

**1305.0302** [Repealed, 32 SR 7]

**1305.0302 CARE FACILITY CLASSIFICATIONS.**

IBC section 302 is amended by adding Table 302.2 to read as follows:

**Table 302.2 Care facilities.** Occupancies for care facilities shall be classified in accordance with the following table.

**TABLE 302.2  
CARE FACILITIES**

Type of Licensed Facility		Number or Type of Care Recipients	IBC Occupancy Classification
Child Care (Day Care)	Family Child Care Home	10 occupants maximum with $\leq 6$ below school age <sup>1</sup>	R-3 dwelling unit
	Group Child Care Home < 24 hours per day	11-14 occupants maximum	R-3 dwelling unit
	Child Care Center < 24 hours per day	> 5 but $\leq 100$ children $\leq 2.5$ years of age and each room at, and with, an exit at the level of exit discharge	E
	Child Care Center < 24 hours per day	More than 5 children > 2.5 years of age	E
	Child Care Center < 24 hours per day	More than 5 children $\leq 2.5$ years of age and not classified as E	I-4
Adult Day Care (Day Services)	Family Adult Day Services (located in caregiver's primary residence)	$\leq 8$ care recipients age 13 and older	R-3 dwelling unit
	Adult Day Services Center < 24 hours per day	6 or more care recipients, age 13 and older, all may or may not be capable of self-preservation without assistance	I-4 unless meet criteria for E below
	Adult Day Services Center < 24 hours per day	6 or more care recipients, age 13 and older, all capable of self-preservation without assistance	E

	Adult Day Services Center < 24 hours per day	6 or more care recipients, age 13 and older, where at least one care recipient but no more than 50 percent of the care recipients require assistance for self-preservation	I-4 E if compliant with all of Section 308.5.1.2
	Day Training and Habilitation	Program participants age 13 and older	Classified by primary use/training function
Supervised Living Facilities	Class A-1	6 or fewer residents; all of whom are capable of self-preservation without assistance	R-3 dwelling unit
	Class A-2	7 to 16 residents; all of whom are capable of self-preservation without assistance	R-4 Condition 1
	Class A-2	More than 16 residents; all of whom are capable of self-preservation without assistance	I-1 Condition 1
	Class B-1	6 or fewer residents; all of whom may not be capable of self-preservation without assistance	R-3
	Class B-2	7 to 16 residents; of which some may require limited assistance for self-preservation	R-4 Condition 2
	Class B-3	More than 16 residents; all of whom may not be capable of self-preservation without assistance	I-2 Condition 1
Hospice	Residential Hospice Facility	1-5 terminally ill persons	R-3
	Residential Hospice Facility	6-12 terminally ill persons	R-4 Condition 2
Adult Foster Care	Adult Foster Care Home	1-5 impaired adults	R-3 dwelling unit

Child Foster Care	Foster Care	1-6 foster children without severe disability or assisted medical technology	R-3 dwelling unit
	Foster Care	1-4 foster children with medical or special care services	R-3 dwelling unit
Housing with Services Establishment	Housing with Services Establishment	1-5 adult residents $\geq$ 80 percent 55 years of age or older unless registered under Minnesota Statutes, section 144D.025	R-3 dwelling unit
	Housing with Services Establishment Providing Assisted Living Services		
	Housing with Services Establishment	6-16 adult residents $\geq$ 80 percent 55 years of age or older unless registered under Minnesota Statutes, section 144D.025	R-4 Condition 2
	Housing with Services Establishment Providing Assisted Living Services		
Boarding Care	Housing with Services Establishment	> 16 adult residents $\geq$ 80 percent 55 years of age or older unless registered under Minnesota Statutes, section 144D.025	I-1 Condition 2
	Housing with Services Establishment Providing Assisted Living Services		
	Boarding Care Home	$\leq$ 5 residents	R-3 dwelling unit
	Boarding Care Home	6-16 residents all of whom are capable of self-preservation without assistance	R-4 Condition 1
Boarding and Lodging	Boarding Care Home	> 16 residents all of whom are capable of self-preservation without assistance	I-1 Condition 1
	Boarding and Lodging	$\leq$ 16 residents in sleeping rooms or $\leq$ 2 dwelling units in one building	R-3
	Boarding and Lodging	> 16 residents in sleeping rooms or > 2 dwelling units in one building all of whom are capable of self-preservation without assistance	R-2

	Boarding and Lodging < 30 days	Lodging facilities with 6 or more sleeping units Boarding houses with > 10 occupants	R-1
	Boarding and Lodging < 30 days	Lodging facilities with 5 or fewer sleeping units Boarding houses with ≤ 10 occupants	R-3 dwelling unit
Senior Housing	Senior Housing (See IBC 310)	More than 2 dwelling units in one building	R-2
	Senior Housing (See IBC 310)	2 dwelling units in one building	R-3
	Senior Housing (See IBC 310)	1 dwelling unit	R-3 dwelling unit
Congregate Residence	Congregate Residence	≤ 16 residents	R-3
	Congregate Residence	17 or more residents	R-2
Chemical Dependency and Mental Health Treatment Programs	Chemical Dependency and Mental Health Treatment Programs - Outpatient (< 24 hrs.)	Not regulated	B
	Chemical Dependency and Mental Health Treatment Programs - Residential	≤ 5 residents	R-3 dwelling unit
	Chemical Dependency and Mental Health Treatment Programs - Residential	6-16 residents all of whom may not be capable of self-preservation without assistance	R-4 Condition 2
	Chemical Dependency and Mental Health Treatment Programs - Residential	> 16 residents all of whom may not be capable of self-preservation without assistance	I-1 Condition 2
Ambulatory Care Facility	Nursing and medical care for < 24 hours	Includes: skilled medical care, emergency care, surgery, obstetrics, or patient stabilization for psychiatric or detox	B

Nursing Home	Nursing and medical care for > 24 hours	Does not include: emergency care, surgery, obstetrics, or in-patient stabilization for psychiatric or detox	I-2 Condition 1
Hospital	Nursing and medical care for > 24 hours	Includes skilled medical care, emergency care, surgery, obstetrics, or in-patient stabilization for psychiatric or detox	I-2 Condition 2

<sup>1</sup> "School age" means the age of a "school-age child" as defined in Minnesota Statutes, section 245A.02, subdivision 16.

**Statutory Authority:** *MS s 326B.02; 326B.101; 326B.106*

**History:** *39 SR 1605; 44 SR 609*

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