridors. One bathroom may serve up to four
32 ~~residents and staff.~~ residents. ~~Minimum size of any bathroom shall be 18 square feet. The door~~
33 ~~bathroom doorway shall be at least 32 inches wide.~~ be a minimum 32-inch clear opening;
- 34 (2) ~~The~~ each bathroom shall be furnished with the following:
35 (A) a toilet with grab bars;
36 (B) ~~lavatory with four inch wrist blade controls;~~ a sink trimmed with valves that can be
37 operated without hands. If the sink is equipped with blade handles, the blade handles shall

not be less than four inches in length. If the sink faucet depends on the building electrical service for operation, the faucet must have an emergency power source or battery backup capability. If the faucet has battery operated sensors, the facility shall have a maintenance policy to keep extra rechargeable or non-rechargeable batteries on premises for the faucets;

(C) a mirror;

(D) soap, paper towel dispensers, and waste paper receptacle with a removable impervious liner; and

~~(E)~~ water closet; and

~~(F)~~~~(E)~~ a tub or shower.

(c) ~~Space shall be provided for:~~ Each facility shall provide:

(1) ~~charting, storage of supplies and personal effects of staff;~~ an area for charting;

(2) ~~the storage of resident care equipment;~~ storage provisions for personal effects of staff;

(3) ~~housekeeping equipment and cleaning supplies;~~ storage areas for supplies and resident care equipment;

(4) ~~storage of test reagents and disinfectants distinct from medication;~~ storage area(s) for housekeeping equipment and cleaning supplies;

(5) ~~locked medication storage and preparation; and~~ a medication preparation area with a counter, a sink trimmed with valves that can be operated without hands, locked medication storage, and a double locked narcotic storage area under visual control of staff. If the sink is equipped with blade handles, the blade handles shall not be less than four inches in length. If the sink faucet depends on the building electrical service for operation, the faucet must have an emergency power source or battery backup capability. If the faucet has battery operated sensors, the facility shall have a maintenance policy to keep extra rechargeable or non-rechargeable batteries on premises for the faucets;

(6) ~~drugs requiring refrigeration. They may be stored in a separate locked box in the refrigerator or in a lockable drug only refrigerator, capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C). The storage and accountability of controlled substances shall be in accordance with the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes. a lockable refrigerator for drug storage only or a separate locked box in a facility refrigerator. The refrigerator must be capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C);~~

(7) a kitchen with:

(A) a refrigerator;

(B) a cooking appliance ventilated to the outside;

(C) a 42-inch minimum double-compartment sink and domestic dishwashing machine capable of sanitizing dishes with 160 degrees F water; and

(D) storage space for non-perishables;

(8) a separate dining area measuring not less than 20 square feet per resident bed;

1 (9) a recreational and social activities area with not less than 150 square feet of floor area exclusive of
2 corridor traffic;

3 (10) a nurses' calling system shall be provided:

4 (A) in each resident bedroom for each resident bed. The call system activator shall be such that
5 they can be activated with a single action and remain on until deactivated by staff at the
6 point of origin. The call system activator shall be within reach of a resident lying on the
7 bed. In rooms containing two or more call system activators, indicating lights shall be
8 provided at each calling station;

9 (B) nurses' calling systems ~~which~~ that provide two-way voice communication shall be
10 equipped with an indicating light at each calling station ~~which~~ that lights and remains
11 lighted as long as the voice circuit is operating;

12 (C) a nurses' call emergency activator shall be ~~proved~~ provided at each residents' use toilet
13 fixture, bath, and shower. The call system activator shall be accessible to a resident lying
14 on the floor; and

15 (D) calls shall register with the floor staff and shall activate a visible signal in the corridor at
16 the resident's door. In multi-corridor units, additional visible signals shall be installed at
17 corridor intersections; and

18 (11) heating and air conditioning equipment that can maintain a temperature range between 68 degrees
19 and 80 degrees Fahrenheit, even upon loss of utility power.

20 ~~(d) Kitchen and dining areas shall have:~~

21 ~~(1) — a refrigerator;~~

22 ~~(2) — a cooking unit ventilated to the outside;~~

23 ~~(3) — a 42 inch minimum double compartment sink and domestic dishwashing machine capable of~~
24 ~~sanitizing dishes with 160 degrees F. water;~~

25 ~~(4) — dining space of 20 square feet per resident; and~~

26 ~~(5) — storage space for non-perishables.~~

27 ~~(e) Other areas shall include:~~

28 ~~(1) — a minimum of 150 square feet exclusive of corridor traffic for recreational and social activities;~~

29 ~~(2) — an audible and accessible call system furnished in each resident's room and bathroom; and~~

30 ~~(3) — heating and air cooling equipment to maintain a comfort range between 68 degrees and 80 degrees~~
31 ~~Fahrenheit.~~

32
33 History Note: Authority G.S. 131E-202;

34 Eff. June 1, 1991;

35 Amended Eff. February 1, 1995- 1995;

36 Readopted Eff. October 1, 2021.

1 10A NCAC 13K .1112 is amended with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1112 DESIGN AND CONSTRUCTION**

4 (a) ~~Hospice residences and inpatient units~~ A new facility or remodeling of an existing facility ~~must~~ shall meet the
5 requirements of the North Carolina State Building ~~Code~~ Codes, which are incorporated by reference, including all
6 subsequent amendments and editions, in effect at the time of licensure, construction, additions, ~~alterations~~ alterations,
7 or repairs. Copies of these codes may be purchased from the International Code Council online at
8 <https://shop.iccsafe.org/> at a cost of eight hundred fifty-eight dollars (\$858.00) or accessed electronically free of charge
9 at <https://codes.iccsafe.org/codes/north-carolina>. Existing licensed facilities shall meet the requirements of the North
10 Carolina State Building Codes in effect at the time of licensure, [construction] construction, or remodeling.

11 (b) Each facility shall be planned, constructed, and equipped to support the services to be offered in the facility.

12 (c) Any existing building converted to a hospice facility shall meet all requirements of a new facility.

13 (d) The sanitation, water supply, sewage disposal, and dietary facilities ~~must comply with the rules of the Commission~~
14 ~~for Public Health.~~ shall meet the requirements of 15A NCAC 18A .1300, which is incorporated by reference including
15 subsequent [amendments and editions.] amendments.

16
17 *History Note: Authority G.S. 131E-202;*

18 *Eff. June 1, 1991;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
20 *22, 2018. 2018;*

21 *Amended Eff. October 1, 2021.*

1 10A NCAC 13K .1116 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1116 APPLICATION OF PHYSICAL PLANT REQUIREMENTS**

4 The physical ~~plan~~ plant requirements for each hospice residential facility or unit shall be applied as follows:

- 5 (1) New construction shall comply with all the requirements of ~~Section .1100 of this Subchapter; this~~
6 ~~[Section;]~~ Section.
- 7 (2) ~~Existing~~ Except where otherwise specified, existing buildings shall meet the licensure and code
8 requirements in effect at the time of licensure, construction, ~~alteration~~ alteration, or ~~modification;~~
9 modification.
- 10 (3) ~~New additions, alterations, modifications, and repairs shall meet the technical requirements of~~
11 ~~Section .1100 of this Subchapter; however, where strict conformance with current requirements~~
12 ~~would be impracticable, the authority having jurisdiction may approve alternative measures where~~
13 ~~the facility can demonstrate to the Department's satisfaction that the alternative measures do not~~
14 ~~reduce the safety or operating effectiveness of the facility;~~
- 15 (4)(3) Rules contained in ~~Rule .1109 of this Section~~ are minimum requirements and are not intended to
16 prohibit buildings, ~~systems~~ systems, or operational conditions that exceed minimum ~~requirements;~~
17 requirements.
- 18 (5)(4) ~~Equivalency: Alternate methods, procedures, design criteria, and functional variations from the~~
19 ~~physical plant requirements, because of extraordinary circumstances, new programs, or unusual~~
20 ~~conditions, may be approved by the authority having jurisdiction when the facility can effectively~~
21 ~~demonstrate to the Department's satisfaction that the intent of the physical plant requirements are~~
22 ~~met and that the variation does not reduce the safety or operational effectiveness of the facility; and~~
23 The Division may grant an equivalency to allow alternate methods, procedures, design [criteria]
24 criteria, or functional variation from the requirements of this Rule and the rules contained in this
25 Section. The equivalency may be granted by the Division when a governing body submits a written
26 equivalency request to the Division that states the following:
- 27 (a) the rule citation and the rule requirement that will not be met [due to] because strict
28 conformance with current requirements would [be impractical, extraordinary
29 circumstances, new programs, or unusual conditions;] be:
- 30 (i) impractical;
- 31 (ii) unable to be met due to extraordinary circumstances;
- 32 (iii) unable to be met due to new programs; or
- 33 (iv) unable to be met due to unusual conditions;
- 34 (b) the justification for the equivalency; and
- 35 (c) how the proposed equivalency meets the intent of the corresponding rule requirement.

1 (5) In determining whether to grant an equivalency ~~request~~ request, the Division shall consider
2 whether the request will reduce the safety and operational effectiveness of the facility. The
3 governing body shall maintain a copy of the approved equivalence issued by the Division.

4 (6) Where ~~rules or codes~~ rules, codes, or standards have any conflict, the more stringent requirement
5 shall apply.

6
7 *History Note: Authority G.S. 131E-202;*
8 *Eff. February 1, ~~1996.~~ 1996;*
9 *Readopted Eff. October 1, 2021.*

1 10A NCAC 13K .1201 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2

3

SECTION .1200 - HOSPICE INPATIENT CARE

4

10A NCAC 13K .1201 REQUIREMENTS FOR HOSPICE INPATIENT UNITS

6 (a) Hospice inpatient facilities or units must shall conform to the rules outlined in ~~10A NCAC 13K~~ Sections .0100
7 through .1100 of this Subchapter and ~~those in this Section.~~ the rules of this Section.

8 (b) Hospice inpatient units located in a licensed hospital shall meet the requirements of 10A NCAC ~~13B with the~~
9 ~~exception of: 13B, which is incorporated by reference with subsequent amendments [and editions]~~ except for rules:
10 10A NCAC 13B .1912, .1919, 1922, .1922, and .1923.

11 (c) Hospice inpatient units located in a licensed nursing facility shall meet the requirements of 10A NCAC ~~13D with~~
12 ~~the exception of: 10A NCAC 13D .0507, .0600, .0800, .0907, .1004, .1200 and .1300.~~ 13D, which is incorporated by
13 reference with subsequent [amendments and editions.] amendments.

14

15 *History Note: Authority G.S. 131E-202;*

16 *Eff. June 1, 1991. 1991;*

17 *Readopted Eff. October 1, 2021.*

1 10A NCAC 13K .1204 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1204 ADDITIONAL PATIENT CARE AREA REQUIREMENTS FOR HOSPICE**
4 **INPATIENT UNITS**

5 (a) ~~The floor area of a single bedroom shall not be less than 100 square feet and the floor area of a room for more~~
6 ~~than one bed shall not be less than 80 square feet per bed. The 80 square feet and 100 square feet requirements shall~~
7 ~~be exclusive of closets, toilet rooms, vestibules or wardrobes. A facility shall meet the following requirements for~~
8 ~~patient bedrooms:~~

- 9 (1) private bedrooms shall be provided with not less than 100 square feet of floor area;
10 (2) semi-private bedrooms with not less than 80 square feet of floor area per bed; and
11 (3) floor space for closets, toilet rooms, vestibules, or wardrobes shall not be included in the floor areas
12 required by this Paragraph.

13 (b) ~~The total space set aside for dining, recreation and other common uses shall not be less than 30 square feet per~~
14 ~~bed. Physical therapy and occupational therapy space shall not be included in this total. A facility shall meet the~~
15 ~~following requirements for dining, recreation, and common use areas:~~

- 16 (1) floor space for dining, recreation, and common use shall not be less than 30 square feet per bed;
17 (2) the dining, recreation, and common use areas required by this Paragraph may be combined; and
18 (3) floor space for physical and occupational therapy shall not be included in the areas required by this
19 Paragraph.

20 (c) ~~A toilet room shall be directly accessible from each patient room and from each central bathing area without going~~
21 ~~through the general corridor. One toilet room may serve two patient rooms but not more than eight beds. The lavatory~~
22 ~~may be omitted from the toilet room if one is provided for each 15 beds not individually served. There shall be a~~
23 ~~wheelchair and stretcher accessible central bathing area for staff to bathe a patient who cannot perform this activity~~
24 ~~independently. There shall be at least one such area per each level in a multi-level facility. A facility shall meet the~~
25 ~~following requirements for toilet rooms, tubs, showers, and central bathing areas:~~

- 26 (1) a toilet room shall contain a toilet fixture and a sink trimmed with valves that can be operated without
27 hands. If the sink is equipped with blade handles, the blade handles shall not be less than four inches
28 in length. If the sink faucet depends on the building electrical service for operation, the faucet shall
29 be connected to the essential electrical system. For the purposes of the rules of this Section, the
30 "essential electrical system" means a system comprised of alternate sources of power and all
31 connected distribution systems and ancillary equipment, designed to ensure continuity of electrical
32 power to designated areas and functions of a facility during disruption of normal power sources, and
33 also to minimize disruption within the internal wiring system as defined by the North Carolina State
34 Building Codes: Electrical Code. If the faucet has battery operated sensors, the facility shall have a
35 maintenance policy to keep extra rechargeable or non-rechargeable batteries on premises for the
36 faucets;
37 (2) if a sink is provided in each bedroom, the toilet room is not required to have a sink;

1 (3) a toilet room shall be accessible from each bedroom without going through the general corridors;

2 (4) one toilet room may serve two bedrooms, but not more than four beds; and

3 (5) a minimum of one central bathing area. In multi-level facilities, each patient floor shall contain a
4 minimum of one central bathing area. Central bathing area(s) shall be provided with the following;

5 (A) wheelchair and stretcher accessible for staff to bathe a patient who cannot perform this
6 activity independently;

7 (B) a bathtub, a manufactured walk-in bathtub, a similar manufactured bathtub designed for
8 easy transfer of patients and residents into the tub, or a shower designed and equipped for
9 unobstructed ease of stretcher entry and bathing on three sides. Bathtubs shall be accessible
10 on three sides. Manufactured walk-in bathtubs or a similar manufactured bathtub shall be
11 accessible on two sides;

12 (C) a roll-in shower designed and equipped for unobstructed ease of shower chair entry and
13 use. If a bathroom with a roll-in shower designed and equipped for unobstructed ease of
14 shower chair entry adjoins each bedroom in the facility, the central bathing area is not
15 required to have a roll-in shower;

16 (D) toilet fixture and lavatory; and

17 (E) an individual cubicle curtain enclosing each toilet, tub, and shower. A closed cubicle
18 curtain at one of these plumbing fixtures shall not restrict access to the other plumbing
19 fixtures.

20 (d) For each nursing unit ~~or fraction thereof~~ on each floor, the following shall be provided:

21 (1) ~~an adequate medication preparation area with counter, sink with four inch handles, medication~~
22 ~~refrigerator, eye level medication storage, cabinet storage, and double locked narcotic storage room,~~
23 ~~located adjacent to the nursing station or under visual control of the nursing station; a medication~~
24 ~~preparation area with:~~

25 (A) a counter;

26 (B) a double locked narcotic storage area under the visual control of nursing staff;

27 (C) a medication refrigerator;

28 (D) medication storage visible by staff standing on the floor;

29 (E) cabinet storage; and

30 (F) a sink trimmed with valves that can be operated without hands. If the sink is equipped with
31 blade handles, the blade handles shall not be less than four inches in length. If the sink
32 faucet depends on the building electrical service for operation, the faucet shall be connected
33 to the essential electrical system. If the faucet has battery operated sensors, the facility shall
34 have a maintenance policy to keep extra rechargeable or non-rechargeable batteries on
35 premises for the faucets;

36 (2) ~~a clean utility room with counter, sink with four inch handles, wall and under counter storage; a~~
37 ~~clean utility room with:~~

- 1 (A) a counter;
2 (B) storage; and
3 (C) a sink trimmed with valves that can be operated without hands. If the sink is equipped with
4 blade handles, the blade handles shall not be less than four inches in length. If the sink
5 faucet depends on the building electrical service for operation, the faucet shall be connected
6 to the essential electrical system. If the sink has battery operated sensors, the facility shall
7 have a maintenance policy to keep extra rechargeable or non-rechargeable batteries on
8 premises for the faucets;
- 9 (3) ~~a soiled utility room with counter, sink with four inch handles, wall and under counter storage, a~~
10 ~~flush rim clinical sink or water closet with a suitable device for cleaning bedpans and a suitable~~
11 ~~means for washing and sanitizing bedpans and other utensils; a soiled utility room with:~~
12 (A) a counter;
13 (B) storage; and
14 (C) a sink trimmed with valves that can be operated without hands. If the sink is equipped with
15 blade handles, the blade handles shall not be less than four inches in length. If the sink
16 faucet depends on the building electrical service for operation, the faucet shall be connected
17 to the essential electrical system. If the faucet has battery operated sensors, the facility shall
18 have a maintenance policy to keep extra rechargeable or non-rechargeable batteries on
19 premises for the faucets. The soiled utility room shall be equipped for the cleaning and
20 sanitizing of bedpans as required by 15A NCAC 18A .1312, which is incorporated by
21 reference including subsequent [amendments and editions;] amendments;
- 22 (4) a nurses' toilet and locker space for personal belongings;
23 (5) an audiovisual nurse-patient call system arranged to ensure that a patient's call in the facility ~~is noted~~
24 ~~at a staffed station; notifies and directs staff to the location where the call was activated;~~
25 (6) a soiled linen storage ~~area;~~ room with a hand sanitizing dispenser. If the soiled linen storage room
26 is combined with the soiled utility room, a separate soiled linen storage room is not required;
27 (7) a clean linen storage room ~~area; and~~ provided in one or more of the following:
28 (A) a separate linen storage room;
29 (B) cabinets in the clean utility room; or
30 (C) a linen closet; and
31 (8) ~~at least one~~ a janitor's closet.
- 32 (e) Dietary services and laundry each ~~must~~ shall have a separate janitor's closet.
33 (f) Stretcher and wheelchair storage shall be provided.
34 (g) ~~Bulk~~ The facility shall provide storage shall be provided at the rate of not less than five square feet of floor area
35 per licensed bed. This storage space shall:
36 (1) be used by patients to store personal belongings and suitcases;
37 (2) be either in the facility or within 500 feet of the facility on the same site; and

1 (3) be in addition to the other storage space required by this Rule.

2 (h) Office space shall be provided for ~~persons with administrative responsibilities for the unit.~~ business transactions.

3 Office space shall be provided for persons holding the following positions if these positions are provided:

4 (1) administrator;

5 (2) director of nursing;

6 (3) social services director;

7 (4) activities director; and

8 (5) physical therapist.

9

10 *History Note: Authority G.S. 131E-202;*

11 *Eff. June 1, 1991;*

12 *Amended Eff. February 1, ~~1996.~~ 1996;*

13 *Readopted Eff. October 1, 2021.*

1 10A NCAC 13K .1205 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1205 FURNISHINGS FOR HOSPICE INPATIENT CARE**

4 (a) ~~Handgrips shall be provided for~~ A facility shall provide handgrips at all toilet and bath facilities used by patients.
5 Handrails shall be provided on both sides of all corridors where corridors are defined by walls and used by patients.

6 (b) For each nursing unit ~~or fraction thereof~~ on each floor, the following shall be provided:

7 (1) a nourishment station ~~with work space, cabinet, and refrigerated storage, a small stove or hotplate~~
8 ~~in an area physically separated from the nurses' station; and~~ station with:

9 (A) work space;

10 (B) cabinets;

11 (C) refrigerated storage;

12 (D) a sink trimmed with valves that can be operated without hands. If the sink is equipped with
13 blade handles, the blade handles shall not be less than four inches in length. If the sink
14 faucet depends on the building electrical service for operation, the faucet shall be connected
15 to the essential electrical system. If the faucet has battery operated sensors, the facility shall
16 have a maintenance policy to keep extra rechargeable or non-rechargeable batteries on
17 premises for the faucets; and

18 (E) a small stove, microwave, or hot plate; and

19 (2) ~~one a nurses' station consisting of adequate desk space for writing, storage space for office supplies~~
20 ~~and storage space for patients' records. with:~~

21 (A) desk space for writing;

22 (B) storage space for office supplies; and

23 (C) storage space for patients' records.

24 (c) ~~Flameproof privacy screens or curtains shall be provided~~ A facility shall provide flame resistant cubicle curtains
25 in multi-bedded rooms.

26
27 *History Note: Authority G.S. 131E-202;*

28 *Eff. June 1, 1991. 1991;*

29 *Readopted Eff. October 1, 2021.*

1 10A NCAC 13K .1208 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1208 HOSPICE INPATIENT ~~REQUIREMENTS/EMERGENCY~~ REQUIREMENTS**
4 **FOR EMERGENCY ELECTRICAL SERVICE**

5 ~~Emergency electrical service shall be provided~~ A facility shall provide an emergency electrical service for use in the
6 event of failure of the normal electrical service. This emergency electrical service shall ~~be made up as follows:~~ consist
7 of the following:

- 8 (1) In any existing ~~facility, the following must be provided:~~ facility:
- 9 (a) type 1 or 2 emergency lights as required by the North Carolina State Building ~~Code;~~ Codes:
10 Electrical Code;
- 11 (b) additional emergency lights for all ~~nursing stations,~~ nurses' stations required by Rule
12 .1205(b)(2) of this Section, ~~drug medication~~ preparation areas required by Rule .1204(d)(1)
13 of this Section, and storage areas, and for the telephone switchboard, if applicable;
- 14 (c) one or more portable battery-powered lamps at each ~~nursing station;~~ nurses' station; and
- 15 (d) a ~~suitable~~ source of emergency power for life-sustaining ~~equipment~~ equipment, if the
16 facility admits or cares for occupants needing such equipment, to ensure continuous
17 operation with on-site fuel storage for a minimum of 72 hours.
- 18 (2) ~~Any addition to an existing facility shall meet the same requirements as new construction. An~~
19 emergency power generating set, including the prime mover and generator, shall be located on the
20 premises and shall be reserved exclusively for supplying the essential electrical system. [For the
21 purposes of this Rule, the "essential electrical system" means a system comprised of alternate
22 sources of power and all connected distribution systems and ancillary equipment, designed to ensure
23 continuity of electrical power to designated areas and functions of a facility during disruption of
24 normal power sources, and also to minimize disruption within the internal wiring system as defined
25 by the North Carolina State Building Codes: Electrical Code.]
- 26 (3) ~~Any conversion of an existing building such as a hotel, motel, abandoned hospital or abandoned~~
27 school, shall meet the same requirements for emergency electrical services as required for new
28 construction. Emergency electrical services shall be provided as required by the North Carolina
29 State Building Codes: Electric Code with the following modification: Section 517.10(B)(2) of the
30 North Carolina State Building Codes: Electrical Code shall not apply to new facilities.
- 31 (4) ~~Battery powered corridor lights shall not replace the requirements for the emergency circuit nor be~~
32 construed to substitute for the generator set. Sufficient fuel shall be stored for the operation of the
33 emergency generator for a period not less than 72 hours, on a 24 hour per day operational basis.
34 The system shall be test run for a period of not less than 15 minutes on a weekly schedule. Records
35 of running time shall be maintained and kept available for reference.
- 36 (5) ~~To ensure proper evaluation of design of emergency power systems, the owner or operator shall~~
37 submit with final working drawings and specifications a letter describing the policy for admissions

1 and discharges to be used when the facility begins operations. If subsequent inspections for
 2 licensure indicate the admission policies have been changed, the facility will be required to take
 3 immediate steps to meet appropriate code requirements for continued licensure.

4 ~~(6)~~ Lighting for emergency electrical services shall be provided in the following places:

- 5 ~~(a)~~ exit ways and all necessary ways of approach exits, including exit signs and exit direction
 6 signs, exterior of exits exit doorways, stairways, and corridors;
- 7 ~~(b)~~ dining and recreation rooms;
- 8 ~~(c)~~ nursing station and medication preparation area;
- 9 ~~(d)~~ generator set location, switch gear location, and boiler room, if applicable; and
- 10 ~~(e)~~ elevator, if required for emergency.

11 ~~(7)~~ The following emergency equipment which is essential to life, safety, and the protection of
 12 important equipment or vital materials shall be provided: The following equipment, devices, and
 13 systems that are essential to life safety and the protection of important equipment or vital materials
 14 shall be connected to the equipment branch of the essential electrical system as follows:

- 15 ~~(a)~~ nurses' calling system;
- 16 ~~(b)~~ alarm system, including fire alarm actuated at manual stations, water flow alarm devices
 17 of sprinkler systems if electrically operated, fire detecting and smoke detecting systems,
 18 paging or speaker systems if intended for issuing instructions during emergency conditions,
 19 and alarms required for nonflammable medical gas systems, if installed;
- 20 ~~(c)~~(b) fire pump, if installed;
- 21 ~~(d)~~(c) sewerage or sump lift pump, if installed;
- 22 ~~(e)~~(d) one elevator, where elevators are used for vertical transportation of patients;
- 23 ~~(f)~~(e) equipment such as burners and pumps necessary for operation of one or more boilers and
 24 their necessary auxiliaries and controls, required for heating and sterilization, if installed;
 25 and
- 26 ~~(g)~~ equipment necessary for maintaining telephone service.
- 27 ~~(h)~~ task illumination of boiler rooms, if applicable.

28 (5) The following equipment, devices, and systems that are essential to life safety and the protection of
 29 important equipment or vital materials shall be connected to the life safety branch of the essential
 30 electrical system as follows:

- 31 (a) alarm system, including fire alarm actuated at manual stations, water flow alarm devices
 32 of sprinkler systems if electrically operated, fire detecting and smoke detecting systems,
 33 paging or speaker systems if intended for issuing instructions during emergency conditions,
 34 and alarms required for nonflammable medical gas systems, if installed; and
- 35 (b) equipment necessary for maintaining telephone service.

36 ~~(8)~~(6) Where electricity is the only source of power normally used for space heating, the emergency service
 37 the heating of space, an essential electrical system shall be provided for heating of patient rooms.

Emergency heating of patient rooms ~~will~~ shall not be required in areas where the facility is supplied by at least two separate generating ~~sources,~~ sources or a network distribution system with the facility feeders so routed, connected, and protected that a fault any place between the ~~generators~~ generating sources and the facility will not likely cause an ~~interruption.~~ interruption of more than one of the facility service feeders.

~~(9)(7)~~ The emergency An essential electrical system shall be so controlled that after interruption of the normal electric power supply, the generator is brought to full voltage and frequency and connected within ~~ten~~ 10 seconds through one or more primary automatic transfer switches to all emergency lighting, alarms, ~~nurses' call,~~ and equipment necessary for maintaining telephone ~~service,~~ and receptacles in patient corridors. service. All other lighting and equipment required to be connected to the ~~emergency~~ essential electrical system shall either be connected through the ~~ten~~ 10 second primary automatic transfer switching or shall be ~~subsequently~~ connected through ~~other~~ delayed automatic or manual transfer switching. If manual transfer switching is provided, staff of the facility shall operate the manual transfer switch. Receptacles Electrical outlets connected to the ~~emergency~~ essential electrical system shall be ~~distinctively~~ marked for identification.

~~(8)~~ Fuel shall be stored for the operation of the emergency power generator for a period not less than 72 hours, on a 24-hour per day operational basis with on-site fuel storage. The generator system shall be tested and maintained per National Fire Protection Association Health Care Facilities Code, NFPA 99, 2012 edition, which is incorporated by reference, including all subsequent amendments and editions. Copies of this code may be purchased at a cost of seventy-nine dollars and fifty cents (\$79.50) from the National Fire Protection Association - online at <http://www.nfpa.org/catalog/> or accessed _____ electronically _____ free _____ of _____ charge _____ at <http://www.nfpa.org/aboutthecodes/AboutTheCodes.asp?DocNum=99>. The facility shall maintain records of the generator system tests and shall make these records available to the Division for inspection upon request.

~~(9)~~ The electrical emergency service at existing facilities shall comply with the requirements established in this [Section] **Rule** in effect at the time a license is first issued. Any remodeling of an existing facility that results in changes to the emergency electrical service shall comply with the requirements established in this [Section] **Rule** in effect at the time of remodeling.

*History Note: Authority G.S. 131E-202;
Eff. June 1, 1991. 1991;
Readopted Eff. October 1, 2021.*

1 10A NCAC 13K .1209 is amended with changes as published in 35:18 NCR 2029-2039 as follows:

2

3 **10A NCAC 13K .1209 HOSPICE INPATIENT REQUIREMENTS FOR GENERAL ELECTRICAL**

4 (a) All main water supply shut off valves in the sprinkler system ~~must~~ shall be electronically supervised so that if any
5 valve is closed an alarm will sound at a continuously manned central station.

6 (b) No two adjacent emergency life safety branch lighting fixtures shall be on the same circuit.

7 (c) Receptacles in bathrooms ~~must~~ shall have ground fault protection.

8 (d) Each patient bed location ~~must~~ shall be provided with a minimum of ~~four~~ eight single or ~~two~~ four duplex
9 receptacles.

10 (e) Each patient bed location ~~must~~ shall be supplied by at least two branch ~~circuits~~ circuits, one from the equipment
11 branch and one from the normal system.

12 (f) The fire alarm system ~~must~~ shall be installed to transmit an alarm automatically to the fire department that ~~is,~~ is
13 legally committed to serve the area ~~in which~~ where the facility is located, by the direct and reliable method approved
14 by local ordinances.

15 (g) In patient areas, fire alarms shall be gongs or chimes rather than horns or bells.

16

17 *History Note: Authority G.S. 131E-202;*

18 *Eff. June 1, 1991;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
20 *22, ~~2018.~~ 2018;*

21 *Amended Eff. October 1, 2021.*

1 10A NCAC 13K .1210 is amended with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1210 OTHER HOSPICE INPATIENT REQUIREMENTS**

4 (a) ~~In general patient areas, each room shall be served by at least one calling station and each bed shall be provided~~
5 ~~with a call button. Two call buttons serving adjacent beds may be served by one calling station. Calls shall register~~
6 ~~with the floor staff and shall activate a visible signal in the corridor at the patient's or resident's door. In multi-corridor~~
7 ~~nursing units, additional visible signals shall be installed at corridor intersections. In rooms containing two or more~~
8 ~~calling stations, indicating lights shall be provided at each station. Nurses' calling systems which provide two-way~~
9 ~~voice communication shall be equipped with an indicating light at each calling station which lights and remains lighted~~
10 ~~as long as the voice circuit is operating. A nurses' call emergency button shall be provided for patients' use at each~~
11 ~~patient toilet, bath, and shower room. A nurses' calling system shall be provided:~~

- 12 (1) in each patient bedroom for each patient bed. The call system activator shall be such that [they] it
13 can be activated with a single action and remain on until deactivated by staff at the point of origin.
14 The call system activator shall be within reach of a patient lying on the bed. In rooms containing
15 two or more call system activators, indicating lights shall be provided at each calling station;
16 (2) nurses' calling systems [which] that provide two-way voice communication shall be equipped with
17 an indicating light at each calling station [which] that lights and remains lighted as long as the voice
18 circuit is operating;
19 (3) a nurses' call emergency activator shall be proved at each patients' use toilet fixture, bath, and
20 shower. The call system activator shall be accessible to a patient lying on the floor; and
21 (4) calls shall register with the floor staff and shall activate a visible signal in the corridor at the patient's
22 door. In multi-corridor units, additional visible signals shall be installed at corridor intersections.

23 (b) At least one telephone shall be available in each area ~~to which~~ where patients are admitted and additional
24 telephones or extensions as are necessary to ensure availability in case of need.

25 (c) General outdoor lighting shall be provided adequate to illuminate walkways and drive.

26
27 *History Note: Authority G.S. 131E-202;*

28 *Eff. June 1, 1991;*

29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
30 *22, 2018. 2018;*

31 *Amended Eff. October 1, 2021.*

1 10A NCAC 13K .1212 is readopted with changes as published in 35:18 NCR 2029-2039 as follows:

2
3 **10A NCAC 13K .1212 APPLICATION OF PHYSICAL PLANT REQUIREMENTS**

4 The physical plant requirements for each hospice inpatient facility or unit shall be applied as follows:

- 5 (1) New construction shall comply with all the requirements of ~~Section .1200 of this Subchapter; this~~ Section.
- 6
7 (2) ~~Existing~~ Except where otherwise specified, existing buildings shall meet the licensure and code
8 requirements in effect at the time of licensure, construction, alteration, or ~~modification;~~
9 modification.
- 10 (3) ~~New additions, alterations, modifications, and repairs shall meet the technical requirements of~~
11 ~~Section .1100 of this Subchapter; however, where strict conformance with current requirements~~
12 ~~would be impracticable, the authority having jurisdiction may approve alternative measures where~~
13 ~~the facility can demonstrate to the Department's satisfaction that the alternative measures do not~~
14 ~~reduce the safety or operating effectiveness of the facility;~~
- 15 (4)(3) Rules contained in ~~Rule .1210 of this Section~~ are minimum requirements and are not intended to
16 prohibit buildings, ~~systems~~ systems, or operational conditions that exceed minimum ~~requirements;~~
17 requirements.
- 18 (5)(4) ~~Equivalency: Alternate methods, procedures, design criteria, and functional variations from the~~
19 ~~physical plant requirements, because of extraordinary circumstances, new programs, or unusual~~
20 ~~conditions, may be approved by the authority having jurisdiction when the facility can effectively~~
21 ~~demonstrate to the Department's satisfaction, that the intent of the physical plant requirements are~~
22 ~~met and that the variation does not reduce the safety or operational effectiveness of the facility; and~~
23 The Division may grant an equivalency to allow alternate methods, procedures, design [criteria]
24 criteria, or functional variation from the requirements of this Rule and the rules contained in this
25 Section. The equivalency may be granted by the Division when a governing body submits a written
26 equivalency request to the Division that states the following:
- 27 (a) the rule citation and the rule requirement that will not be met [due to] because strict
28 conformance with current requirements would [be impractical, extraordinary
29 circumstances, new programs, or unusual conditions;] be:
- 30 (i) impractical;
- 31 (ii) unable to be met due to extraordinary circumstances;
- 32 (iii) unable to be met due to new programs; or
- 33 (iv) unable to be met due to unusual conditions;
- 34 (b) the justification for the equivalency; and
- 35 (c) how the proposed equivalency meets the intent of the corresponding rule requirement.

1 (5) In determining whether to grant an equivalency [request] request, the Division shall consider
2 whether the request will reduce the safety and operational effectiveness of the facility. The
3 governing body shall maintain a copy of the approved equivalence issued by the Division.

4 (6) Where ~~rules or codes~~ rules, codes, or standards have any conflict, the more stringent requirement
5 shall apply.

6
7 *History Note: Authority G.S. 131E-202;*
8 *Eff. February 1, ~~1996.~~ 1996.*
9 *Readopted Eff. October 1, 2021.*