

***** DRAFT – NOT FOR FILING *****

3701-17-66 **Temperature regulation in residential care facilities.**

(A) For the purposes of this rule:

- (1) "Resident area" means any area within a residential care facility that is occupied at any time by a resident.
- (2) "Temperature range" means between seventy-one degrees Fahrenheit and eighty-one degrees Fahrenheit.

(B) Each residential care facility shall maintain the temperature and humidity in resident areas at a safe and comfortable level.

(C) Residents in rooms containing separate heating and cooling systems who are capable of controlling them may maintain the temperature of their rooms at any level they desire except the residential care facility shall take appropriate intervention if a resident's desired temperature level adversely affects or has potential for adversely affecting the health and safety of the resident or the health, safety and comfort of any other resident sharing the resident room.

(D) Each residential care facility, in consultation with a physician or an appropriate health care professional acting within the professional's scope of practice, shall develop written policies and procedures for responding to temperatures in resident areas that are outside the temperature range as defined in paragraph (A) of this rule. The policies and procedures shall include at least the following items:

- (1) An identification of available sites within or outside the residential care facility to which residents can be relocated temporarily and of other suitable health care facilities or facilities that provide personal care services that will be available to receive transfers of residents if the temperature level adversely affects or has potential for adversely affecting the health and safety of residents;
- (2) Measures to be taken to assure the health, safety and comfort of residents who remain in the facility when temperatures are outside the temperature range as defined in paragraph (A) of this rule; and
- (3) Identification of the circumstances that require notification of the resident's attending physician or that require medical examinations or other medical intervention and appropriate time frames for these actions.

(E) Whenever the temperature in any resident area is outside the temperature range as defined in paragraph (A) of this rule, the residential care facility immediately shall evaluate the situation, monitor residents, and take appropriate action to ensure the health, safety and comfort of its residents, including but not limited to implementation of the policies and procedures developed under paragraph (D) of this

***** DRAFT – NOT FOR FILING *****

rule. The residential care facility shall document all action taken under this paragraph and shall maintain, on site, documentation of action taken during the current calendar year and during the preceding calendar year.

- (F) Each residential care facility shall maintain appropriate arrangements with qualified persons that provide for emergency service in the event of an electrical, heating, ventilation or air conditioning failure or malfunction and shall maintain documentation of the arrangements such as employment or other written agreements. The residential care facility shall ensure that all necessary repairs are completed within forty-eight hours or less. If, for reasons beyond the facility's control, repairs cannot be completed timely, the residential care facility shall take any necessary action, as specified in this paragraph, and shall provide for the repairs to be completed as soon as possible.