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3701-17-63 **Building, plumbing, and fire safety requirements.**

- (A) The building or buildings in which a residential care facility is located shall be approved by and have a certificate of occupancy for the appropriate use group designation issued by the local certified building department with jurisdiction over the area in which the building or buildings are located or by the department of commerce if there is no local certified building department. In the case of a license renewal, if any alterations to the buildings have been made since the original license was issued or the license was last renewed, whichever is later, the residential care facility shall have a certificate of occupancy for the residential care facility issued by the department of commerce or a local certified building department.
- (B) The plumbing fixtures in a residential care facility shall conform to the applicable provisions of the Ohio ~~basic-building~~ [plumbing](#) code.
- (C) ~~In addition to paragraph (B) of this rule, all~~ [All](#) plumbing shall be installed [in accordance with the Ohio plumbing code](#) and maintained free of leakage and odors [and have adequate water pressure](#) to reasonably ensure ~~adequate~~ [resident](#) health and safety protection. [This includes, but is not limited to, plumbing in:](#)
- [\(1\) water closets;](#)
  - [\(2\) service sinks;](#)
  - [\(3\) kitchens;](#)
  - [\(4\) utility closets;](#)
  - [\(5\) public and resident bathrooms;](#)
  - [\(6\) shower and bathing areas; and](#)
  - [\(7\) drinking fountains.](#)
- (D) Lavatories, bathing facilities, and shower facilities shall be provided with ~~automatic safety-pressure balancing thermostatic~~ mixing devices [in accordance with the Ohio plumbing code](#) to prevent unanticipated changes in hot water temperatures.
- (E) The water supply for a residential care facility shall be taken from a public supply, if available. Each residential care facility using a water source other than a public water system shall comply with all applicable local and state regulations regarding the construction, development, installation, alteration, and use of private water systems.

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- (F) Each residential care facility not using a public sewage disposal system shall comply with all applicable local and state regulations regarding the construction, development, installation, alteration, and use of household sewage disposal systems.
- (G) Each residential care facility shall comply with all the applicable state fire code standards of Chapter 1301:7-7 of the Administrative Code.
- (H) Each residential care facility shall be inspected for fire safety in accordance with paragraph (A) of rule 3701-17-53 of the Administrative Code.

(I) Each residential care facility shall provide paths of clear and unobstructed access to egress exits. Additionally, the propping open of a door through the use of door stops, wedges or other devices shall be prohibited.

~~(H)~~(J) Each residential care facility shall develop and maintain a written disaster preparedness plan to be followed in case of emergency or disaster. A copy of the plan shall be readily available at all times within the residential care facility. Such plan shall include the following:

- (1) Procedures for evacuating all individuals in the residential care facility, which shall include the following:
  - (a) Provisions for evacuating residents with impaired mobility; and
  - (b) Provisions for transporting all of the residents of the residential care facility to a predetermined appropriate facility or facilities that will accommodate all the residents of the residential care facility in case of a disaster requiring evacuation of the residential care facility.
- (2) A plan for protection of all persons in the event of fire and procedures for fire control and evacuation, including a fire watch and the prompt notification of the local fire authority and state fire marshal's office when a fire detection, fire alarm, or sprinkler system is impaired or inoperable. For purposes of this rule, "fire watch" means the process required in the Ohio fire code for detecting and immediately alerting residents, staff, and the responding fire department of a fire or other emergency while the building's fire alarm or sprinkler system is impaired, inoperable or undergoing testing;
- (3) Procedures for locating missing residents;
- (4) Procedures for ensuring the health and safety of residents during severe weather situations, such as tornadoes and floods, and designation of tornado shelter areas in the facility; and
- (5) Procedures, as appropriate, for ensuring the health and safety of residents in residential care facilities located in close proximity to areas known to have

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specific disaster potential, such as airports, chemical processing plants, and railroad tracks.

~~(K)~~(L) Each residential care facility shall conduct the following drills unless the state fire marshal allows a home to vary from this requirement and the residential care facility has written documentation to this effect from the state fire marshal:

(1) Twelve fire exit drills, one conducted on each shift at least every three months to familiarize staff members and residents with signals, evacuation procedures and emergency action required under varied times and conditions. Fire exit drills shall include the transmission of a fire alarm signal to the appropriate fire department or monitoring station, verification of receipt of that signal, and simulation of emergency fire conditions except that the movement of infirm and bedridden residents to safe areas or to the exterior of the structure is not required. Drills conducted between nine p.m. and six a.m. may use a coded announcement instead of an audible alarm. Fire drills shall meet the following requirements.

(a) Each staff member shall participate in at least one fire drill annually.

(b) One staff member with knowledge of the disaster preparedness plan and the fire evacuation routes shall be designated to observe and evaluate each drill and shall not participate in that drill.

(c) Residents capable of self-evacuation shall be actually evacuated to safe areas or to the exterior of the residential care facility in at least two fire drills a year on each shift. Movement of non-ambulatory residents to safe areas or to the exterior of the facility is not required.

(2) At least two disaster preparedness drills per year, one of which shall be a tornado drill which shall occur during the months of March through July.

(3) The residential care facility shall reset the alarms after each drill.

~~The residential care facility shall ensure that alarms are reset after each drill.~~

~~(K)~~(L) Each residential care facility shall investigate all problems encountered in the drills required under paragraph ~~(K)~~ (L) of this rule and take corrective action.

~~(L)~~(M) Each residential care facility shall keep a written record and evaluation of each fire drill which shall include the date, time, staff member attendance, method of activation, effectiveness of the drill procedures, number of individuals evacuated, total time for evacuation, and the weather conditions during the evacuation, and of each tornado drill. The records shall also describe any problems encountered and the corrective actions taken. This record shall be on file in the facility for three years.

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- ~~(M)~~(N) Each residential care facility shall post in a conspicuous place in each section of the residential care facility a correctly oriented wall-specific floor plan designating room use, locations of alarm sending stations, evacuation routes and exits, fire alarms and fire extinguishers and flow of resident evacuation.
- ~~(N)~~(O) The buildings in which a residential care facility is housed shall be equipped with both an automatic fire extinguishing system and fire alarm system. Such systems shall conform to standards set forth in ~~the regulations of the board of building standards and of the state fire marshal.~~ rules 4101:1-1 to 4101:1-35 and rules 1301:7-7-01 to 1301:7-7-45 of the Ohio Administrative Code. Records of the installation, testing and maintenance of both systems shall be kept at the facility and produced for inspection upon request.
- (P) All staff members in each residential care facility shall be trained in fire control and evacuation procedures within three working days of beginning employment. A staff member shall not stay alone in the residential care facility with residents until the staff member has received the training in fire control and evacuation procedures required by this rule.
- ~~(Q)~~(Q) Each residential care facility shall ~~require~~ provide for annual training in fire prevention for regularly scheduled staff members on all shifts to beat least one responsible staff member to attend a fire prevention training course approved by the state fire marshal's office. conducted by the state fire marshal or township, municipal or local legally constituted fire department. Records of this training shall be kept at the facility. All staff members in each residential care facility shall be trained in fire control and evacuation procedures within the time specified in paragraph (H) of rule 3701-17-55 of the Administrative Code.
- ~~(P)~~(R) Each residential care facility shall train all residents in the proper actions to take in the event of fire, tornado, disaster, or other emergency.
- ~~(Q)~~(S) Each residential care facility shall conduct at least monthly a fire safety inspection which shall be recorded on forms provided by the department and kept on file in the facility for three years.
- ~~(R)~~(T) Smoking shall be permitted only in properly designated areas which may include resident units with the approval of ~~personnel supervising resident care~~ the administrator. No staff member, resident of a residential care facility or other persons in the facility shall be permitted to smoke, carry a lighted cigarette, cigar, or pipe or use any spark or flame producing device in any room or area in the facility where oxygen is stored or in use. Approved terminals of a piped oxygen supply does not constitute storage. "No smoking" signs shall be posted in areas and on doors of rooms where oxygen is stored or in use. Each residential care facility shall take reasonable precautions to ensure the safety of all residents when permitting residents to smoke. Ash trays, wastebaskets or containers into which burnable materials may be placed shall not be made of materials which are flammable, combustible, or

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capable of generating quantities of smoke or toxic gases and shall be used solely for that purpose. Such containers shall be readily available in all areas where smoking is permitted.

- (S)(U) Each residential care facility shall maintain all electrical systems including, but not limited to, cords, switches, lighting fixtures, and lamps in good, safe operating condition and ensure that appliances are in good, safe operating condition;
- (T)(V) Each residential care facility shall report any incident of fire, damage due to fire and any incidence of illness, injury or death due to fire or smoke inhalation of a resident within twenty-four hours to the office of the state fire marshal and the department on forms provided by ~~that office~~ these entities.
- (U)(W) Each residential care facility shall maintain written transfer agreements with other facilities that can meet the needs of residents who require transfer because their health and safety is or potentially is adversely affected by conditions in the facility.