

1 Department of Health

2

3 Adopted Permanent Rules Relating to Nursing and Boarding Care

4 Homes

5

6 Rules as Adopted

7

CHAPTER 4655

8

DEPARTMENT OF HEALTH

9

BOARDING CARE HOMES: OPERATION

10 4655.0090 SCOPE.

11 This chapter applies to boarding care homes unless the

12 content clearly indicates otherwise.

13 4655.1084 DATA COLLECTION.

14 [For text of subps 1 to 9, see M.R.]

15 Subp. 10. Environmental conditions for evaluation.

16 Information shall be developed that describes the differences

17 between selected existing environmental conditions described

18 under this subpart and the corresponding state licensing

19 standards for new construction and between the proposed

20 correction changes in these environmental conditions and the

21 state licensing standards for new construction. This subpart

22 refers only to those parts of the facility affected by the

23 proposal.

24 The development of selected information for the purpose of

25 evaluation, comparison, and ranking does not supersede or limit

26 licensing and certification requirements established in chapters

27 4660 and 9505. The environmental conditions and standards for

28 physical plant evaluation are listed in items A to L.

29 A. The width of corridors shall be compared with the

30 standards in part 4658.4120, subpart 2.

31 B. The width of door frames shall be compared with

32 the standards in part 4658.4110, subpart 3.

33 C. Fire exit enclosures shall be compared with the

34 standards in part 4658.3005.

35 D. The method and materials of construction of the

1 building shall be compared with the standards for Group D  
2 occupancy in the State Building Code. State Building Code has  
3 the meaning given in Minnesota Statutes, section 16B.60,  
4 subdivision 4.

5 E. The number of beds per resident room and the floor  
6 area per bed shall be compared to standards in parts 4658.4100  
7 and 4658.4105, subpart 2.

8 F. The amount of artificial light in resident rooms  
9 and major activity areas shall be compared to standards in parts  
10 4658.4615 and 4660.9900.

11 G. The amount of natural light in resident rooms  
12 shall be compared with the standard in part 4658.4105, subpart 6.

13 H. The number and type of bathing facilities or  
14 toilet facilities adjacent to bedrooms shall be compared to the  
15 standards in parts 4658.4135 and 4658.4140.

16 I. Ventilation arrangements shall be compared to the  
17 standards in parts 4658.3500, subpart 2, item A, and 4658.4515  
18 to 4658.4550.

19 J. Dining room space shall be compared to the  
20 standards in parts 4658.4200 and 4658.4210.

21 K. Day room space shall be compared to the standard  
22 in parts 4658.4200 and 4658.4205.

23 L. Heating and cooling arrangements shall be compared  
24 to the standards in part 4658.4510.

25 [For text of subps 11 to 14, see M.R.]

26 4655.6500 SAFETY PROGRAM.

27 Subpart 1. **Written plan.** Every home shall have an  
28 organized safety program in accordance with a written plan and  
29 such shall be included in the orientation and in-service  
30 training programs of all employees and volunteers to assure  
31 safety to patients and residents at all times. In addition to  
32 fire safety, such precautions shall include the provision of  
33 safety features as outlined in parts 4660.6000 to 4660.7500.

34 [For text of subp 2, see M.R.]

35 4655.7000 PATIENT OR RESIDENT UNITS.

1 Subpart 1. Requirements. The following items shall be  
2 provided for each patient or resident:

3 [For text of items A and B, see M.R.]

4 C. A locker or closet within the room to allow  
5 clothes to be hung. In existing facilities, if a closet is used  
6 for two or more persons, there shall be a fixed partition for  
7 complete separation of clothing for each person. There shall be  
8 dresser drawer space provided for each patient or resident.  
9 Closets, lockers, or drawers which are provided with locks shall  
10 have a master key available in the administrator's office. See  
11 part 4660.3460.

12 [For text of items D to J, see M.R.]

13 [For text of subp 2, see M.R.]

14 4655.9200 FIFTY DOLLAR PENALTY FOR NONCOMPLIANCE.

15 A \$50 penalty assessment will be issued under the  
16 provisions of Minnesota Statutes, section 144.653, subdivision  
17 6, for noncompliance with correction orders relating to the  
18 parts of these rules listed in items A to K:

19 [For text of items A to G, see M.R.]

- 20 H. part 4655.8300, subpart 6;  
21 I. part 4655.8630, subpart 3;  
22 J. parts 4655.9030 and 4655.9050; and  
23 K. part 4660.4500.

24 4655.9210 TWO HUNDRED FIFTY DOLLAR PENALTY FOR NONCOMPLIANCE.

25 A \$250 penalty assessment will be issued under the  
26 provisions of Minnesota Statutes, section 144.653, subdivision 6  
27 for noncompliance with correction orders relating to all other  
28 parts of these rules not specifically enumerated in part  
29 4655.9200 or 4655.9250.

30 4655.9337 SUPPORTIVE SERVICES; DIETARY AREAS.

31 Penalty assessments for violations of parts 4660.4810 to  
32 4660.5600 are as follows:

33 [For text of items A to H, see M.R.]

- 34 I. part 4660.5500, \$150; and

1 J. part 4660.5600, \$150.

2 4655.9338 CONSTRUCTION DETAILS, CHUTES AND ELEVATORS.

3 Penalty assessments for violations of parts 4660.6000 to  
4 4660.7500 are as follows:

5 [For text of items A to R, see M.R.]

6 S. part 4660.7400, \$200; and

7 T. part 4660.7500, \$200.

8 4655.9339 MECHANICAL AND ELECTRICAL SYSTEMS.

9 Penalty assessments for violations of parts 4660.7800 to  
10 4660.8610 and 4660.9900 to 4660.9940 are as follows:

11 [For text of items A to I, see M.R.]

12 J. part 4660.8000, subparts 9 to 11;

13 K. part 4660.8200, \$200;

14 L. parts 4660.8300 to 4660.8370, and 4660.9940, \$200;

15 M. part 4660.8420, subpart 1, \$50;

16 N. part 4660.8420, subpart 2, \$200;

17 O. parts 4660.8430 to 4660.8450, \$200;

18 P. part 4660.8460, \$200; and

19 Q. part 4660.8610, \$200.

20 4655.9342 REPORTING MALTREATMENT OF VULNERABLE ADULTS; FINES.

21 Penalty assessments for violations of Minnesota Statutes,  
22 section 626.557 are as follows:

23 [For text of items A to C, see M.R.]

24 D. Minnesota Statutes, section 626.557, subdivision 9  
25 ~~4a~~, ~~\$250~~ \$100;

26 E. Minnesota Statutes, section 626.557, subdivision  
27 14, \$100; and

28 F. Minnesota Statutes, section 626.557, subdivision  
29 17, \$250.

30 4658.0010 DEFINITIONS.

31 Subpart 1. **Scope.** The terms used in parts 4658.0010 to  
32 4658.5590 have the meanings given them in this part.

33 Subp. 1a. **Addition of new resident services.** "Addition of  
34 new resident services" means the commencement of a resident

1 service, such as physical or occupational therapy, that is not  
2 being provided for the residents as of the effective date of  
3 this chapter.

4 Subp. 1b. **Changes in existing resident services.** "Changes  
5 in existing resident services" means the conversion of existing  
6 facility space used for resident services from one function to  
7 another function.

8 [For text of subps 2 and 3, see M.R.]

9 Subp. 4. **Existing facility.** "Existing facility" means a  
10 licensed nursing home or nursing home space that was in place  
11 before November 13, 1995. All existing facilities will be  
12 deemed to be in substantial compliance with the physical plant  
13 requirements for new construction, except as noted in this  
14 chapter. Existing facilities must, at a minimum, maintain  
15 compliance with the rules applicable at the time of their  
16 construction.

17 Subp. 4a. **Food service equipment.** "Food service equipment"  
18 means all machinery, appliances, equipment, or supplies which  
19 are used in the storage, preparation, or serving of food as part  
20 of the nursing home's food service program.

21 Subp. 4b. **Food storage equipment.** "Food storage equipment"  
22 means food service equipment that is used in the cold and dry  
23 storage of food and supplies as part of the nursing home's food  
24 service program.

25 [For text of subp 5, see M.R.]

26 Subp. 5a. **New construction.** "New construction" means any  
27 addition to, or replacement of, a nursing home after the  
28 effective date of this chapter that results in new facility  
29 space for the operation of the nursing home. The term new  
30 construction as used in this chapter includes the erection of  
31 new facility space, addition to existing facility space, and any  
32 existing facility space converted in order to be licensed under  
33 this chapter.

34 [For text of subps 6 and 7, see M.R.]

35 Subp. 7a. **Nursing area.** "Nursing area" means an area  
36 within the nursing home that is served by a single nurses'

1 station.

2 [For text of subps 8 to 13, see M.R.]

3 Subp. 13a. **Redecoration.** "Redecoration" means the  
4 repainting of walls or ceilings, or the covering or recovering  
5 of walls, ceilings, or floors with suitable interior finishing  
6 materials.

7 Subp. 13b. **Remodel.** "Remodel" means reconstruction of  
8 existing facility space, including floors, walls, and ceilings.  
9 Remodel includes reconstruction work necessary to change the  
10 function of the facility space or to facilitate a change in  
11 operating capability or physical composition of existing  
12 equipment, fixtures, or appurtenances.

13 Subp. 13c. **Replace-in-kind.** "Replace-in-kind" means the  
14 removal of mechanical or electrical equipment or construction  
15 materials from facility space and subsequent installation of new  
16 or used equipment or construction materials with similar  
17 operating capability, function, and physical composition.

18 [For text of subp 14, see M.R.]

19 Subp. 14a. **Room.** "Room" means a space within the facility  
20 that has access to the corridor and is totally enclosed with  
21 permanently constructed full height walls.

22 Subp. 14b. **Shelf.** "Shelf" means a horizontal surface  
23 manufactured of noncorrosive, cleanable materials.

24 [For text of subps 15 and 16, see M.R.]

25 4658.0191 PENALTIES FOR VIOLATIONS OF RESIDENTS' BILL OF RIGHTS.

26 Penalty assessments for violations of Minnesota Statutes,  
27 section 144.651, are as follows:

28 A. Minnesota Statutes, section 144.651, subdivision  
29 4, \$100;

30 B. Minnesota Statutes, section 144.651, subdivision  
31 5, \$250;

32 C. Minnesota Statutes, section 144.651, subdivision  
33 6, \$250;

34 D. Minnesota Statutes, section 144.651, subdivision  
35 7, \$100;

- 1 E. Minnesota Statutes, section 144.651, subdivision  
2 8, \$100;
- 3 F. Minnesota Statutes, section 144.651, subdivision  
4 9, \$250;
- 5 G. Minnesota Statutes, section 144.651, subdivision  
6 10, \$250;
- 7 H. Minnesota Statutes, section 144.651, subdivision  
8 11, \$100;
- 9 I. Minnesota Statutes, section 144.651, subdivision  
10 12, \$250;
- 11 J. Minnesota Statutes, section 144.651, subdivision  
12 13, \$500;
- 13 K. Minnesota Statutes, section 144.651, subdivision  
14 14, \$500;
- 15 L. Minnesota Statutes, section 144.651, subdivision  
16 15, \$250;
- 17 M. Except as noted in item N, a \$100 penalty  
18 assessment must be issued for a violation of Minnesota Statutes,  
19 section 144.651, subdivision 16;
- 20 N. A \$250 penalty assessment must be issued for a  
21 violation of that portion of Minnesota Statutes, section  
22 144.651, subdivision 16, which states: "Patients and residents  
23 shall be assured confidential treatment of their personal and  
24 medical records, and may approve or refuse their release to any  
25 individual outside the facility.";
- 26 O. Minnesota Statutes, section 144.651, subdivision  
27 17, \$100;
- 28 P. Minnesota Statutes, section 144.651, subdivision  
29 18, \$250;
- 30 Q. Minnesota Statutes, section 144.651, subdivision  
31 19, \$250;
- 32 R. Minnesota Statutes, section 144.651, subdivision  
33 20, \$250;
- 34 S. A \$250 penalty assessment must be issued for a  
35 violation of the portions of Minnesota Statutes, section  
36 144.651, subdivision 21, which state: "Patients and residents

1 may associate and communicate privately with persons of their  
2 choice and enter and, except as provided by the Minnesota  
3 Commitment Act, leave the facility as they choose." and  
4 "Personal mail shall be sent without interference and received  
5 unopened unless medically or programmatically contraindicated  
6 and documented by the physician in the medical record.";

7 T. A \$250 penalty assessment must be issued for a  
8 violation of the portions of Minnesota Statutes, section  
9 144.651, subdivision 21, which state: "Patients and residents  
10 shall have access, at their expense, to writing instruments,  
11 stationery, and postage." and "There shall be access to a  
12 telephone where patients and residents can make and receive  
13 calls as well as speak privately. Facilities which are unable  
14 to provide a private area shall make reasonable arrangements to  
15 accommodate the privacy of patients' or residents' calls.";

16 U. Minnesota Statutes, section 144.651, subdivision  
17 22, \$250;

18 V. Minnesota Statutes, section 144.651, subdivision  
19 23, \$250;

20 W. Minnesota Statutes, section 144.651, subdivision  
21 24, \$100;

22 X. Minnesota Statutes, section 144.651, subdivision  
23 25, \$250;

24 Y. Minnesota Statutes, section 144.651, subdivision  
25 26, \$250;

26 Z. Minnesota Statutes, section 144.651, subdivision  
27 27, \$250;

28 AA. Minnesota Statutes, section 144.651, subdivision  
29 28, \$250;

30 BB. Minnesota Statutes, section 144.651, subdivision  
31 29, \$250;

32 CC. Minnesota Statutes, section 144.651, subdivision  
33 30, \$250; and

34 DD. Minnesota Statutes, section 144.652, subdivision  
35 1, \$100.



1 4658.0192 NURSING HOME STATUTES; FINES.

2 Penalty assessments for violations of Minnesota Statutes,  
3 chapter 144A, are as follows:

4 A. Minnesota Statutes, section 144A.04, subdivision  
5 4, \$100;

6 B. Minnesota Statutes, section 144A.04, subdivision  
7 6, \$100;

8 C. a \$100 penalty assessment must be issued for a  
9 violation of those portions of Minnesota Statutes, section  
10 144A.10, subdivision 3, which state: "A copy of each correction  
11 order and notice of noncompliance, and copies of any  
12 documentation supplied to the commissioner of health or the  
13 commissioner of human services under section 144A.03 or 144A.05  
14 shall be kept on file at the nursing home and shall be made  
15 available for viewing by any person upon request. Except as  
16 otherwise provided by this subdivision, a copy of each  
17 correction order and notice of noncompliance received by the  
18 nursing home after its most recent inspection or reinspection  
19 shall be posted in a conspicuous and readily accessible place in  
20 the nursing home." and "All correction orders and notices of  
21 noncompliance issued to a nursing home owned and operated by the  
22 state or political subdivision of the state shall be circulated  
23 and posted at the first public meeting of the governing body  
24 after the order or notice is issued. Confidential information  
25 protected by section 13.05 or 13.46 shall not be made available  
26 or posted as provided in this subdivision unless it may be made  
27 available or posted in a manner authorized by chapter 13.";

28 D. Minnesota Statutes, section 144A.13, subdivision  
29 1, \$100;

30 E. except as noted in item F, a \$100 penalty  
31 assessment must be issued for a violation of Minnesota Statutes,  
32 section 144A.13, subdivision 2;

33 F. a \$250 penalty assessment must be issued for a  
34 violation of that portion of Minnesota Statutes, section  
35 144A.13, subdivision 2, which states: "No controlling person or  
36 employee of a nursing home shall retaliate in any way against a

1 complaining nursing home resident and no nursing home resident  
2 may be denied any right available to the resident under chapter  
3 566."; and

4 G. Minnesota Statutes, section 144A.16, \$100.

5 4658.0193 REPORTING MALTREATMENT OF VULNERABLE ADULTS; FINES.

6 Penalty assessments for violations of Minnesota Statutes,  
7 section 626.557, are as follows:

8 A. Minnesota Statutes, section 626.557, subdivision  
9 3, \$250;

10 B. Minnesota Statutes, section 626.557, subdivision  
11 3a, \$100;

12 C. Minnesota Statutes, section 626.557, subdivision  
13 4, \$100;

14 D. Minnesota Statutes, section 626.557, subdivision 9  
15 4a, ~~\$250~~ \$100;

16 E. Minnesota Statutes, section 626.557, subdivision  
17 14, \$100; and

18 F. Minnesota Statutes, section 626.557, subdivision  
19 17, \$250.

20 RESIDENT RIGHTS

21 4658.0200 POLICIES CONCERNING RESIDENTS.

22 Subpart 1. Visitors. A nursing home must provide access  
23 to a resident by relatives and guardians, and to any entity or  
24 individual that provides health, social, legal, advocacy, or  
25 religious services to the resident, subject to the resident's  
26 right to deny or withdraw consent at any time. A nursing home  
27 must also provide access to others who are visiting the resident  
28 with the resident's consent. A nursing home may restrict visits  
29 when the visits pose a health or safety risk to a resident or  
30 otherwise violate a resident's rights.

31 Subp. 2. Telephones. A nursing home must provide at least  
32 one non-coin-operated telephone which is accessible to residents  
33 at all times in case of emergency. A resident must have access  
34 to a telephone at a convenient location within the building for  
35 personal use. A nursing home may charge the resident for actual

1 long distance charges that the resident incurs.

2 Subp. 3. **Mail.** A resident must receive mail unopened  
3 unless the resident or the resident's legal guardian,  
4 conservator, representative payee, or other person designated in  
5 writing by the resident has requested in writing that the mail  
6 be reviewed. The outgoing mail must not be censored.

7 Subp. 4. **Funds and possessions.** A nursing home may not  
8 handle the personal major business affairs of a resident without  
9 written legal authorization by the resident or the resident's  
10 legal guardian, conservator, representative payee, or other  
11 person designated in writing by the resident.

12 Subp. 5. **Smoking in bed.** A resident must not be permitted  
13 to smoke in bed unless the resident's condition requires that  
14 the resident remain in bed, and the smoking is directly  
15 supervised by a staff member.

16 Subp. 6. Permitted smoking. Smoking is permitted in the  
17 nursing home only as provided by Minnesota Statutes, sections  
18 16B.24, subdivision 9, and 144.411 to 144.417.

19 Subp. 6 7. Pet animals. Pet animals may be kept on the  
20 premises of a nursing home only according to part 4638.0200.

21 4658.0205 PROCEDURE AT DEATH.

22 When a resident dies in a nursing home, the administrator  
23 or, nurse, or other employee designated by the administrator  
24 must contact a relative, guardian, legal representative, other  
25 person designated in writing by the resident, or the placement  
26 agency regarding the death and the desired funeral  
27 arrangements. The body must be accorded privacy until removed  
28 from the nursing home. Where reasonably possible, no body may  
29 remain in a nursing home for more than 12 hours.

30 4658.0210 ROOM ASSIGNMENTS.

31 Subpart 1. **Room assignments and furnishings.** A nursing  
32 home must attempt to accommodate a resident's preferences on  
33 room assignments, roommates, and furnishings whenever possible.

34 Subp. 2. **Room assignment complaints.** A nursing home must  
35 develop and implement written policies and procedures for

1 addressing resident complaints, including complaints regarding  
2 room assignments and roommates. At a minimum, the policies and  
3 procedures must include the following:

4 A. a mechanism for informal dispute resolution of  
5 room assignment and roommate complaints; and

6 B. a procedure for documenting the complaint and its  
7 resolution.

8 4658.0215 ADMINISTRATION OF MEDICATIONS.

9 The right of residents to self-administer medications must  
10 be provided as allowed under part 4658.1325, subpart 4.

11 Medications may be added to food only as provided under part  
12 4658.1325, subpart 6.

13 4658.0220 FREEDOM FROM CORPORAL PUNISHMENT AND INVOLUNTARY  
14 SECLUSION.

15 A resident must be free from corporal punishment and  
16 involuntary seclusion.

17 RESIDENT PERSONAL FUNDS ACCOUNT

18 4658.0250 ADMISSION POLICIES.

19 The admission policies of a nursing home must specify the  
20 manner of protecting personal funds of the residents, according  
21 to parts 4658.0250 to 4658.0280.

22 4658.0255 AUTHORIZATION.

23 Subpart 1. **Written authorization.** The personal funds of a  
24 resident must not be accepted for safekeeping without written  
25 authorization from the resident or from the resident's legal  
26 guardian, conservator, representative payee, or other person  
27 designated in writing by the resident. For purposes of this  
28 chapter, "representative payee" means an individual designated  
29 by the Social Security Administration to receive Social Security  
30 benefits on behalf of the resident.

31 Subp. 2. **Copy retained.** A copy of the written  
32 authorization must be retained in the resident's records.

33 4658.0260 PERSONAL FUND ACCOUNTING AND RECORDS.

1 Subpart 1. No commingling of resident and nursing home  
2 funds. The personal funds of a resident must not be commingled  
3 with the funds of a nursing home or with the funds of any person  
4 other than residents of the nursing home, unless otherwise  
5 authorized by law.

6 Subp. 2. Resident funds not used by nursing home. The  
7 personal funds of a resident must not be used for the purpose of  
8 the nursing home or any other resident and must be maintained  
9 free from any liability that the nursing home incurs.

10 Subp. 3. Accounting system. A nursing home must establish  
11 and maintain a system that ensures a full and complete and  
12 separate accounting, according to generally accepted accounting  
13 principles, of each resident's personal funds entrusted to the  
14 nursing home on the resident's behalf.

15 Subp. 4. Financial record. The resident's financial  
16 record must be available through quarterly statements and on  
17 request to the resident or the resident's legal guardian,  
18 conservator, representative payee, or other person designated in  
19 writing by the resident.

20 4658.0265 DEPOSIT OF PERSONAL FUNDS.

21 A nursing home, except for veterans homes under Minnesota  
22 Statutes, section 198.265, must deposit a resident's personal  
23 funds in excess of \$100 in an interest bearing account (or  
24 accounts) that is separate from any of the nursing home's  
25 operating accounts, and that credits all interest earned on the  
26 resident's account to the resident's account. Pooled accounts  
27 must separately account for each resident's share.

28 4658.0270 WITHDRAWAL OF FUNDS FROM THE ACCOUNT.

29 Upon the request of the resident or the resident's legal  
30 guardian, conservator, representative payee, or other person  
31 designated in writing by the resident, a nursing home must  
32 return all or any part of a resident's funds given to the  
33 nursing home for safekeeping, including interest, if any,  
34 accrued from deposits. A nursing home must develop a policy  
35 specifying the period of time during which funds can be

1 withdrawn. The policy must ensure that the ability to withdraw  
 2 funds is provided in accordance with the needs of the resident  
 3 and must specify whether or not the nursing home allows  
 4 residents to obtain funds to meet unanticipated needs on days  
 5 when withdrawal periods are not scheduled. A nursing home must  
 6 notify residents of the policy governing the withdrawal of  
 7 funds. Funds kept outside of the nursing home must be returned  
 8 within five business days.

9 4658.0275 RETURN OF FUNDS AFTER DISCHARGE OR DEATH.

10 Subpart 1. Discharge of a resident. Upon discharge of a  
 11 resident, the resident's funds must be returned to the resident  
 12 or resident's legal guardian, conservator, representative payee,  
 13 or other person designated in writing by the resident, with a  
 14 written accounting in exchange for a signed receipt. If a  
 15 resident's bed is being held for anticipated readmission, the  
 16 resident's funds need not be returned. Funds which are  
 17 maintained outside of the nursing home must be returned within  
 18 five business days.

19 Subp. 2. Death of a resident. Upon the death of a  
 20 resident, a nursing home must convey the resident's funds, and a  
 21 final accounting of those funds, to the individual or probate  
 22 jurisdiction administering the resident's estate.

23 4658.0290 PENALTIES FOR RESIDENT RIGHTS RULE VIOLATIONS.

24 Penalty assessments will be assessed on a daily basis for  
 25 violations of parts 4658.0200 to 4658.0280 and are as follows:

- 26 A. part 4658.0200, subpart 1, \$250;  
 27 B. part 4658.0200, subpart 2, \$100;  
 28 C. part 4658.0200, subparts 3 and 4, \$250;  
 29 D. part 4658.0200, subpart 5, \$500;  
 30 E. part 4658.0200, subpart 6 7:  
 31 (1) part 4638.0200, subpart 2, \$50; and  
 32 (2) part 4638.0200, subpart 3, \$150;  
 33 F. part 4658.0205, \$100;  
 34 G. part 4658.0210, subpart 1, \$250;  
 35 H. part 4658.0210, subpart 2, \$50;

- 1 I. ~~part-4658-02157--\$2507~~  
 2 ~~57~~ part 4658.0220, \$500;  
 3 ~~K7~~ J. part 4658.0250, \$50;  
 4 ~~E7~~ K. part 4658.0255, subpart 1, \$250;  
 5 ~~M7~~ L. part 4658.0255, subpart 2, \$50; and  
 6 ~~N7~~ M. parts 4658.0260 to 4658.0275, \$100.

7 4658.0300 USE OF RESTRAINTS.

8 [For text of subps 1 to 3, see M.R.]

9 Subp. 4. **Decision to apply restraint.** The decision to  
 10 apply a restraint must be based on the comprehensive resident  
 11 assessment. The least restrictive restraint must be used and  
 12 incorporated into the comprehensive plan of care. The  
 13 comprehensive plan of care must allow for progressive removal or  
 14 the progressive use of less restrictive means. A nursing home  
 15 must obtain an informed consent for a resident placed in a  
 16 physical or chemical restraint. A physician's order must be  
 17 obtained for a physical or chemical restraint which specifies  
 18 the duration and circumstances under which the restraint is to  
 19 be used, including the monitoring interval. Nothing in this  
 20 part requires a resident to be awakened during the resident's  
 21 normal sleeping hours strictly for the purpose of releasing  
 22 restraints.

23 Subp. 5. **Physical restraints.** At a minimum, for a  
 24 resident placed in a physical restraint, a nursing home must  
 25 also:

26 A. develop a system to ensure that the restrained  
 27 resident is monitored at the interval specified in the written  
 28 order from the physician;

29 B. assist the resident as often as necessary for the  
 30 resident's safety, comfort, exercise, and elimination needs;

31 C. provide an opportunity for motion, exercise, and  
 32 elimination for not less than ten minutes during each two-hour  
 33 period in which a restraint is employed; and

34 D. release the resident from the restraint as quickly  
 35 as possible.

1 4658.0445 CLINICAL RECORD.

2 [For text of subps 1 to 3, see M.R.]

3 Subp. 4. Admission information. Identification  
4 information must be collected and maintained for each resident  
5 upon admission and must include, at a minimum:

6 A. the resident's legal name and preferred name;

7 B. previous address;

8 C. social security number;

9 D. gender;

10 E. marital status;

11 F. date and place of birth;

12 G. date and hour of admission;

13 H. advanced advance directives, and Do Not  
14 Resuscitate (DNR) and Do Not Intubate (DNI) status, Health-Care  
15 Power-of-Attorney,-or-living-will, if any;

16 I. name, address, and telephone number of designated  
17 relative or significant other, if any;

18 J. name, address, and telephone number of person to  
19 be notified in an emergency;

20 K. legal representative, designated representative,  
21 or representative payee, if any;

22 L. religious affiliation, place of worship, and  
23 clergy member;

24 M. hospital preference; and

25 N. name of attending physician.

26 4658.0450 CLINICAL RECORD CONTENTS.

27 Subpart 1. In general. Each resident's clinical record,  
28 including nursing notes, must include:

29 [For text of items A to P, see M.R.]

30 Subp. 2. Physician and professional services. The  
31 clinical record must contain the recording requirements of parts  
32 4658.0710 to 4658.0725.

33 Subp. 3. Nursing services. The clinical record must  
34 contain the recording requirements of parts 4658.0515 to  
35 4658.0530.



1 Subp. 4. **Dietary and food services.** The clinical record  
2 must contain the recording requirements of parts 4658.0600 and  
3 4658.0625.

4 Subp. 5. **Resident personal funds account.** The clinical  
5 record must contain the recording requirements of part 4658.0255.

6 Subp. 6. **Activities.** The clinical record must contain the  
7 recording requirements of part 4658.0900.

8 Subp. 7. **Social services.** The clinical record must  
9 contain the recording requirements of parts 4658.1015 and  
10 4658.1020.

11 4658.0615 **FOOD TEMPERATURES.**

12 Potentially hazardous food must be maintained at 40 degrees  
13 Fahrenheit (four degrees centigrade) or below, or 150 degrees  
14 Fahrenheit (66 degrees centigrade) or above. "Potentially  
15 hazardous food" means any food subject to continuous time and  
16 temperature controls in order to prevent the rapid and  
17 progressive growth of infectious or toxigenic microorganisms.

18 4658.0620 **FREQUENCY OF MEALS.**

19 [For text of subps 1 and 2, see M.R.]

20 Subp. 3. **Time between meals.** Up to 16 hours may elapse  
21 between a substantial evening meal and breakfast the following  
22 day if a resident group, such as the resident council, agrees to  
23 this meal span and a nourishing evening snack is provided.

24 [For text of subp 4, see M.R.]

25 4658.0900 **ACTIVITY AND RECREATION PROGRAM.**

26 Subpart 1. **General requirements.** A nursing home must  
27 provide an organized activity and recreation program. The  
28 program must be based on each individual resident's interests,  
29 strengths, and needs, and must be designed to meet the physical,  
30 mental, and psychological well-being of each resident, as  
31 determined by the comprehensive resident assessment and  
32 comprehensive plan of care required in parts 4658.0400 and  
33 4658.0405. Residents must be provided opportunities to  
34 participate in the planning and development of the activity and

1 recreation program.

2 Subp. 2. Frequency of program activities. The activity  
3 and recreation program must be regularly scheduled every day,  
4 except that a nursing home may establish a policy designating  
5 holidays or other days that are exempt from scheduled  
6 activities. A schedule of the activities and recreation  
7 programming must be posted in a location readily accessible to  
8 residents at least one week in advance.

9 Subp. 3. Activity and recreation program director. The  
10 activity and recreation program director must be a person who is  
11 trained or experienced to direct the activity and recreation  
12 staff and program at that nursing home.

13 Subp. 4. Staff assistance with activities. Sufficient  
14 staff must be assigned to assist with the implementation of the  
15 activity and recreation program, as determined by the needs of  
16 the residents and the nursing home.

17 Subp. 5. Space, equipment, and materials. The activity  
18 and recreation program must be provided with space both within  
19 the nursing home and out-of-doors. Appropriate and adequate  
20 equipment and materials must be provided to meet the needs of  
21 the activity and recreation program.

22 Subp. 6. Prohibition on charges. A nursing home may not  
23 charge a resident for any portion of the activity and recreation  
24 program required in subpart 1. A nursing home may charge a  
25 resident for social events and entertainment offered outside the  
26 scope of the regularly scheduled activity and recreation  
27 program, if the event is requested by the resident and the  
28 nursing home informs the resident that there will be a charge.

29 4658.0950 PENALTIES FOR ACTIVITY AND RECREATION PROGRAM RULE  
30 VIOLATIONS.

31 Penalty assessments will be assessed on a daily basis for  
32 violations of part 4658.0900 and are as follows:

33 A. subparts 1, 3, and 6, \$300; and

34 B. subparts 2, 4, and 5, \$100.

35 4658.0960 SPIRITUAL NEEDS.

1 A nursing home must provide opportunities for the  
2 residents' spiritual needs to be met.

3 4658.0990 PENALTIES FOR SPIRITUAL NEEDS RULE VIOLATIONS.

4 A \$250 penalty assessment will be assessed on a daily basis  
5 for a violation of part 4658.0960.

6 SOCIAL SERVICES

7 4658.1000 DEFINITIONS.

8 Subpart 1. **Scope.** For the purposes of this chapter, the  
9 following terms have the meanings given them.

10 Subp. 2. **Medically related social services.** "Medically  
11 related social services" means services provided by the nursing  
12 home's staff to assist residents in maintaining or improving  
13 their ability to manage their everyday physical, mental, and  
14 psychosocial needs.

15 Subp. 3. **Qualified social worker.** Until June 30, 1996,  
16 "qualified social worker" means an individual with at least a  
17 bachelor's degree in a social work or a human services field,  
18 with at least one year of supervised social work experience in a  
19 health care setting working directly with individuals.  
20 Effective July 1, 1996, "qualified social worker" means an  
21 individual licensed as a social worker by the Minnesota Board of  
22 Social Work according to Minnesota Statutes, chapter 148B.

23 4658.1005 SOCIAL SERVICES.

24 Subpart 1. **General requirements.** A nursing home must have  
25 an organized social services department or program to provide  
26 medically related social services to each resident. A nursing  
27 home must make referrals to or collaborate with outside  
28 resources for a resident who is in need of additional mental  
29 health, substance abuse, or financial services.

30 Subp. 2. **Social worker.** A nursing home must employ a  
31 qualified social worker, or a social services designee who  
32 ~~receives-consultation-from-a-qualified-social-worker.~~ A nursing  
33 home with more than 120 beds must ~~employ-a~~ have at least one  
34 filled qualified social worker ~~on-a-full-time-basis, no-less~~

1 ~~than-35-hours-per-week, whe-is~~ position. The person or persons  
 2 filling the qualified social worker position must be assigned  
 3 full time to the social services of the nursing home and must  
 4 fill at least one full-time equivalent position of at least 35  
 5 hours per week.

6 Subp. 3. Admission history and assessment. A psychosocial  
 7 history and assessment must be completed for each new resident  
 8 within 14 days after admission. The psychosocial history and  
 9 assessment must contain sufficient information related to the  
 10 resident's condition to develop care planning goals based on  
 11 that resident's needs and strengths and may be used as a part of  
 12 the comprehensive resident assessment required by part 4658.0400.  
 13 The psychosocial history and assessment must be included in the  
 14 resident's clinical record.

15 Subp. 4. Updating the assessment. The psychosocial  
 16 assessment must be reviewed at least annually and updated as  
 17 necessary.

18 Subp. 5. Providing social services. Social services must  
 19 be provided on the basis of identified social service needs of  
 20 each resident, according to the comprehensive resident  
 21 assessment and comprehensive plan of care described in parts  
 22 4658.0400 and 4658.0405.

23 4658.1090 PENALTIES FOR SOCIAL SERVICES RULE VIOLATIONS.

24 Penalty assessments will be assessed on a daily basis for  
 25 violations of parts 4658.1000 to 4658.1005 and are as follows:

- 26 A. part 4658.1005, subparts 1, 3, and 4, \$300; and  
 27 B. part 4658.1005, subparts 2 and 5, \$350.

28 4658.1100 BARBER AND BEAUTY SHOP SERVICES.

29 A nursing home must provide or arrange for the provision of  
 30 barber and beauty shop services.

31 4658.1190 PENALTIES FOR BARBER AND BEAUTY SHOP SERVICES RULE  
 32 VIOLATIONS.

33 A \$100 penalty assessment will be assessed on a daily basis  
 34 for violations of part 4658.1100.

1 4658.1200 SPECIALIZED REHABILITATIVE SERVICES.

2 Subpart 1. Definitions. For purposes of this part, the  
3 following terms have the meanings given them.

4 A. "Qualified personnel" means professional staff who  
5 are licensed, certified, or registered in accordance with  
6 applicable state laws and rules, and are educated to perform the  
7 particular service safely and competently.

8 B. "Specialized rehabilitative services" means  
9 restorative therapy and specialized maintenance therapy  
10 including, but not limited to, physical therapy, occupational  
11 therapy, and speech therapy.

12 Subp. 2. Provision of services. If specialized  
13 rehabilitative services are required in the resident's  
14 comprehensive plan of care, the nursing home must:

15 A. provide the required services; or

16 B. obtain the required services from an outside  
17 source according to part 4658.0075.

18 Subp. 3. Qualified personnel. Specialized rehabilitative  
19 services must be provided by qualified personnel under the  
20 written order of a physician ~~by-qualified-personnel~~ or other  
21 health care practitioner authorized to prescribe.

22 4658.1290 PENALTIES FOR SPECIALIZED REHABILITATIVE SERVICES RULE  
23 VIOLATIONS.

24 Penalty assessments will be assessed on a daily basis for  
25 violations of part 4658.1200 and are as follows:

26 A. part 4658.1200, subpart 2, \$350; and

27 B. part 4658.1200, subpart 3, \$300.

28 ENVIRONMENTAL SERVICES

29 4658.1400 PHYSICAL ENVIRONMENT.

30 A nursing home must provide a safe, clean, functional,  
31 comfortable, and homelike physical environment, allowing the  
32 resident to use personal belongings to the extent possible.

33 4658.1405 RESIDENT UNITS.

34 The following items must be provided for each resident:

1           A. A bed of proper size and height for the  
2 convenience of the resident, a clean, comfortable mattress, and  
3 clean bedding, appropriate ~~to~~ for the weather and  
4 ~~climate~~ resident's comfort, that are in good condition. Each  
5 bed must have a clean bedspread. A moisture-proof mattress or  
6 mattress cover must be provided for all residents confined to  
7 bed and for other beds as necessary. Rollaway type beds, cots,  
8 or folding beds must not be used.

9           B. ~~At-least-one-comfortable~~ A chair or place for the  
10 resident to sit other than the bed.

11           C. ~~A bedside-table-with-a-drawer~~ place adjacent or  
12 near the bed to accommodate store personal possessions, and-a  
13 separate-compartment-for-storage such as a bedside table with a  
14 drawer.

15           D. Clean bath linens provided daily or more often as  
16 needed.

17           E. A bed light conveniently located and of an  
18 intensity to meet the needs of the resident while in bed or in  
19 an adjacent chair.

20 4658.1410 LINEN.

21           Nursing home staff must handle, store, process, and  
22 transport linens so as to prevent the spread of infection  
23 according to the infection control program and policies as  
24 required by part 4658.0800. These laundrying policies must  
25 comply with the manufacturer's instructions for the laundrying  
26 equipment and products and include a wash formula addressing the  
27 time, temperature, water hardness, bleach, and final pH.

28 4658.1415 PLANT HOUSEKEEPING, OPERATION, AND MAINTENANCE.

29           Subpart 1. **Direction of housekeeping and plant management.**  
30 One or more persons, qualified through education and experience,  
31 must be assigned the responsibility of direction of housekeeping  
32 and plant management.

33           Subp. 2. **Physical plant.** The physical plant, including  
34 walls, floors, ceilings, all furnishings, systems, and equipment  
35 must be kept in a continuous state of good repair and operation

1 with regard to the health, comfort, safety, and well-being of  
2 the residents according to a written routine maintenance and  
3 repair program.

4 Subp. 3. **Grounds.** The grounds must be maintained with  
5 regard to the health, comfort, safety, and well-being of the  
6 residents. Driveways, walks, outside steps, and ramps must be  
7 maintained in good condition for access and safe use at all  
8 times.

9 Subp. 4. **Housekeeping.** A nursing home must provide  
10 housekeeping and maintenance services necessary to maintain a  
11 sanitary clean, orderly, and comfortable interior, including  
12 walls, floors, ceilings, registers, fixtures, equipment,  
13 lighting, and furnishings.

14 Subp. 5. **Written program.** A nursing home must develop and  
15 implement a written program for routine daily housekeeping  
16 duties and any special cleaning necessary.

17 Subp. 6. **Heating, air conditioning, and ventilation.** A  
18 nursing home must operate and maintain the mechanical systems to  
19 provide comfortable and safe temperatures, air changes, and  
20 humidity levels. Temperatures in all resident areas must be  
21 maintained according to items A to C:

22 A. For new construction of a new physical plant, a  
23 nursing home must maintain a temperature range of 71 degrees  
24 Fahrenheit to 81 degrees Fahrenheit at all times.

25 B. For existing facilities, a nursing home must  
26 maintain a minimum temperature of 71 degrees Fahrenheit ~~in all~~  
27 ~~resident-areas~~ during the heating season.

28 C. Variations of the temperatures required by items A  
29 and B are allowed if the variations are based on documented  
30 resident preferences.

31 Subp. 7. **Hot water temperature.** Hot water supplied to  
32 ~~lavatories~~ sinks and bathing fixtures must be maintained within  
33 a temperature range of 105 degrees Fahrenheit to 115 degrees  
34 Fahrenheit at the fixtures.

35 Subp. 8. **Janitor's closet.** The janitor's closet and all  
36 other areas used by the environmental services personnel must be

1 kept clean.

2 Subp. 9. Storage of supplies. Supplies must be stored a  
3 ~~minimum-of-six-inches~~ above the floor to facilitate cleaning of  
4 the storage area. Supplies must be identified. Toxic  
5 substances must be clearly identified and stored in a locked  
6 enclosure. Sterile supplies must be stored to maintain  
7 sterility and integrity in packaging. All substances, such as  
8 cleaning agents, bleaches, detergents, disinfectants,  
9 pesticides, paints, and flammable liquids, must be stored  
10 separately from all food and drugs.

11 Subp. 10. Boiler water additives. Precautions must be  
12 taken to ensure that the type and concentration of boiler water  
13 additives is not harmful if steam is used for humidification or  
14 comes into direct contact with food.

15 Subp. 11. Insect and rodent control. Any condition on the  
16 site or in the nursing home conducive to the harborage or  
17 breeding of insects, rodents, or other vermin must be eliminated  
18 immediately. A continuous pest control program must be  
19 maintained by qualified personnel.

20 4658.1420 SOLID WASTE DISPOSAL.

21 Solid wastes, including garbage, rubbish, recyclables, and  
22 other refuse must be collected, stored, and disposed of in a  
23 manner that will not create a nuisance or fire hazard, nor  
24 provide a breeding place for insects or rodents. Accumulation  
25 of combustible material or waste in unassigned areas is  
26 prohibited.

27 4658.1425 OZONE GENERATORS.

28 Ozone generators are prohibited.

29 4658.1490 PENALTIES FOR ENVIRONMENTAL SERVICES RULE VIOLATIONS.

30 Penalty assessments will be assessed on a daily basis for  
31 violations of parts 4658.1400 to 4658.1425 and are as follows:

32 A. part 4658.1400, \$200;

33 B. part 4658.1405, \$150;

34 C. part 4658.1410, \$200;



- 1 D. part 4658.1415, subpart 1, \$300;  
 2 E. part 4658.1415, subparts 2 to 7, \$200;  
 3 F. part 4658.1415, subpart 8, \$150;  
 4 G. part 4658.1415, subparts 9 to 11, \$200;  
 5 H. part 4658.1420, \$200; and  
 6 I. part 4658.1425, \$150.

7 RELOCATION OF RESIDENTS FROM NURSING HOMES

8 4658.1600 DEFINITIONS.

9 Subpart 1. **Scope.** The terms used in parts 4658.1600 to  
 10 4658.1610 have the meanings given.

11 Subp. 2. **Relocation.** "Relocation" means a situation when  
 12 residents are to be discharged from a nursing home as the result  
 13 of the closing of the nursing home or the curtailment,  
 14 reduction, or change of operations or services offered there.

15 Subp. 3. **Service offered in the facility.** "Service  
 16 offered in the facility" means participation in the Medicare or  
 17 Medicaid programs, or both, pursuant to United States Code,  
 18 title 42, sections 1395 et seq. and 1396 et seq., as amended  
 19 through June 30, 1995.

20 Subp. 4. **Social service agency.** "Social service agency"  
 21 means the county or multicounty agency authorized under  
 22 Minnesota Statutes, sections 393.01, subdivision 7, and 393.07,  
 23 subdivision 2, for the county in which the nursing home is  
 24 located.

25 4658.1605 NOTICE TO DEPARTMENT OF HEALTH.

26 Subpart 1. **Notice required.** The licensee of the nursing  
 27 home must notify the Department of Health, in writing, at least  
 28 90 days prior to the cessation or the curtailment, reduction, or  
 29 change of operations or services which would result in the  
 30 relocation of residents.

31 Subp. 2. **Notice information.** The written notice must  
 32 include the following:

33 A. the date of the closing, curtailment, reduction,  
 34 or change of operations or services;

35 B. the number of residents to be relocated; and

1 C. the names and telephone numbers of the persons in  
2 the nursing home responsible for coordinating the relocation of  
3 residents.

4 4658.1610 NURSING HOME RESPONSIBILITIES.

5 Subpart 1. Cooperation. The licensee of the nursing home  
6 and nursing home staff must cooperate with representatives from  
7 the Department of Health and from the social service agency in  
8 planning for the relocation of residents.

9 Subp. 2. Interdisciplinary team. The administrator of a  
10 nursing home must establish an interdisciplinary team which is  
11 responsible for coordinating and planning the steps necessary to  
12 relocate the residents. The interdisciplinary team must consist  
13 of members involved in providing direct care services to  
14 residents.

15 Subp. 3. Advance notice. The nursing home must send the  
16 written notices in items A to C at least 60 days in advance of  
17 the date by which the relocation of residents is to be completed.

18 A. Notice must be sent to the resident who will be  
19 relocated and to the individual responsible for the resident's  
20 care. This notice must include the name, address, and telephone  
21 number of:

22 (1) the individual in the nursing home to be  
23 contacted for assistance and further information;

24 (2) the social service agency; and

25 (3) the area long-term care ombudsman, required  
26 by the Older Americans Act, United States Code, title 42,  
27 section 3027(a)(12), as amended through June 30, 1995.

28 B. Notice must be sent to the attention of the  
29 commissioner of human services and to the social service  
30 agency. This notice must include the name of each resident to  
31 be relocated and the name, address, and telephone number of the  
32 individual responsible for the resident's care and the  
33 individual in the nursing home to be contacted for further  
34 information.

35 C. Notice must be sent to the attending physician of

1 the resident to be relocated. The resident's attending  
2 physician must be requested to furnish any medical information  
3 needed to update the resident's medical records and to prepare  
4 transfer forms and discharge summaries. This written notice  
5 must include the name and telephone number of the individual in  
6 the nursing home to be contacted for further information.

7 Subp. 4. **Bed list.** A list of available beds to which the  
8 resident can be relocated must be prepared. This list must  
9 contain the name, address, and telephone number of the nursing  
10 home, the certification level of the available beds, the type of  
11 services available, and the number of beds that are available.  
12 This list must be made available to the resident, the individual  
13 responsible for the resident's care, the area long-term care  
14 ombudsman, and the social service agency.

15 Subp. 5. **Informational meetings.** The nursing home must  
16 conduct small group meetings for the residents and the  
17 individuals responsible for the care of the residents, to notify  
18 them of the steps being taken in arranging for the transfer.  
19 Individual residents must be assisted as necessary.

20 Subp. 6. **Resident inventory.** The inventory of the  
21 resident's personal possessions must be updated and a copy of  
22 the final inventory provided to the resident, the individual  
23 responsible for the resident's care, or both. A final  
24 accounting of personal funds held in the nursing home must be  
25 completed according to part 4658.0275. Arrangements must be  
26 made for the transfer of the resident's possessions and personal  
27 funds.

28 Subp. 7. **Site visits.** Unless it is medically inadvisable,  
29 as documented by the attending physician in the resident's care  
30 record, the resident must be assisted in making site visits to  
31 facilities to which ~~they~~ the resident may be transferred.

32 Subp. 8. **Administrative duties.** All administrative duties  
33 must be completed prior to the actual relocation of the resident.  
34 Personnel in the facility to which the resident will be moved  
35 must be provided with the information necessary to provide care  
36 and services to the resident, according to part 4658.0465.

1 Subp. 9. **Final notice.** Unless otherwise agreed to by the  
2 resident or the individual responsible for the resident's care,  
3 at least a 14-day notice must be provided to a resident prior to  
4 the actual relocation.

5 Subp. 10. **Transportation.** The resident must be assisted  
6 in making arrangements for transportation to the new facility.

7 Subp. 11. **Ease in transition.** A nursing home must not  
8 disrupt the provision of meals, medications, or treatments of  
9 the resident during the relocation process.

10 Subp. 12. **Notice to physician.** If not previously  
11 notified, the resident's attending physician must be informed of  
12 the new location of the resident within 24 hours after the  
13 actual relocation.

14 Subp. 13. **Status reports.** Beginning the week following  
15 the relocation notice to the Department of Health required in  
16 part 4658.1605, subpart 1, the nursing home must provide weekly  
17 written status reports to the Department of Health as to the  
18 progress being made in arranging for the relocation. The  
19 initial status report must include the relocation plan developed  
20 by the nursing home, the identity of the interdisciplinary team  
21 members, and a schedule for the completion of the various  
22 elements of the plan. Subsequent status reports must note the  
23 progress being made, any modifications to the relocation plan,  
24 and any change of interdisciplinary team members, and must  
25 include the names of residents who have been relocated during  
26 the time period covered by the report. Once relocation has been  
27 completed, a final list of the residents who have been relocated  
28 and the identity of the facilities or other locations to which  
29 the residents were moved must be provided to the Department of  
30 Health.

31 4658.1690 PENALTIES FOR RELOCATION RULE VIOLATIONS.

32 A \$250 penalty shall be assessed on a daily basis for  
33 violations of parts 4658.1600 to 4658.1610.

34 SPECIALIZED UNITS

35 4658.2000 SECURED UNITS.

1 Subpart 1. Secured unit, definition. For purposes of  
 2 parts 4658.2000 to 4658.2090, "secured unit" means a nursing  
 3 home unit in which a resident's horizontal and vertical access  
 4 in or out of the unit is restricted. ~~A secured unit is a form  
 5 of physical restraint. Part 4658.0300, subpart 5, does not  
 6 apply to a secured unit.~~

7 Subp. 2. Locked unit, definition. For purposes of parts  
 8 4658.2000 to 4658.2090, "locked unit" means a nursing home unit  
 9 in which a resident's access is restricted because the doors to  
 10 the unit are locked from the outside. A locked unit is a form  
 11 of secured unit.

12 Subp. 3. Criteria for assignment to secured unit. A  
 13 resident may be assigned to placement in a secured unit only if  
 14 the results of a comprehensive resident assessment as required  
 15 by part 4658.0400 indicate that resident requires a more secure  
 16 environment and there is a physician's written order for  
 17 placement in a secured unit. A resident may choose to reside in  
 18 a secured unit if the comprehensive resident assessment and plan  
 19 of care as required by parts 4658.0400 and 4658.0405 determine  
 20 that placement in a secured unit is appropriate for that  
 21 resident.

22 Subp. 4. Approval by state fire marshal. Fire safety  
 23 systems and locking arrangements must be reviewed and approved  
 24 by the state fire marshal according to part 4658.4030 before  
 25 operation as a secured unit.

26 Subp. 5. Approval by department. A secured unit must be  
 27 approved by the department according to part 4658.4030 before  
 28 operation as a secured unit. Any significant change to the  
 29 statement of operations for the secured unit, as required by  
 30 part 4658.2020, must be reviewed and approved by the department  
 31 before making the change.

32 4658.2010 PHYSICAL PLANT REQUIREMENTS.

33 ~~A secured unit approved by the department after the  
 34 effective date of this chapter must be in compliance with the  
 35 new construction physical plant requirements in this chapter.~~

1 The physical plant of the secured unit must include, at a  
2 minimum, resident bedrooms, a central bathing area, dayroom,  
3 dining room, nurses' station, clean utility room, and soiled  
4 utility room. The dining room and dayroom spaces in the secured  
5 unit must comply with part 4658.4200. The construction of a new  
6 secured unit physical plant, or any physical plant changes that  
7 meet the definition of "new construction" in part 4658.0010,  
8 subpart 5a, must be in compliance with the requirements for new  
9 construction in parts 4658.3500 to 4658.4690.

10 4658.2020 STATEMENT OF OPERATIONS.

11 A nursing home must develop and implement a statement of  
12 operations for a secured unit, which must include, at a minimum:

13 A. a statement of the philosophy and objectives of  
14 the unit;

15 B. a description of the population to be served;

16 C. a list of the admission and discharge criteria;

17 and

18 D. a list of any environmental changes or  
19 adaptations, and any necessary waivers for them granted by the  
20 department.

21 4658.2030 SPECIALIZED CARE UNIT.

22 Subpart 1. **Specialized care unit, defined.** For purposes  
23 of this part, "specialized care unit" means any nursing unit  
24 within a nursing home designed and advertised for a specific  
25 population.

26 Subp. 2. **Statement of operations.** A nursing home must  
27 develop and implement a statement of operations for the  
28 specialized care unit, which must include, at a minimum:

29 A. the philosophy and objectives of the unit;

30 B. the intended population of the unit; and

31 C. admission and discharge criteria for the unit.

32 Subp. 3. **Availability of statement of operations.** A  
33 nursing home must make the statement of operations for the  
34 specialized care unit available to the department and to the  
35 public.

1 4658.2090 PENALTIES FOR SPECIALIZED UNITS RULE VIOLATIONS.

2 Penalty assessments for violations of parts 4658.2000 to  
3 4658.2030 shall be assessed on a daily basis and are as follows:

4 A. part 4658.2000, subpart 2, \$300;

5 B. part 4658.2000, subpart 3, \$200;

6 C. part 4658.2000, subpart 4, \$200;

7 D. part 4658.2010, \$200;

8 E. part 4658.2020, \$100;

9 F. part 4658.2030, subpart 2, \$100; and

10 G. part 4658.2030, subpart 3, \$50.

11 PHYSICAL PLANT LICENSURE, EXISTING AND NEW

12 4658.3000 LICENSURE.

13 The commissioner of health must be notified directly in  
14 writing about proposed planning for all new construction,  
15 remodeling, changes in existing service, function or bed  
16 capacity, addition of new services, sale, and change of  
17 ownership.

18 4658.3005 COMPLIANCE WITH RULES.

19 Subpart 1. **New construction.** New construction must be  
20 according to the requirements for new construction in parts  
21 4658.3500 to 4658.4690.

22 Subp. 2. **Existing facilities.** All existing facilities  
23 must be ~~found-to-be~~ in compliance with the physical plant  
24 requirements for new construction, except as noted in this  
25 chapter. When additional beds are added to existing facilities,  
26 the required dayroom and dining room areas must be based on the  
27 bed capacity of the entire facility. Compliance with the  
28 standards for new construction for existing facilities must be  
29 for the areas involved and to the extent that the existing  
30 structure will permit. ~~Selected-improvements-or-correction-of~~  
31 ~~minor-deficiencies-in-existing-facilities-must-not-be-a~~  
32 ~~requirement-for-compliance-with-new-construction-criteria-~~

33 Subp. 3. **Reclassification.** As a condition for  
34 reclassification of a boarding care home to a nursing home, the

1 physical plant must be in compliance with all new construction  
 2 requirements for nursing homes in this chapter. The department  
 3 shall consider waiver requests under part 4658.0040 from a  
 4 facility that is in substantial compliance with the new  
 5 construction requirements in parts 4658.3500 to 4658.4690.

6 Subp. 4. State fire marshal. Fire protection for the  
 7 nursing home must be provided in accordance with the Minnesota  
 8 Uniform Fire Code. The state fire marshal's approval of the  
 9 fire safety features of the completed facility is required for  
 10 initial licensure. A nursing home must remain in compliance  
 11 with regulations enforced by the state fire marshal in order to  
 12 qualify for continued licensure.

13 Subp. 5. Redecoration. ~~The department must be notified in~~  
 14 ~~writing of all redecoration projects.~~ A nursing home must  
 15 provide maintain specification sheets for all wall, floor, or  
 16 ceiling covering materials, except paint. ~~All redecorating~~ The  
 17 materials and installation must be done in accordance with  
 18 ~~the requirements for new construction as outlined in this~~  
 19 ~~chapter~~ Life Safety Code.

20 Subp. 6. Remodeling. New construction standards apply  
 21 only to those materials, space, and equipment being remodeled.  
 22 The new construction plan requirements of parts 4658.3500 to  
 23 4658.4090 apply to all remodeling projects.

24 Subp. 7. ~~Replace-in-kind.~~ The department must be notified  
 25 in writing prior to all ~~replace-in-kind~~ projects, except in the  
 26 case of an emergency. Changes in space required for the  
 27 replacement equipment must be only to the extent required by the  
 28 newer equipment.

29 4658.3090 PENALTIES FOR PHYSICAL PLANT LICENSURE RULE VIOLATIONS.

30 Penalty assessments for violations of parts 4658.3000 to  
 31 4658.3005 shall be assessed on a daily basis and are as follows:

- 32 A. part 4658.3000, \$100;  
 33 B. part 4658.3005, subparts 2 and 4, \$200; and  
 34 C. part 4658.3005, subparts 5 to 7, \$100.

35 NEW CONSTRUCTION; PLANS



1 4658.3500 INCORPORATION BY REFERENCE; NEW CONSTRUCTION.

2 Subpart 1. **Scope.** For purposes of this chapter, the  
3 documents in subparts 2 to 6 are incorporated by reference.

4 They can be found at the Minnesota Law Library, 25 Constitution  
5 Avenue, Saint Paul, Minnesota 55155. They are also available  
6 through the Minitex interlibrary loan system. They are subject  
7 to frequent change. If any of the documents in subparts 2 to 6  
8 are amended, then the amendments to the documents are also  
9 incorporated by reference. All construction, installations, and  
10 equipment must conform to the codes and standards in this part,  
11 provided that the requirements of such codes or standards are  
12 not inconsistent with the requirements of these regulations.

13 Subp. 2. **Minnesota Rules.** The following documents are  
14 also available from the Print Communications Division, 117  
15 University Avenue, Saint Paul, Minnesota 55155:

16 A. chapters 1300 to 1365, the Minnesota State  
17 Building Code;

18 B. chapter 4715, the Minnesota Plumbing Code; and

19 C. parts 1550.5000 to 1550.5130, Vending Machines.

20 Subp. 3. **NSF international standards and criteria.** The  
21 following documents are also available from the NSF

22 International, ATTN: Publications, P.O. Box 130140, Ann Arbor,  
23 Michigan 48113-0140:

24 A. Standard No. 1, Soda Fountain and Luncheonette  
25 Equipment, June 1984;

26 B. Standard No. 2, Food Equipment, May 1992;

27 C. Standard No. 3, Commercial Spray-Type Dishwashing  
28 Machines, June 1982;

29 D. Standard No. 4, Commercial Cooking,  
30 Rethermalization and Powered Hot Food Holding Equipment, May  
31 1992;

32 E. Standard No. 5, Water Heaters, Hot Water Supply  
33 Boilers, and Heat Recovery Equipment, November 1992;

34 F. Standard No. 6, Dispensing Freezers, February  
35 1989;

1 G. Standard No. 7, Food Service Refrigerators &  
2 Storage Freezers, May 1990;

3 H. Standard No. 8, Commercial Powered Food  
4 Preparation Equipment, November 1992;

5 I. Standard No. 12, Automatic Ice-Making Equipment,  
6 November 1992;

7 J. Standard No. 13, Refuse Compactors and Compactor  
8 Systems, November 1992;

9 K. Standard No. 18, Manual Food and Beverage  
10 Dispensing Equipment, November 1990;

11 L. Standard No. 25, Vending Machines for Food &  
12 Beverages, November 1990;

13 M. Standard No. 26, Pot, Pan, and Utensil Washers,  
14 December 1980;

15 N. Standard No. 29, Detergent & Chemical Feeders for  
16 Commercial Spray-Type Dishwashing Machines, November 1992;

17 O. Standard No. 35, Laminated Plastics for Surfacing  
18 Food Service Equipment, November 1991;

19 P. Standard No. 51, Plastic Materials and Components  
20 Used in Food Equipment, May 1978;

21 Q. Criteria C-2, Special Equipment and/or Devices  
22 (Food Service Equipment), November 1983.

23 Subp. 4. **NFPA documents.** The following documents are also  
24 available from the National Fire Protection Association,  
25 Batterymarch Park, Quincy, Massachusetts 02269:

26 A. Life Safety Code, National Fire Protection  
27 Association, NFPA No. 101, 1985 edition; and

28 B. Health Care Facilities, National Fire Protection  
29 Association, NFPA, No. 99.

30 Subp. 5. **ANSI/ASME document.** The following document,  
31 published by the American National Standards Institute and the  
32 American Society of Mechanical Engineers, is also available from  
33 the American National Standards Institute, 11 West 42nd Street,  
34 New York, New York 10036: ANSI/ASME A17.1-1993 and supplements.

35 Subp. 6. **ASHRAE standard.** The following standard is also  
36 available from the American Society of Heating, Refrigeration,

1 and Air-Conditioning Engineers, Inc., 1791 Tullie Circle  
2 Northeast, Atlanta, Georgia 30329-2305: Standard No. 52.1-1992.

3 4658.3590 PENALTIES FOR INCORPORATIONS BY REFERENCE; NEW  
4 CONSTRUCTION RULE VIOLATIONS.

5 A \$200 penalty shall be assessed on a daily basis for  
6 violations of part 4658.3500.

7 4658.4000 PREPARATION OF PLANS; NEW CONSTRUCTION.

8 Architectural and engineering plans and specifications for  
9 new construction must be prepared and signed by architects and  
10 engineers who are registered in Minnesota and in accordance with  
11 the requirements by the Board of Architecture, Engineering, Land  
12 Surveying, Landscape Architecture, and Interior Design.

13 4658.4005 APPROVAL OF PLANS; NEW CONSTRUCTION.

14 Preliminary plans and final working drawings and  
15 specifications for proposed construction must be submitted to  
16 the commissioner of health for review and approval. Preliminary  
17 plans must be approved before the preparation of final working  
18 drawings is undertaken. Final working drawings and  
19 specifications must be approved before construction is begun.

20 4658.4010 PRELIMINARY PLANS; NEW CONSTRUCTION.

21 Preliminary plans must be drawn to scale, show basic  
22 dimensions, and indicate the general layout and space  
23 arrangement of the proposed building or area and must include a  
24 site plan when applicable. Plans must indicate assignments of  
25 rooms and areas, and must show bed capacities and fixed  
26 equipment.

27 The plans should include consideration for future expansion  
28 of a nursing home by consideration of the site, orientation of  
29 the structure on the site, parking, and resident, dietary, and  
30 laundry areas. If a laundry is not contemplated initially,  
31 provision must be made for its possible future location.

32 4658.4015 FINAL PLANS; NEW CONSTRUCTION.

33 Final architectural plans and specifications must include

1 elevations and sections through the building showing types of  
2 construction, and must indicate dimensions and assignments of  
3 rooms and areas, room finishes, door types and hardware,  
4 elevations and details of nurses' stations, utility rooms,  
5 toilets and bathing areas, and large-scale layouts of dietary  
6 and laundry areas. Plans must show location of fixed equipment  
7 and sections and details of elevators, chutes, and other  
8 conveying systems. Fire walls and smoke partitions must be  
9 indicated. The roof plan must show all mechanical  
10 installations. The site plan, if applicable, must indicate the  
11 proposed and existing buildings, topography, roadways, walks,  
12 and utility service lines.

13 4658.4020 FINAL MECHANICAL AND ELECTRICAL PLANS; NEW  
14 CONSTRUCTION.

15 Final mechanical and electrical plans and specifications  
16 must address the complete layout and type of all installations,  
17 systems, and equipment to be provided according to this chapter.  
18 Heating plans must include heating elements, piping,  
19 thermostatic controls, pumps, tanks, heat exchangers, boilers,  
20 breeching, and accessories. Ventilation plans must include room  
21 air quantities, ducts, fire and smoke dampers, exhaust fans,  
22 humidifiers, and air handling units. Plumbing plans must  
23 include a fixtures and equipment fixture schedule; water supply  
24 and circulating piping, pumps, tanks, riser diagrams, and  
25 building drains; the size, location, and elevation of water and  
26 sewer services; and the building fire protection systems.  
27 Electrical plans must include fixtures and equipment,  
28 receptacles, switches, power outlets, circuits, power and light  
29 panels, transformers, and service feeders. Plans must show  
30 location of nurse call signals, telephones, fire alarm stations  
31 and detectors, and emergency lighting.

32 4658.4025 START OF CONSTRUCTION; NEW CONSTRUCTION.

33 The department must be notified in writing within seven  
34 days after beginning construction. Unless construction is begun  
35 within one year after approval of final working drawings and

1 specifications, the drawings must be resubmitted for renewal of  
2 review and approval.

3 All construction must be executed according to the approved  
4 final plans and specifications. Subsequent construction changes  
5 addressed by this chapter must be approved by the department  
6 before the changes are made.

7 4658.4030 FINAL INSPECTION; NEW CONSTRUCTION.

8 The department must be notified at least 30 days before the  
9 completion of construction so that arrangements can be made for  
10 a final inspection by the department and by the state fire  
11 marshal. Completion means the entire construction, equipment,  
12 staffing patterns, and services. Mechanical and electrical  
13 systems must be completed and tested for performance and safety  
14 in accordance with specifications and state requirements before  
15 new construction can be licensed and residents admitted.

16 4658.4035 PLAN SAFEKEEPING; NEW CONSTRUCTION.

17 At least one set of complete plans of the entire facility,  
18 including changes resulting from remodeling or alterations, must  
19 be kept on file in the nursing home.

20 4658.4040 SITE; NEW CONSTRUCTION.

21 A nursing home must be so located as to protect at all  
22 times the health, comfort, and safety of residents. The factors  
23 in selecting the site for a new nursing home must include the  
24 following:

25 A. Public utilities must be available.

26 B. The water supply must be obtained from an approved  
27 public water supply system. If none is available, water must be  
28 obtained from a water supply system whose location,  
29 construction, and operation complies with parts 4720.0010 to  
30 4720.4600 and, where applicable, parts 4725.0050 to 4725.7450.  
31 Plans and specifications for a private water supply system must  
32 be approved before construction of the system or the nursing  
33 home is started.

34 C. Sewage and other liquid wastes must be discharged

1 into an approved public sewer system where available. If none  
2 is available, sewage must be collected, treated, and disposed of  
3 in a sewage disposal system which is designed, located,  
4 constructed, and operated according to parts 7080.0010 to  
5 7080.0210. Plans and specifications for a private sewage  
6 disposal system must be approved before construction of the  
7 system or the nursing home is started.

8 D. The site must be no closer than 300 feet to the  
9 right-of-way of a railroad main line or to the property line of  
10 industrial developments which are nuisance-producing or  
11 hazardous to health under state or local law.

12 E. The site must not be located within 85 feet of  
13 underground or 300 feet of aboveground storage tanks or  
14 warehouses containing flammable liquids.

15 F. The site must be publicly accessible to fire  
16 department services, medical services, and community activities.

17 G. The topography must provide good natural drainage  
18 and not be subject to flooding.

19 H. Adequate all-weather roads and walks must be  
20 provided within the lot lines to the primary entrance and the  
21 service entrance, including employees' and visitors' parking at  
22 the site.

23 I. The primary entrance must be accessible for the  
24 elderly and individuals with disabilities.

25 J. The site must include space for outdoor activities.

26 4658.4090 PENALTIES FOR PLANS; NEW CONSTRUCTION RULE VIOLATIONS.

27 Penalty assessments for violations of parts 4658.4000 to  
28 4658.4040 shall be assessed on a daily basis and are as follows:

29 A. parts 4658.4000 to 4658.4035, \$100; and

30 B. part 4658.4040, \$200.

31 RESIDENT AREAS; NEW CONSTRUCTION

32 4658.4100 RESIDENTS' BEDROOM REQUIREMENTS, CAPACITIES; NEW  
33 CONSTRUCTION.

34 At least five percent of the rooms must be designed for  
35 single person occupancy (one bed), and must have private toilet

1 rooms. No room may have more than two beds. No toilet room may  
2 be shared by more than two bedrooms.

3 4658.4105 BEDROOM DESIGN; NEW CONSTRUCTION.

4 Subpart 1. Design. Each bedroom must be designed and  
5 equipped for adequate nursing care, comfort, and privacy of  
6 residents, including full visual privacy of residents.

7 Subp. 2. Usable floor area. The usable floor area and the  
8 arrangement and shape of the bedroom must provide space for  
9 furnishings, for the free movement of residents with physical  
10 handicaps, and for nursing procedures. "Usable floor area"  
11 does not include spaces occupied by toilet rooms, vestibules,  
12 permanently installed wardrobes, lockers, closets, or heating  
13 units. The usable floor area per bed must be at least 100  
14 square feet per resident in double bedrooms, and at least 120  
15 square feet in single bedrooms.

16 Subp. 3. Access to exit. Each bedroom must have direct  
17 access to an exit corridor.

18 Subp. 4. Bedroom shape. The shape of the bedroom must  
19 allow for the capability of a bed arrangement that provides at  
20 least three feet of floor space at both sides and the foot end  
21 of each bed.

22 Subp. 5. Window. Each bedroom must have at least one  
23 window to the outdoors.

24 Subp. 6. Window area. The window area must not be less  
25 than one-eighth of the required usable floor area, and the  
26 window sill must not be higher than two feet six inches above  
27 the floor. The entire window area must face an open outdoors  
28 space not less than 30 feet deep, and must provide an  
29 unobstructed angle of vision within this space of not less than  
30 65 degrees. The 30-foot-deep open outside space must be  
31 measured perpendicular to the plane of the window. The 65  
32 degree unobstructed angle of vision must include the  
33 perpendicular bisector of the window. Figure #1 illustrates  
34 these requirements:

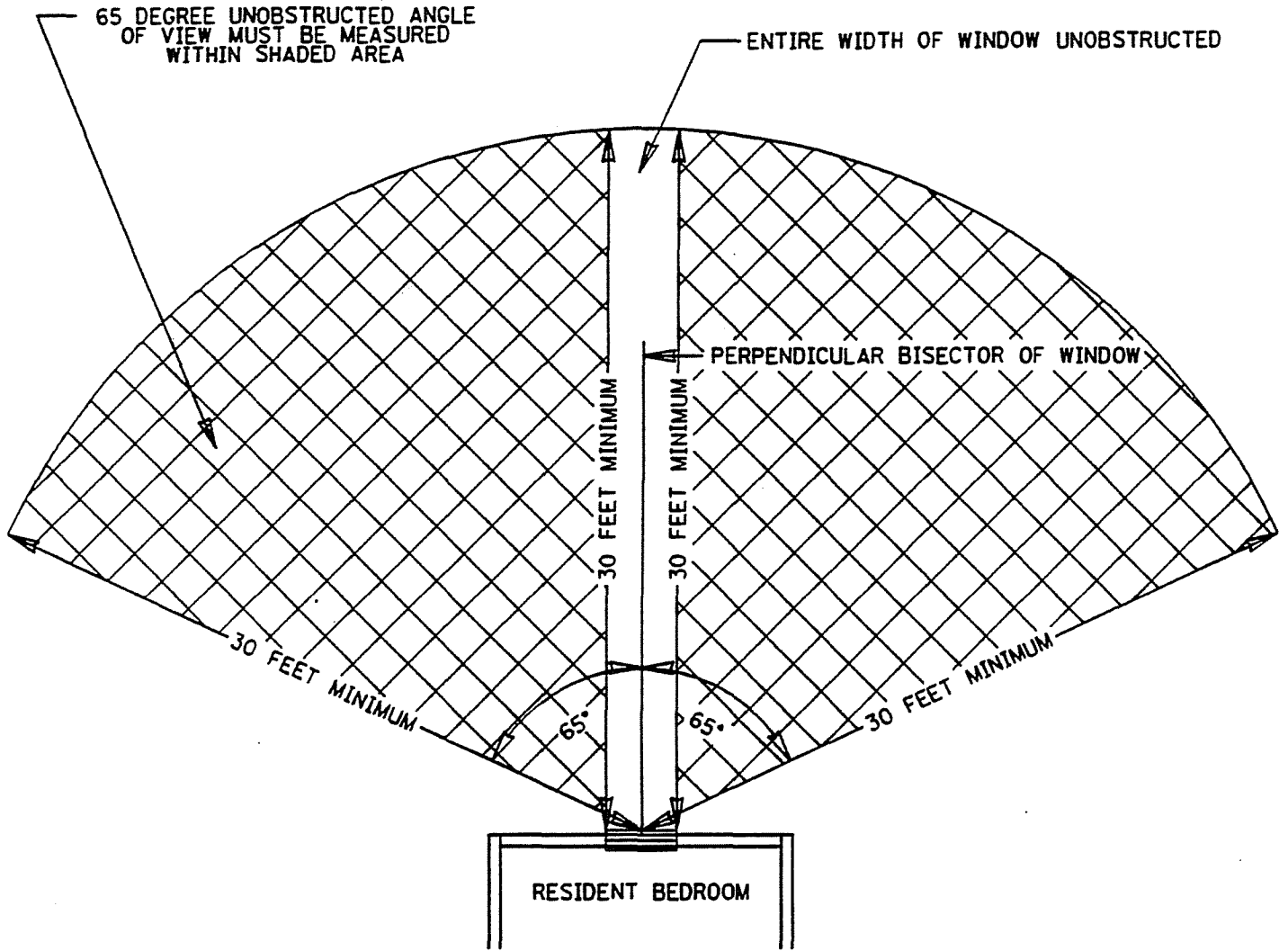
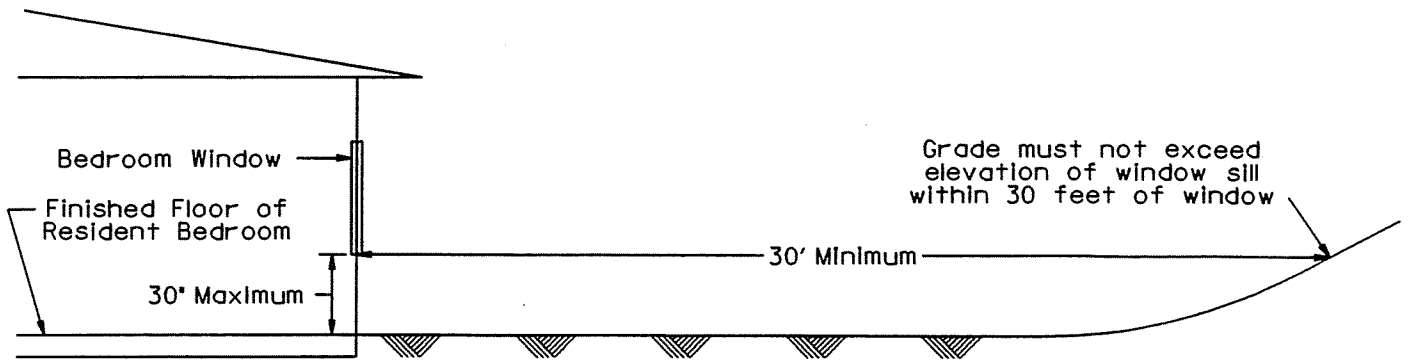


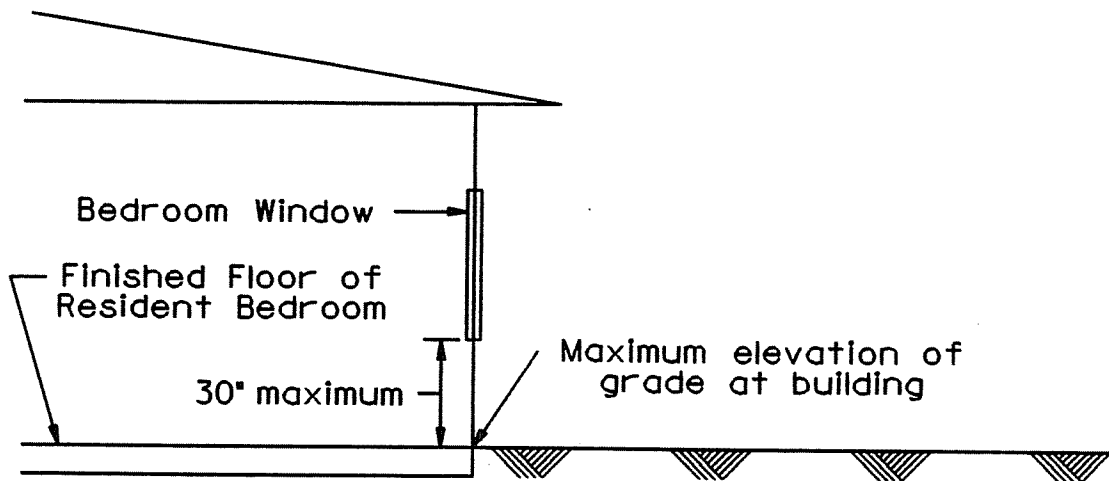
FIGURE #1



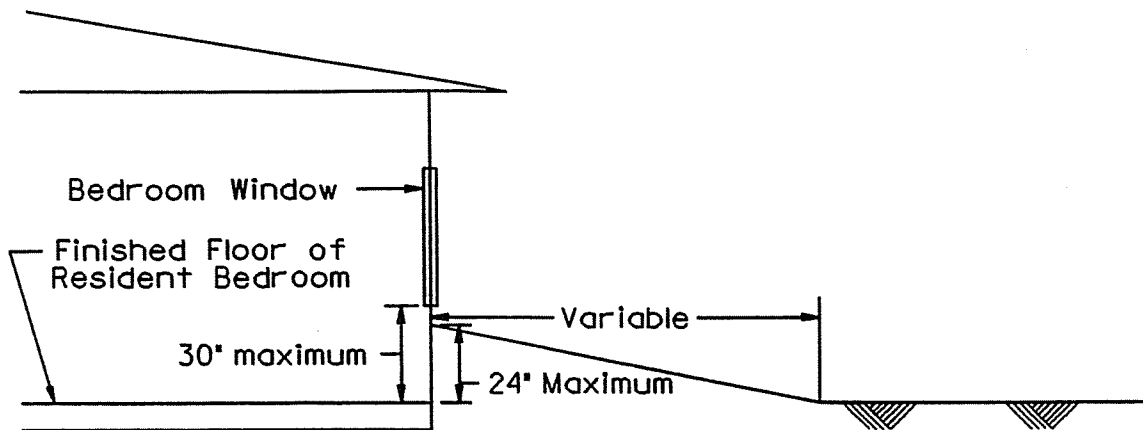
1 Subp. 7. Floor at grade level. Each bedroom must have a  
 2 floor at or above grade level. An energy conservation berm as  
 3 detailed in the diagram below is permitted. The following three  
 4 diagrams illustrate acceptable methods of compliance with this  
 5 subpart.



RESIDENT BEDROOM - GRADE RISING FROM BUILDING



RESIDENT BEDROOM - ROOM AT GRADE



RESIDENT BEDROOM - ENERGY CONSERVATION BERM

1 Subp. 8. Distance from nurses' station. Bedrooms must be  
2 located not more than 140 feet from the nurses' station.

3 4658.4110 BEDROOM DOORS; NEW CONSTRUCTION.

4 Subpart 1. Written policy. A nursing home must develop a  
5 written policy regarding the use of locks on bedroom doors. The  
6 policy must address whether or not doors can be locked while the  
7 resident is in the room.

8 Subp. 2. Door locks. All bedroom door locks must permit  
9 exit from the room by a simple operation without the use of a  
10 key. All locks must be openable with a master key which is  
11 located at each nurses' station.

12 Subp. 3. Door. The door to the corridor must be of  
13 fire-resistive construction in accordance with the Minnesota  
14 State Building Code, open into the bedroom, and have a nominal  
15 width of 44 inches. Bedroom doors must not open directly to an  
16 area where services are provided.

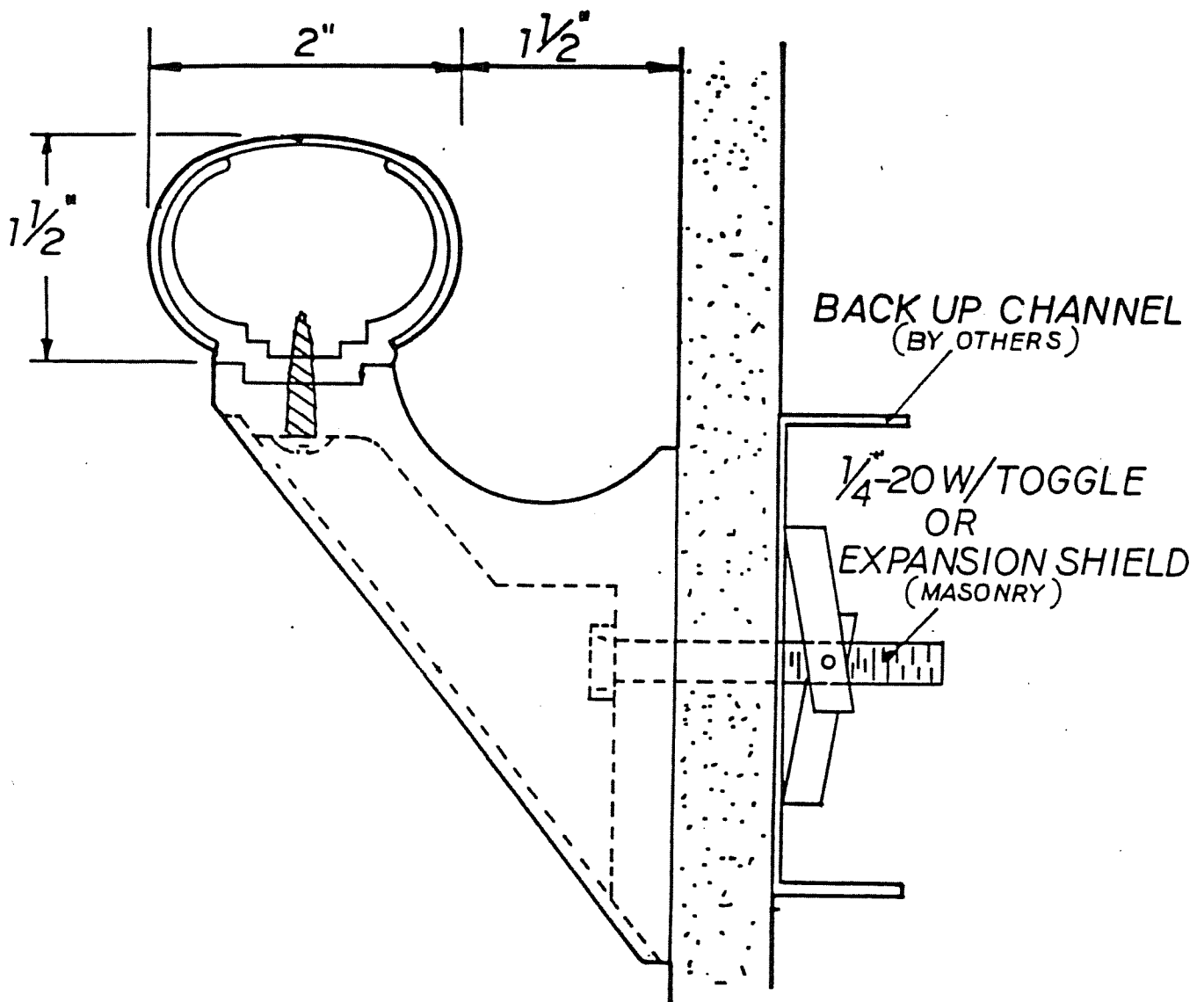
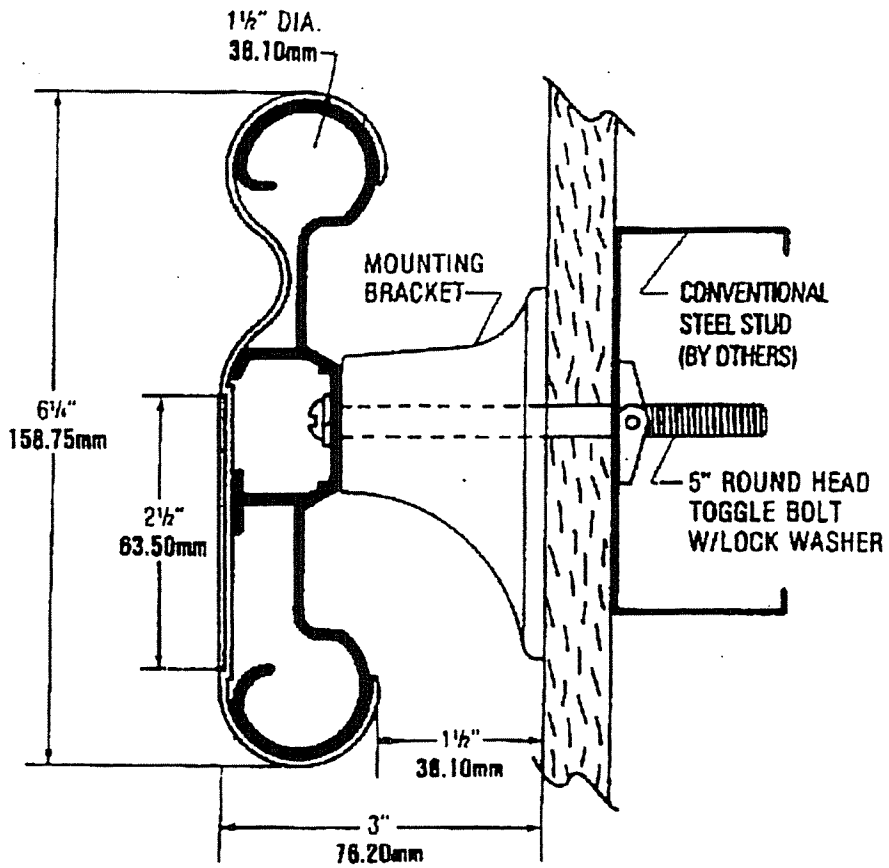
17 4658.4115 CLOTHES WARDROBE OR CLOSET; NEW CONSTRUCTION.

18 A nursing home must provide each resident with individual  
19 wardrobe or closet space in the resident's bedroom with clothes  
20 racks and shelves accessible to the resident. Locks may be  
21 provided, with keys for the residents when a pass key is  
22 available at the nurses' station.

23 4658.4120 HANDRAILS AND CORRIDORS; NEW CONSTRUCTION.

24 Subpart 1. Handrails. Securely anchored, durable  
25 handrails must be provided on both sides of corridors used by  
26 residents. If a length of corridor space between doorways is 60  
27 inches or less, a handrail is not necessary for that portion of  
28 the corridor. The handrails must be mounted at a height of 32  
29 to 34 inches to the top of the handrail. The handrail must be a  
30 round or oval section, 1-1/2 to two inches in diameter, and the  
31 clear distance between the handrail and wall must be 1-1/2  
32 inches. The handrail must be designed to provide the means for  
33 a full hand grip around the handrail. Wall bracket supports  
34 must be provided at least six feet on center, and the mounted

1 brackets must be capable of supporting a load of not less than  
2 250 pounds. The following two diagrams illustrate two  
3 acceptable handrails.



1 Subp. 2. Corridor width. The unobstructed width of all  
2 corridors in resident areas must be at least eight feet. All  
3 exits must comply with the Minnesota State Building Code.

4 4658.4125 NURSING AREA; NEW CONSTRUCTION.

5 Subpart 1. Nurses' station. At least one nurses' station  
6 must be provided per resident floor. A nurses' station may  
7 serve more than one nursing area on the same floor if the  
8 maximum distance from resident bedrooms does not exceed that  
9 required in part 4658.4105, subpart 8. The nurses' station must  
10 be equipped to receive resident calls through a communication  
11 system from resident rooms and toilet and bathing facilities.

12 Subp. 2. Location. Each nursing station must be located  
13 to provide for observation of corridors, residents, and resident  
14 calls. Private space must be provided for charting, storage of  
15 charts and supplies, and medicine preparation. The medication  
16 preparation area may be within the nurses' station or the clean  
17 utility room. Each nurses' station must contain facilities for  
18 cleanup and handwashing.

19 Subp. 3. Staff toilet. A separate staff toilet room must  
20 be provided near the nurses' station.

21 Subp. 4. Clean utility room. A clean utility room must be  
22 provided within each nursing area. The clean utility room must  
23 contain a sink with institutional fittings. Cabinets and  
24 shelving must be provided for the storage of materials and  
25 supplies.

26 Subp. 5. Soiled utility room. A separate soiled utility  
27 room must be provided within each nursing area. It must contain  
28 handwashing facilities and a clinical service sink for disposal  
29 of waste materials and the cleanup of soiled linen and  
30 utensils. Cabinets and shelving must be provided for the  
31 storage of materials and supplies.

32 4658.4130 NOURISHMENT AREA; NEW CONSTRUCTION.

33 Subpart 1. Equipment. A nourishment area must be provided  
34 for serving between-meal refreshments. It may serve more than  
35 one nursing area, and may be located contiguous to a dayroom.

1 The nourishment area must be provided with a work counter and  
 2 sink, storage cabinets, and a refrigerator. The equipment may  
 3 be residential-type equipment as long as the nourishment area is  
 4 not used as part of the dietary department.

5 Subp. 2. Range disconnect switch. If the nourishment area  
 6 includes an electric range that is accessible to the residents,  
 7 a key-operated disconnect switch, with indicator light, must be  
 8 provided for that range. The disconnect switch and indicator  
 9 light must be readily accessible for staff.

10 4658.4135 TOILET ROOMS AND SANITARY FIXTURES; NEW CONSTRUCTION.

11 Subpart 1. Design and equipment. Toilet rooms for  
 12 residents, personnel, and the public must be designed and  
 13 equipped according to part 4658.4145, except as noted in this  
 14 part. A nursing home must have at least one ~~water-closet~~ toilet  
 15 and one ~~lavatory~~ sink for four beds, and at least one shower or  
 16 tub for 20 beds, excluding toilets for personnel or the public,  
 17 and toilets in central bathing and other service areas. At  
 18 least one toilet room must be designed and equipped according to  
 19 part 4658.4150 and available for public use. Each toilet room  
 20 must include a ~~lavatory~~ sink. All ~~lavatories~~ sinks must be  
 21 provided with hot and cold water.

22 Subp. 2. Showers and tubs. There must be at least one  
 23 shower and one tub in each nursing home.

24 4658.4140 PROVISION OF RESIDENT TOILET ROOMS; NEW CONSTRUCTION.

25 Each resident toilet room must be directly accessible from  
 26 the bedroom. A toilet room may serve two bedrooms, but no more  
 27 than four beds, if residents are of the same sex. Hinged doors  
 28 must swing out, or must be double acting and provided with an  
 29 emergency-type release stop. Privacy door locks must be of a  
 30 type which can be opened by staff in an emergency. Sliding  
 31 doors must be surface mounted. Folding doors and pocket doors  
 32 ~~are prohibited. Pocket-doors-must-be-of-a-type-which-can-be~~  
 33 ~~easily-released-and-remounted-~~

34 4658.4145 TOILET ROOM LAYOUT; NEW CONSTRUCTION.

1           Layout:

2           A. The door opening must have a clear opening of at  
3 least 32 inches. Hinged doors must swing out, or must be double  
4 acting and provided with an emergency-type release stop.

5           B. The center of the ~~water-closet~~ toilet must be  
6 located 18 inches from the side wall and there must be at least  
7 three feet of unobstructed space in front of the bowl. No basic  
8 interior room dimension may be less than 42 inches.

9           C. The ~~water-closet~~ toilet must be mounted at a  
10 height of not less than 17 inches nor more than 19 inches above  
11 the floor, measured to the top of the seat. The bowl must be  
12 elongated with an open-front seat.

13           D. Flush valves must be a quiet operating type.

14           E. The paper holder must be securely anchored on the  
15 side wall near the ~~water-closet~~ toilet, six inches above the  
16 seat, and six to 12 inches in front of the seat with both  
17 dimensions measured to the center of the holder.

18           F. A vertical grab bar, at least 18 inches long, must  
19 be provided on the side wall near the ~~water-closet~~ toilet. The  
20 low end must be mounted at a height of ten inches above the  
21 toilet seat and at a distance of 12 inches in front of the  
22 seat. A grab bar on each side of the ~~water-closet~~ toilet is  
23 recommended.

24           G. Grab bars must have an outside diameter of 1-1/4  
25 to 1-1/2 inches, and must provide a clearance of 1-1/2 inches  
26 between the grab bar and the wall. Grab bars must be securely  
27 anchored to sustain a load of 250 pounds for five minutes.

28           H. The ~~lavatory~~ sink, with or without a counter top,  
29 must be mounted at a height of 32 to 34 inches above the floor,  
30 measured to the top edge.

31           I. A towel bar must be provided at a height of 42 to  
32 44 inches above the floor. It must be a horizontal grab bar.

33           J. A shelf large enough to accommodate a resident's  
34 personal toilet accessories must be provided, unless space is  
35 provided by a suitable ~~lavatory~~ sink or a counter.

1 4658.4150 HANDICAPPED ACCESSIBLE TOILET ROOMS; NEW CONSTRUCTION.

2 Layout:

3 A. Toilet rooms for wheelchair users must be arranged  
4 to allow movement for the frontal, oblique, and lateral angle  
5 approach.

6 B. The door opening must have a clear opening of at  
7 least 32 inches, and must be located within an area in front of  
8 the ~~water-closet~~ toilet. Hinged doors must swing out, or must  
9 be double acting and be provided with an emergency-type release  
10 stop. Privacy door locks must be of a type which can be opened  
11 by staff in an emergency.

12 C. The center of the ~~water-closet~~ toilet must be  
13 located 18 inches from the side wall and there must be at least  
14 four feet of unobstructed space in front of the bowl. All basic  
15 interior room dimensions must be at least 66 inches.

16 D. The ~~water-closet~~ toilet must be mounted at a  
17 height of 17 to 19 inches above the floor, measured to the top  
18 of the seat. The bowl must be elongated with an open front seat.

19 E. Flush valves must be a quiet operating type.

20 F. The paper holder must be securely anchored on the  
21 side wall near the ~~water-closet~~ toilet, 19 to 25 inches above  
22 the floor, and six to 12 inches in front of the seat with both  
23 dimensions measured to the center of the holder.

24 G. An L-shaped grab bar, each leg at least 18 inches  
25 long, must be provided, securely anchored on the side wall near  
26 the ~~water-closet~~ toilet. The low end of the vertical leg must  
27 be mounted at a height of ten inches above the toilet seat and  
28 at a distance of 12 inches in front of the seat, and the  
29 horizontal grab bar must extend toward the back wall.

30 H. A horizontal grab bar must be mounted on the wall  
31 at the rear of the toilet at a height of 33 to 36 inches above  
32 the floor. The grab bar must be at least 36 inches long.

33 I. Grab bars must have an outside diameter of 1-1/4  
34 to 1-1/2 inches, and must provide a clearance of 1-1/2 inches  
35 between the grab bar and the wall. Grab bars must be securely  
36 anchored to sustain a load of 250 pounds for five minutes.

1 J. The ~~lavatory~~ sink, with or without a counter top,  
2 must be accessible and must not interfere with general  
3 wheelchair movements. It must be mounted at a height of 34  
4 inches above the floor, measured to the top edge, and must  
5 provide a vertical clearance of at least 27 inches for knee  
6 space. A standard-type ~~lavatory~~ sink which meets these  
7 conditions is acceptable.

8 K. A towel bar must be provided at a height of 42 to  
9 44 inches. It must be a horizontal grab bar.

10 L. If a mirror is provided, and is mounted flush to  
11 the wall, the bottom of the mirror must be placed at a height of  
12 36 inches and the top at a height of at least 66 inches.  
13 Tilting mirrors are allowed provided they are mounted to meet  
14 the needs of the residents.

15 M. A shelf large enough to accommodate a resident's  
16 personal toilet accessories must be provided at a height of 32  
17 to 36 inches, unless space is provided by a suitable ~~lavatory~~  
18 sink or a counter.

19 4658.4155 CENTRAL BATHING AREA; NEW CONSTRUCTION.

20 Subpart 1. **Fixtures.** Bathing fixtures must be provided in  
21 accordance with part 4658.4135.

22 Subp. 2. **General requirements.**

23 A. In bathing areas with more than one fixture, each  
24 bathtub or shower area must be provided with privacy curtains or  
25 wall dividers.

26 B. If a ~~water-closet~~ toilet is located within an open  
27 area with multiple bathing fixtures, the toilet area must be  
28 provided with privacy curtains or stall partitions.

29 C. All bathtub and shower areas must be designed for  
30 assisted bathing.

31 D. The bathing area must have direct access to a  
32 toilet room or space without going through the general corridor,  
33 and the toilet room or space must allow space for assistance of  
34 residents according to part 4658.4150.

35 E. Bathtubs and showers must be provided with a



1 nonslip bottom or floor surface and at least one grab bar,  
2 securely anchored, must be provided at each fixture.

3 F. If towel bars are provided, they must be  
4 horizontal grab bars, securely anchored.

5 G. A bar soap holder, if provided, must be without  
6 handles and recessed.

7 H. The door or doors to the bathing area must have  
8 privacy door locks. Hinged doors must swing out, or they must  
9 be double acting and be provided with an emergency-type release  
10 stop.

11 Subp. 3. Shower areas.

12 A. Central showers must not be less than 48 inches by  
13 48 inches, or 54 inches by 42 inches with the long side open,  
14 without a curb, and with a 32-inch high splash protection.

15 B. The shower area must have controls located near  
16 the splash protection for easy reach by both resident and  
17 attendant. A flexible hose hand shower must be provided.

18 C. A vertical, nonslip grab bar, 24 inches long, must  
19 be provided at the shower and at the shower entrance location.  
20 The low end of the grab bar must be 36 inches above the floor.  
21 Horizontal grab bars inside the wet areas must be mounted at a  
22 height of 54 inches above the floor.

23 Subp. 4. Bathtub areas.

24 A. The location of the tub and the design of the  
25 central bathing area must allow a minimum of four feet of  
26 clearance around the working areas of the tub.

27 B. A pedestal used to elevate a standard-type bathtub  
28 must be provided with a finished cleanable surface, and include  
29 a toe space.

30 C. A flexible hose hand shower must be provided.

31 D. Horizontal or vertical grab bars must be located  
32 in proximity to the tub in order to accommodate safe use of the  
33 tub and the requirements of the bathing program, including  
34 drying of residents. These grab bars must be either  
35 wall-mounted or part of the tub design and construction.

1 4658.4160 DRINKING FOUNTAINS; NEW CONSTRUCTION.

2 Refrigerated drinking fountains must be provided in  
3 resident areas, the recreational or activities area, and in or  
4 near the dining area.

5 4658.4165 HANDWASHING FACILITIES; NEW CONSTRUCTION.

6 Handwashing facilities must be available for persons  
7 providing services to residents. Single-service towels must be  
8 available at all times. Use of a common towel is prohibited.

9 4658.4170 STORAGE; NEW CONSTRUCTION.

10 Subpart 1. Equipment and supplies.

11 A. A storage room or rooms must be provided in each  
12 nursing area.

13 B. Total storage area within the nursing home for the  
14 storage of equipment and supplies must be provided in the amount  
15 of at least 15 square feet per bed including space for the  
16 storage of:

17 (1) clean items and supplies in a clean utility  
18 room;

19 (2) supplies and equipment for the activities  
20 program;

21 (3) supplies and equipment in the barber and  
22 beauty shop room;

23 (4) wheelchairs, walkers, and other adaptive  
24 equipment; and

25 (5) bulk paper products.

26 C. Space for storage of food and linens must be  
27 provided in addition to the required storage area in item B.

28 Subp. 2. Housekeeping supplies. An area for the storage  
29 of housekeeping supplies and equipment must be provided in each  
30 janitor's closet.

31 Subp. 3. Yard maintenance equipment and supplies.

32 Separate enclosed storage space for the storage of yard  
33 maintenance equipment and supplies must be provided outside the  
34 nursing home.

1 4658.4175 JANITOR'S CLOSET; NEW CONSTRUCTION.

2 A janitor's closet must be provided for each resident floor  
3 or nursing area.

4 4658.4180 ROOM LABELING; NEW CONSTRUCTION.

5 All bedrooms must be labeled using a system of numbers.  
6 All service rooms must be labeled.

7 4658.4190 PENALTIES FOR RESIDENT AREAS; NEW CONSTRUCTION RULE  
8 VIOLATIONS.

9 Penalty assessments for violations of parts 4658.4100 to  
10 4658.4180 shall be assessed on a daily basis and are as follows:

- 11 A. part 4658.4100, \$150;
- 12 B. part 4658.4105, subpart 1, \$200;
- 13 C. part 4658.4105, subpart 2, \$150;
- 14 D. part 4658.4105, subparts 3 to 5, \$200;
- 15 E. part 4658.4105, subpart 6, \$150;
- 16 F. part 4658.4105, subpart 7, \$200;
- 17 G. part 4658.4105, subpart 8, \$150;
- 18 H. part 4658.4110, subpart 1, item A, \$100;
- 19 I. part 4658.4110, subpart 1, item B, \$500;
- 20 J. part 4658.4110, subpart 2, \$200;
- 21 K. part 4658.4115, \$150;
- 22 L. part 4658.4120, \$200;
- 23 M. part 4658.4125, subpart 1, \$150;
- 24 N. part 4658.4125, subparts 2 and 3, \$200;
- 25 O. part 4658.4130, subpart 1, \$150;
- 26 P. part 4658.4130, subpart 2, \$200;
- 27 Q. part 4658.4135, \$150;
- 28 R. part 4658.4140, \$150;
- 29 S. part 4658.4145, items A to E, \$150;
- 30 T. part 4658.4145, items F and G, \$200;
- 31 U. part 4658.4145, items H to J, \$150;
- 32 V. part 4658.4150, items A to F, \$150;
- 33 W. part 4658.4150, items G to I, \$200;
- 34 X. part 4658.4150, items J to M, \$150;
- 35 Y. part 4658.4155, subpart 2, items A to D, \$150;

- 1 Z. part 4658.4155, subpart 2, items E and F, \$200;  
 2 AA. part 4658.4155, subpart 2, items G and H, \$150;  
 3 BB. part 4658.4155, subpart 3, items A and B, \$150;  
 4 CC. part 4658.4155, subpart 3, item C, \$200;  
 5 DD. part 4658.4155, subpart 4, items A to C, \$150;  
 6 EE. part 4658.4155, subpart 4, item D, \$200;  
 7 FF. part 4658.4160, \$150;  
 8 GG. part 4658.4165, \$150;  
 9 HH. part 4658.4170, \$150;  
 10 II. part 4658.4175, \$150; and  
 11 JJ. part 4658.4180, \$50.

12 SUPPORTIVE SERVICES; NEW CONSTRUCTION

13 4658.4200 DINING, DAYROOM, AND ACTIVITY AREAS, REQUIRED FLOOR  
 14 AREA; NEW CONSTRUCTION.

15 Subpart 1. Total area. The total area set aside for  
 16 dining, dayroom, and activities must be at least 40 square feet  
 17 per bed, with a minimum of five square feet per bed for each  
 18 type of area.

19 Subp. 2. Space for adult day care. Additional space must  
 20 be provided, according to part 9555.9730, for dining, dayroom,  
 21 and activities areas if the nursing home is offering a day care  
 22 program.

23 4658.4205 DAYROOM; NEW CONSTRUCTION.

24 Dayroom space must not include areas used for corridor  
 25 traffic or chapels with fixed pews. Dayrooms must be located  
 26 convenient to the bedroom areas and there must be at least one  
 27 on each bedroom floor in multistory construction. Dayrooms must  
 28 be provided with natural lighting.

29 4658.4210 DINING AREA; NEW CONSTRUCTION.

30 The dining area must be separate from the kitchen. The  
 31 dining area or areas must have windows facing the outdoors.

32 4658.4215 ACTIVITIES AREA; NEW CONSTRUCTION.

33 Display space for individual resident's projects must be  
 34 provided. A counter, handicapped accessible handwashing

1 facility, and a single-service towel dispenser must be provided  
2 within an activities area. If provided, a ceramic kiln must be  
3 installed in accordance with the Uniform Mechanical Code.

4 4658.4290 PENALTIES FOR SUPPORTIVE SERVICES; NEW CONSTRUCTION  
5 RULE VIOLATIONS.

6 A \$150 penalty shall be assessed on a daily basis for  
7 violations of parts 4658.4200 to 4658.4215.

8 DIETARY, LAUNDRY, AND OTHER FACILITIES; NEW CONSTRUCTION  
9 4658.4300 KITCHEN AREA; NEW CONSTRUCTION.

10 Subpart 1. In general. The kitchen must be located  
11 conveniently to the service entrance, food storage areas, and  
12 dining area. Door openings to food preparation areas must be  
13 located away from entrances to soiled linen or utility rooms,  
14 trash rooms, or a laundry. The kitchen area must be arranged  
15 for efficient operation and must contain sufficient space and  
16 equipment for the type of food service selected. If a  
17 commercial food service is used, or if meals are provided by  
18 another facility, the kitchen areas and equipment must be  
19 designed to provide for the safe and sanitary storage,  
20 processing, and handling of such food. The kitchen area must be  
21 subjected only to that traffic which is directly related to the  
22 functions of the food service. Food storage areas must be  
23 located to avoid delivery traffic through the kitchen area.

24 A kitchen and food storage area designed for limited food  
25 preparation should be arranged for possible future expansion in  
26 case a nursing home reverts to a standard-type food service at a  
27 later date. Doors with locks must be provided to secure the  
28 kitchen and food storage areas during off-hours.

29 Subp. 2. Storage for nonperishable food. A  
30 well-ventilated storeroom must be provided for day storage and  
31 for the reserve food supply. The maximum temperature of the  
32 storeroom must not exceed 85 degrees Fahrenheit. The storeroom  
33 must have storage capacity for at least one week's supplies.  
34 Shelving must be finished with a washable surface, and the  
35 bottom shelf must be at least six inches above the floor. Floor

1 drains must not be provided.

2       Subp. 3. **Storage facilities.** Mechanical refrigeration or  
3 hot food storage facilities must be provided to ensure the  
4 maintenance of potentially hazardous food at required  
5 temperatures. Each storage facility must be provided with a  
6 numerically scaled-temperature indicating device accurate to  
7 plus or minus three degrees Fahrenheit (plus or minus two  
8 degrees centigrade) located to measure the air temperature in  
9 the warmest part of the refrigeration facility or the coldest  
10 part of the hot holding facility. Temperature-indicating  
11 devices must be securely fastened and located to be easily  
12 readable. Where it is impractical to install fixed  
13 temperature-indicating devices on equipment such as cold table  
14 tops, steam tables, processing lines, kettles, heat lamps, or  
15 portable transport carriers, a product thermometer of metal stem  
16 type construction, numerically scaled, and accurate to plus or  
17 minus two degrees Fahrenheit (plus or minus one degree  
18 centigrade) must be provided and used to check internal food  
19 temperatures. Floor drains, directly connected to the building  
20 sewer system, must not be provided inside the room.

21       Subp. 4. **Storage for dishes and utensils.** Enclosed  
22 storage must be provided for all china, glasses, flatware, and  
23 other food service utensils, including cooking utensils, pots,  
24 and pans. Dishes and utensils must not be stored in the  
25 dishwashing area.

26       Subp. 5. **Janitor's closet.** The dietary department must be  
27 provided with its own janitor's closet with a floor receptor or  
28 service sink, and storage for housekeeping supplies and  
29 equipment.

30       Subp. 6. **Lavatories Sinks.** At least one ~~lavatory~~ sink  
31 with a single-service towel dispenser must be provided in the  
32 food preparation area and in the clean end of the dishwashing  
33 area. Mirrors must not be installed in food preparation areas.  
34 The use of a common towel is prohibited.

35       Subp. 7. **Toilet room.** A toilet room must be accessible  
36 for the dietary staff. It must not open directly into any food

1 service area. It must contain a ~~water-closet~~ toilet, ~~lavatory~~  
2 sink, mirror, and a single-service towel dispenser. The use of  
3 a common towel is prohibited.

4 4658.4305 FOOD SERVICE EQUIPMENT; NEW CONSTRUCTION.

5 Subpart 1. In general. All food service equipment,  
6 including ice makers, drinking fountains, and dishwashers, must  
7 comply with part 4658.3500, subpart 3. Food storage equipment  
8 must be designed and constructed according to NSF International  
9 Standard No. 2. Materials used on the interior and exterior  
10 exposed surfaces of the food storage equipment must be NSF  
11 International approved. Counter tops for all food service  
12 cabinets must be NSF International approved. The complete food  
13 storage equipment does not require NSF International approval.  
14 Sufficient separation must be provided between each piece of  
15 equipment and between equipment and walls to permit easy and  
16 effective cleaning, or the equipment must be placed with a tight  
17 fit and the joints sealed. Equipment which is not sealed at the  
18 floor must have casters or be installed on sanitary legs that  
19 provide at least six inches clearance between the equipment and  
20 the floor. Aisles between equipment must have a minimum width  
21 of four feet to allow room for traffic in work areas and to  
22 permit movement of mobile equipment.

23 Subp. 2. Food carts. Floor space designated for the  
24 storage of all food carts must be provided within the kitchen  
25 area.

26 Subp. 3. Cutting boards. Cutting boards or similar use  
27 table tops must be constructed of nonporous, smooth, and  
28 cleanable material, and be free of cracks, crevices, and open  
29 seams.

30 Subp. 4. Scullery sink. For manual washing, rinsing, and  
31 sanitizing of utensils and equipment, a sink with at least three  
32 compartments must be provided and used. Sink compartments must  
33 be large enough to permit the accommodation of the equipment and  
34 utensils and each compartment of the sink must be supplied with  
35 hot and cold potable running water. Drain boards must be

1 provided at each end for proper handling of soiled utensils  
2 before washing and for cleaned utensils following sanitizing and  
3 must be located so as not to interfere with the proper use of  
4 the utensil washing facilities. If a mechanical dishwasher or a  
5 mechanical utensil washer is used for the sanitizing of pots and  
6 pans, a sanitizing compartment is not required and a  
7 two-compartment scullery sink is acceptable as used according to  
8 parts 4658.0675 and 4658.0680.

9 4658.4310 DISHWASHING AREA; NEW CONSTRUCTION.

10 The dishwashing area must be separate from the food  
11 preparation area, and must be arranged and equipped as follows:

12 A. Soiled dishes must arrive at the soiled dish  
13 counter without passing through the clean dish side of the  
14 dishwashing area or through the food preparation area of the  
15 kitchen. The soiled dish counter must include provisions for  
16 prerinse of dishes and disposal of garbage.

17 B. Facilities with more than 30 beds must provide a  
18 commercial hood-type or conveyor dishwasher. The area  
19 containing the dishwasher and the soiled dish spray rinse must  
20 be separated from the food preparation area and the clean dish  
21 storage area by a wall protection.

22 C. Facilities with 30 or fewer beds must be equipped  
23 with a minimum of an under-counter-type dishwasher that complies  
24 with NSF International Standard No. 3.

25 D. Clean dishes must be returned directly from the  
26 clean dish counter to a clean area for storage. The clean dish  
27 counter must be at least four feet long in facilities with  
28 pass-through type dishwashers. If necessary, provision must be  
29 made for the return of empty dish racks to the dishwasher area.

30 4658.4315 WASHING OF FOOD CARTS; NEW CONSTRUCTION.

31 A separate area, equipped with a floor drain, must be  
32 provided for the cleaning of food carts.

33 4658.4320 WASHING OF GARBAGE CANS; NEW CONSTRUCTION.

34 An area, separated from the dietary area, equipped with a



1 floor drain, must be provided for the washing of garbage cans.

2 4658.4325 LAUNDRY, SIZE AND LOCATION; NEW CONSTRUCTION.

3 Subpart 1. Laundry. The laundry, if provided in the  
4 facility, must be sized and equipped to handle the laundering of  
5 all linen and personal clothing to be processed in the facility.

6 Subp. 2. Entrance. The entrance to a soiled linen  
7 collection room or to a laundry processing room must be located  
8 away from resident living areas and the entrance to the  
9 kitchen. Door widths to laundry areas must allow for movement  
10 of equipment and linen carts.

11 4658.4330 SOILED LINEN COLLECTION ROOM; NEW CONSTRUCTION.

12 Subpart 1. Soiled linen collection room. A separate,  
13 enclosed soiled linen collection room must be provided for the  
14 collection, storage, and sorting of soiled linen to be processed  
15 in the laundry processing room or by an outside laundry service.

16 Subp. 2. Location. The soiled linen collection room must  
17 be located at the soiled side of the laundry processing room. A  
18 soiled linen collection room for facilities with outside laundry  
19 service must be located near the service entrance.

20 4658.4335 LAUNDRY PROCESSING ROOM; NEW CONSTRUCTION.

21 The laundry processing room must be arranged and equipped  
22 to allow for the orderly, progressive flow of work from the  
23 soiled area to the clean area. The layout of the processing  
24 area must minimize linen transportation and avoid cross-traffic  
25 between clean and soiled operations. Laundry operations must be  
26 physically separated by a floor area. The processing room must  
27 provide space for the storage of supplies and equipment. Space  
28 for storage of laundry carts must be provided within the laundry  
29 area. Handwashing facilities must be available for the area. A  
30 two-compartment laundry tub must be provided and must be of a  
31 material with a nonabsorbent, smooth, permanent finish. A  
32 laundry tub may be provided with fittings for the required  
33 handwashing facilities.

34 4658.4340 LAUNDRY EQUIPMENT; NEW CONSTRUCTION.

1 The laundry equipment must be of commercial type and must  
2 be of sufficient size and quantity for the size of the  
3 facility. The washer installation must be constructed of  
4 materials capable of meeting the operating requirements in part  
5 4658.1410. The washer must be capable of measuring and  
6 displaying internal water temperatures.

7 4658.4345 CLEAN LINEN STORAGE; NEW CONSTRUCTION.

8 Rooms, closets, or enclosed carts must be provided for the  
9 storage of clean linen.

10 4658.4350 LAUNDRY FOR PERSONAL CLOTHING; NEW CONSTRUCTION.

11 Provision must be made for the washing of personal clothing  
12 either within or outside the facility. Residential-grade  
13 equipment may be used for the washing of personal clothing.

14 4658.4355 REFUSE; NEW CONSTRUCTION.

15 Subpart 1. Refuse area. An outside, fenced area or a  
16 separate room must be provided for holding trash and garbage  
17 prior to disposal. It must be located convenient to the service  
18 entrance and be sized to accommodate the refuse volume and the  
19 chosen type of disposal system.

20 Subp. 2. Incinerator. An incinerator, if provided, must  
21 be in a separate room, or in a designated area within the boiler  
22 or heater room, or outdoors. An incinerator, if provided, must  
23 comply with parts 7011.1201 to 7011.1285.

24 4658.4360 COVERED ENTRANCE AREA; NEW CONSTRUCTION.

25 At least one covered entrance area must be provided to  
26 protect residents from weather. The covered entrance must  
27 extend from the curb line to the building.

28 4658.4365 FACILITIES FOR PERSONNEL; NEW CONSTRUCTION.

29 Locker and toilet facilities must be provided for personnel.

30 4658.4370 REHABILITATIVE SERVICES AREAS; NEW CONSTRUCTION.

31 Subpart 1. Specialized rehabilitative services area. Each  
32 specialized rehabilitative therapy service provided must be  
33 provided space and equipment for exercise and treatment which

1 meets the needs of a medically directed therapy program and of  
 2 the residents receiving services. Each treatment area must be  
 3 designed and equipped to protect residents' visual privacy. A  
 4 lavatory or sink must be conveniently located to all  
 5 rehabilitative services areas. Space for administrative  
 6 activities and storage of supplies and equipment must be  
 7 provided for any rehabilitative service provided.

8 Subp. 2. **Physical therapy area.** The physical therapy area  
 9 must be provided with a lavatory or sink with institutional  
 10 fittings and a single-service towel dispenser.

11 Subp. 3. **Physical therapy area toilet room.** A toilet room  
 12 must be located within or adjacent to the physical therapy  
 13 area. Access to this toilet room must be provided from within  
 14 the physical therapy area. This toilet room may also serve the  
 15 general corridor. The toilet room must comply with the  
 16 requirements for handicapped accessible toilet rooms in part  
 17 4658.4150.

18 4658.4375 BARBER AND BEAUTY SHOP SERVICES; NEW CONSTRUCTION.

19 A room must be provided and equipped for barber and beauty  
 20 shop services.

21 4658.4390 PENALTIES FOR DIETARY, LAUNDRY, AND OTHER SERVICES;  
 22 NEW CONSTRUCTION RULE VIOLATIONS.

23 Penalty assessments for violations of parts 4658.4300 to  
 24 4658.4375 shall be assessed on a daily basis and are as follows:

- 25 A. parts 4658.4300 to 4658.4345, \$200;
- 26 B. part 4658.4350, \$100;
- 27 C. part 4658.4355, \$150;
- 28 D. part 4658.4360, \$200; and
- 29 E. parts 4658.4365 to 4658.4375, \$150.

30 CONSTRUCTION, CHUTES, AND ELEVATORS;

31 NEW CONSTRUCTION

32 4658.4400 AREA HEAT PROTECTION; NEW CONSTRUCTION.

33 Floors and walls for resident living areas which are  
 34 overheated due to adjoining heat sources must be insulated or

1 otherwise protected to prevent the surface from exceeding a  
2 temperature of 85 degrees Fahrenheit.

3 4658.4405 DOOR HANDLES; NEW CONSTRUCTION.

4 Lever-type door handles must be provided on all hinged  
5 doors to resident areas.

6 4658.4410 DUMBWAITERS AND CONVEYORS; NEW CONSTRUCTION.

7 Enclosed dumbwaiter pits and conveyor spaces must be  
8 provided with access for cleaning. Operation of dumbwaiters  
9 must comply with parts 5205.0400 to 5205.0490.

10 4658.4415 ELEVATORS; NEW CONSTRUCTION.

11 Subpart 1. Elevators. Shaft enclosures and elevator  
12 installations must be provided in accordance with part  
13 4658.3500, subpart 5. Elevators must be provided in all  
14 facilities where residents occupy or use more than the entrance  
15 or first floor level.

16 Subp. 2. Elevator cab size. At least one elevator must  
17 have an inside cab dimension of at least five feet wide and  
18 seven feet deep. The car doors must have a clear opening of at  
19 least three feet, eight inches.

20 4658.4420 EXTERIOR MECHANICAL SHAFTS; NEW CONSTRUCTION.

21 Exterior shafts serving equipment for resident areas must  
22 be constructed to prevent accumulation of dirt, leaves, or snow.

23 4658.4425 FLOOR JOINTS; NEW CONSTRUCTION.

24 Thresholds and expansion joint covers must be flush with  
25 the floor, except at exterior doors. Adjacent dissimilar floor  
26 materials must be flush with each other to provide an unbroken  
27 surface.

28 4658.4430 NONSKID SURFACES; NEW CONSTRUCTION.

29 Stairways, ramps, bathtubs, and showers must be provided  
30 with nonslip surfaces.

31 4658.4435 GLASS PROTECTION; NEW CONSTRUCTION.

32 Any full height window or glass partition of clear glass

1 which has the sill placed at or up to 18 inches above floor  
2 level must be constructed of safety glass and must be provided  
3 with a railing or some other structural safety barrier at a  
4 height of at least 30 inches above the floor. Glass doors must  
5 be constructed of safety glass and must be provided with a push  
6 bar or with decals or markings.

7 4658.4440 LINEN AND TRASH CHUTES; NEW CONSTRUCTION.

8 The minimum diameter of a gravity-type chute must be two  
9 feet. The ceiling space between shaft walls and the discharge  
10 end of the chute must be sealed to prevent odors from leaking  
11 into the enclosing shaft space.

12 4658.4445 OVERHEAD PIPING; NEW CONSTRUCTION.

13 Overhead piping must not be exposed in dietary areas, clean  
14 storage, and clean linen areas. Waste lines over food  
15 preparation areas, food storage areas, clean storage areas, and  
16 electrical panels are prohibited. Plumbing waste lines and  
17 vents must not be located within ventilation plenums.

18 4658.4450 PROTECTION RAILINGS; NEW CONSTRUCTION.

19 Protection railings, 42 inches high, must be provided for  
20 top landings of stairs, window wells, and open air shafts in  
21 areas accessible to residents.

22 4658.4455 CEILING HEIGHTS; NEW CONSTRUCTION.

23 Minimum ceiling heights must be provided as follows:

24 A. Boiler room ceilings must be at least five feet  
25 higher than the top of the boiler unit and at least two feet,  
26 six inches above the main boiler head and connecting piping with  
27 a minimum total height of nine feet.

28 B. Ceilings in corridors, storage rooms, resident  
29 toilet rooms, and other minor rooms must not be less than seven  
30 feet, six inches.

31 C. Ceilings in all other rooms must not be less than  
32 eight feet.

33 4658.4460 CEILINGS, WALLS, AND FLOORS; NEW CONSTRUCTION.

1 Ceilings, walls, and floors must be of a type or finish to  
 2 permit good maintenance including frequent washing, cleaning, or  
 3 painting. Walls in areas subject to local wetting must be  
 4 provided with a hard, nonabsorbent surface. Floors in areas  
 5 subject to local wetting must be finished with a smooth, hard,  
 6 nonslip, nonabsorbent surface. In dietary areas, floor surfaces  
 7 must be grease resistant. Carpeting in resident areas must be  
 8 of high density, low-pile construction which is cleanable and  
 9 facilitates wheeled traffic.

10 4658.4490 PENALTIES FOR CONSTRUCTION DETAILS, CHUTES, AND  
 11 ELEVATORS; NEW CONSTRUCTION RULE VIOLATIONS.

12 Penalty assessments for violations of parts 4658.4400 to  
 13 4658.4460 shall be assessed on a daily basis and are as follows:

- 14 A. part 4658.4400, \$200;
- 15 B. part 4658.4405, \$150;
- 16 C. part 4658.4410, \$200;
- 17 D. part 4658.4415, \$200;
- 18 E. part 4658.4420, \$150;
- 19 F. parts 4658.4425 to 4658.4450, \$200;
- 20 G. part 4658.4455, \$150; and
- 21 H. part 4658.4460, \$200.

22 MECHANICAL SYSTEMS; NEW CONSTRUCTION

23 4658.4500 PLUMBING SYSTEMS; NEW CONSTRUCTION.

24 Subpart 1. Installation. All plumbing systems must be  
 25 installed and tested according to this chapter and chapter 4715,  
 26 the Minnesota Plumbing Code.

27 Subp. 2. Area drainage. Roofs, basements, tunnels, pits,  
 28 shafts, areaways, courts, yards, and drives must be properly  
 29 drained to eliminate intrusion of rain water or groundwater into  
 30 the building. Floor drains in exterior areaways and similar  
 31 installations must be provided with a running trap located  
 32 inside the building to prevent freeze-up in the winter.

33 Subp. 3. Pipe insulation. Sufficient insulation must be  
 34 provided for all water and steam piping to assure proper  
 35 functioning of the systems, provide safety against burns, and to

1 prevent undesirable condensation or heat transfer in areas for  
2 residents.

3       Subp. 4. **Hot water supply.** Circulating hot water must be  
4 provided in all hot water mains and in risers more than three  
5 stories high to assure hot water at the fixtures. The domestic  
6 hot water heating equipment must be installed, operated, and  
7 maintained according to chapter 4715, the Minnesota Plumbing  
8 Code. The domestic hot water heating equipment must have  
9 sufficient capacity and recovery to supply water at minimum  
10 temperatures at the point of use as follows:

11           A. resident bedrooms and service areas, ~~105 to 115~~  
12 degrees Fahrenheit, with a maximum temperature at the point of  
13 use of 115 degrees Fahrenheit;

14           B. mechanical dishwashing, 180 degrees Fahrenheit;

15           C. washers in the laundry, 160 degrees Fahrenheit;

16 and

17           D. mechanical sanitizing of nursing utensils, 180  
18 degrees Fahrenheit.

19       If a thermostatically controlled mixing valve is used, it  
20 must be of the "fail-safe" type which prevents flow of hot water  
21 in case the cold water supply fails. Heaters must be insulated  
22 and provided with a thermometer.

23       Subp. 5. **Dishwashing machine.** The dishwashing machine  
24 must be of a commercial type equal to the standards established  
25 by NSF International Standard No. 3, and must be of a size that  
26 can accommodate food trays. The water supply line at the  
27 machine must be provided with a pressure-reducing valve,  
28 pressure gauge, and vacuum breaker. The rinse water flow  
29 pressure must be maintained between 15 and 25 pounds per square  
30 inch at the machine by the use of a pressure reducing valve. A  
31 pressure gauge must be installed immediately after the reducing  
32 valve. A recirculation system and pump must be provided if the  
33 final rinse water heater is located more than five feet from the  
34 dishwasher. The drain must be an indirect waste connection to a  
35 trapped floor drain, or it must be a trapped connection to a  
36 branch with a floor drain without a backwater valve in the

1 horizontal branch.

2 Subp. 6. Floor drains. Floor drains must not be installed  
3 in areas for food storage. Floor drains must not be directly  
4 connected to ventilation equipment or air supply plenums.

5 4658.4505 PLUMBING; NEW CONSTRUCTION.

6 Subpart 1. Institutional fittings. Institutional fittings  
7 must include a mixing faucet, gooseneck spout or other approved  
8 spout, wrist-action controls, and an open grid strainer on the  
9 waste in the ~~lavatories~~ sinks.

10 The spout must provide a minimum vertical distance of five  
11 inches from its discharge point to the rim of the fixture, and a  
12 minimum horizontal bowl clearance of seven inches between the  
13 discharge point and the inside face of the rim.

14 The blades on wrist-action controls must not exceed 4-1/2  
15 inches in length, except that handles on clinical sinks must not  
16 be less than six inches long.

17 Subp. 2. Flushing rim service sinks or clinical sinks.

18 Flushing rim service sinks or clinical sinks must have an  
19 integral trap in which the upper portion of a visible trap seal  
20 provides a water surface. A bedpan cleaning device must be  
21 included at the clinical sink in soiled utility rooms. If a  
22 spray nozzle is included, there must be a way to control the  
23 water flow and pressure from the nozzle to minimize  
24 aerosolization.

25 Subp. 3. Sterilizer vent systems. All sterilizers  
26 requiring vapor vents must be connected with a vapor venting  
27 system extending up through the roof independent of the plumbing  
28 fixture vent system. The vertical riser pipe must be provided  
29 with a drip line which discharges into the drainage system  
30 through an air gap or open waste fixture. The connection  
31 between the fixture and the vertical vent riser pipe must be  
32 made by means of a horizontal offset. Vent material must be  
33 erosion and corrosion resistant.

34 4658.4510 HEATING AND COOLING; NEW CONSTRUCTION.

35 Subpart 1. Design and installation. Heating and cooling



1 systems must be capable of maintaining a temperature of 71  
2 degrees Fahrenheit to 81 degrees Fahrenheit in all resident  
3 areas. Areas must be zoned according to use and exposure, and  
4 must be provided with thermostatic temperature controls. The  
5 humidification system must be capable of maintaining a space  
6 humidity between 25 percent relative humidity and 50 percent  
7 relative humidity.

8 Subp. 2. Isolation of major components. A means of  
9 isolating major sections or components in the heating and  
10 cooling systems must be provided. Supply and return mains, and  
11 risers of space heating and cooling systems must be valved to  
12 isolate the various sections of each system. Each piece of  
13 equipment must be valved at the supply and return ends. Any  
14 pump on which the heating and cooling systems are dependent  
15 should be installed in duplicate for standby service in a  
16 nursing home.

17 Subp. 3. Controls and gauges. All valves and controls  
18 must be placed for convenient access and use, and thermometers  
19 and gauges must be mounted for easy observation.

20 Subp. 4. Heating and cooling elements. Heating and  
21 cooling elements must be located so as not to interfere with  
22 beds in residents' rooms. Tubing and casing of gravity-type  
23 heating and cooling convectors must be mounted at least four  
24 inches above the floor and be provided with removable sturdy  
25 covers in order to facilitate cleaning.

26 Subp. 5. Forced flow room units. Cabinets for forced flow  
27 heating or cooling units must be sturdy and must be mounted  
28 either continuously along the floor with a tight fit or at least  
29 four inches above the floor. Outside air must be filtered. The  
30 interior air grill for recirculation must be located not less  
31 than four inches above the floor, on floor mounted units. Fans  
32 or blowers must be of a quiet operating type, and the fan or  
33 blower housing must not be directly connected to the metal of  
34 the unit cabinet. Recirculated air must be passed through the  
35 filter. The filter must be replaceable from within the room.

1 4658.4515 VENTILATION REQUIREMENTS; NEW CONSTRUCTION.

2 Mechanical supply and exhaust ventilation must be provided  
3 for all areas according to part 4658.4520. The systems must be  
4 designed and balanced to provide the pressure relationships  
5 described in part 4658.4520. Areas not covered in part  
6 4658.4520 must be ventilated according to the Minnesota State  
7 Building Code. Areas requiring an equal or positive pressure  
8 relationship to adjacent areas according to part 4658.4520 must  
9 be provided with tempered makeup air. All air-supply and  
10 air-exhaust systems must be mechanically operated. Required  
11 exhaust ventilation must not be activated by a light switch.  
12 All fans serving exhaust systems must be located at the  
13 discharge end of the system. The ventilation rates shown in  
14 part 4658.4520 are minimum acceptable rates, and do not preclude  
15 the use of higher ventilation rates if the rates do not result  
16 in undesirable velocities in resident areas.

1 4658.4520 VENTILATION PRESSURE RELATIONSHIPS AND VENTILATION FOR  
 2 CERTAIN AREAS IN NURSING HOMES; EXISTING AND NEW CONSTRUCTION.

Area Designation	Pressure <sup>1</sup> Relationship to Adjacent Areas	All Supply Air From Outdoors	Minimum Air Changes of Outdoor Air Per Hour	Minimum Total Air Changes Per Hour	All Exhaust Directly To Outdoors	Recirculated Within Room
Resident Bedroom	0	-	2	2	-	-
Dayroom, Activity Area	0	-	2	2	-	-
Resident Corridor	0	-	2	4	-	-
Dining Room, Therapy	-	-	2	6	-	-
Medication Room	+	-	2	4	-	-
Clean Utility Room	+	-	2	4	-	-
Soiled Utility Room	-	-	-	10	YES	NO
Toilet Room	-	-	-	10	YES	NO
Bathing Area	-	-	-	10	YES	NO
Barber and Beauty Room	-	-	-	10	YES	NO
Janitor's Closet	-	-	-	10	YES	NO
Sterilizer Equip. Room	-	-	-	10	YES	NO
Garbage Room, Can Washing	-	-	-	10	YES	NO
Trash Collection Room	-	-	-	10	YES	NO
Food Preparation, Nourishment	0	-	2	10	YES	NO
Dishwashing, Food Cart Cleaning Area	-	-	-	10	YES	NO
Dietary Storage	0	-	-	2	-	NO
Laundry Processing Room	0	-	2	10	YES	NO
Soiled Linen Collection Room	-	-	-	10	YES	NO
Clean Linen Storage Room	+	-	2	2	-	-
Isolation Room	-	-	2	6	YES	NO
Smoking Room	-	-	2	10	YES	NO

1 Symbols:

2 Air Pressure Relationships:

3 + = Positive;

4 - = Negative;

5 0 = Neutral

6 Air Changes, Supply, Exhaust:

7 - = Optional

8 <sup>1</sup>Areas with equal or positive pressure relationships to adjacent  
9 areas must be provided with tempered make-up air.

10 4658.4525 FRESH AIR INTAKES; NEW CONSTRUCTION.

11 Fresh air intakes for ventilation systems must be located  
12 at least 25 feet away from a ventilation exhaust, combustion  
13 exhaust, or driveway or parking area. The bottom of fresh air  
14 intakes serving central air systems must be located as high as  
15 possible, but at least four feet above grade, or, if installed  
16 through the roof, at least two feet above roof level. Air  
17 intakes for individual room units must be at least one foot, six  
18 inches above outside grade. Any exhaust system or waste chute  
19 vent must terminate at least 25 feet away from windows that can  
20 be opened.

21 4658.4530 HEIGHT OF REGISTERS; NEW CONSTRUCTION.

22 Wall openings for air supply or return must be located at  
23 least four inches above the floor.

24 4658.4535 DIETARY AREA; NEW CONSTRUCTION.

25 Subpart 1. Food preparation areas. The minimum  
26 ventilation requirements of part 4658.4520 for food preparation  
27 areas must be provided by either a combination of general  
28 ventilation and the range hood, or by general room ventilation.  
29 If hood ventilation is needed to meet the minimum air changes  
30 per hour, the hood must be operating at all times that the food  
31 preparation area is in use.

32 Subp. 2. Dishwashing area. The minimum exhaust  
33 requirements of part 4658.4520 for the dishwashing area must be  
34 provided by either a combination of general ventilation and the

1 exhaust from the mechanical dishwasher or by general  
2 ventilation. If dishwasher hood ventilation is needed to meet  
3 the minimum air changes per hour, the hood must be operating at  
4 all times that the dishwashing area is in use.

5 Subp. 3. Exhaust ducts. All exhaust ducts must be  
6 provided with access panels for cleaning.

7 4658.4540 LAUNDRY AREA; NEW CONSTRUCTION.

8 Air in the laundry must be vented away from the finishing  
9 and ironing area and toward the extracting and washing area.  
10 The general air movement must be from the clean area to the  
11 soiled area, and must be of sufficient volume to remove steam,  
12 odors, and excessive heat. Dryers must be provided with a lint  
13 collector. Horizontal exhaust ducts must exhaust to the  
14 outside. The ducts must be provided with access panels for  
15 cleaning.

16 4658.4545 MECHANICAL ROOMS; NEW CONSTRUCTION.

17 Mechanical rooms with equipment using liquefied petroleum  
18 gas (LPG) or flammable liquid fuels producing vapors heavier  
19 than air must be provided with continuous mechanical outdoor air  
20 ventilation that provide a pressure which is equal to or greater  
21 than atmospheric, to remove accumulations of gas or vapor at the  
22 floor level. A relief or exhaust vent must be located within 12  
23 inches below the ceiling, and a relief or exhaust vent must be  
24 located within 12 inches above the floor.

25 4658.4550 FILTERS; NEW CONSTRUCTION.

26 Subpart 1. Air supply. All air supplied to the nursing  
27 home must be free from harmful particulate matter, any type of  
28 combustion products or contaminants, obnoxious odors, or  
29 exhausted air from the building or adjoining property.

30 Subp. 2. Filters. All outside air introduced into living  
31 and service areas of a nursing home must be filtered. Return  
32 air to central ventilation systems must be filtered. All  
33 central ventilation or air conditioning systems must be equipped  
34 with ~~filters-having-efficiencies-that-comply-with-subpart-3 a~~

1 minimum of one filter bed. The filter bed must be located  
 2 upstream of the air conditioning equipment, unless a prefilter  
 3 is employed. If a prefilter is employed, the prefilter must be  
 4 upstream of the equipment and the main filter may be located  
 5 further downstream. Filter frames must be durable and carefully  
 6 ~~dimensioned-and-must~~ proportioned to provide an airtight fit  
 7 with the enclosing ductwork.

8 Subp. 3. Filter efficiencies.

9 FILTER-EFFICIENCIES-FOR-CENTRAL-VENTILATION-AND  
 10 AIR-CONDITIONING-EQUIPMENT-SYSTEMS

11 Area-Designation	12 Minimum-Number 13 of-Filter-Beds	14 Minimum-Filter 15 Efficiency 16 (percent) 17 Main-Bed
18 Resident-care,-treatment, 19 diagnostic,-and-related 20 areas	±	80
21 Food-preparation-areas 22 and-laundries	±	80
23 Administrative,-bulk 24 storage,-soiled-utility-areas	±	30

25 Filters installed in all central ventilation or air conditioning  
 26 systems must have a minimum efficiency of 25 percent. All  
 27 filter efficiencies must be average atmospheric dust spot  
 28 efficiencies tested according to the American Society of  
 29 Heating, Refrigerating, and Air-Conditioning Engineers, Inc.  
 30 (ASHRAE) Standard No. 52-76 52.1-1992.

31 Subp. 4. Autoclave room. If there is a large autoclave in  
 32 the nursing home, it must be located in a separate room provided  
 33 with supply and exhaust ventilation. If an autoclave is built  
 34 into a separate equipment room, the equipment room must be  
 35 provided with exhaust ventilation.

36 4658.4590 PENALTIES FOR MECHANICAL SYSTEMS; NEW CONSTRUCTION  
 37 RULE VIOLATIONS.

38 A \$200 penalty shall be assessed on a daily basis for  
 39 violations of parts 4658.4500 to 4658.4550.

40 ELECTRICAL SYSTEMS; NEW CONSTRUCTION

41 4658.4600 DISTRIBUTION PANEL BOARDS; NEW CONSTRUCTION.

42 Subpart 1. Circuit index. All circuits in light and power

1 panels must be identified with a typewritten index. Doors on  
2 electrical panel boards accessible to residents must be equipped  
3 with a lock.

4 Subp. 2. Panel boards. Lighting and appliance panel  
5 boards must be provided for the circuits on each floor, except  
6 for emergency system circuits.

7 4658.4605 CORRIDOR RECEPTACLES; NEW CONSTRUCTION.

8 Single receptacles on a separate circuit for equipment such  
9 as floor cleaning machines must be installed approximately 50  
10 feet apart in all corridors and within 25 feet of ends of  
11 corridors.

12 4658.4610 SWITCHES AND RECEPTACLES; NEW CONSTRUCTION.

13 Switches must be placed between 42 inches and 48 inches  
14 above the floor. Convenience outlets for electrical appliances  
15 must be located to avoid danger in wet areas.

16 4658.4615 INTERIOR LIGHTING; NEW CONSTRUCTION.

17 A source of lighting must be provided in every room in the  
18 nursing home. Lighting levels in all areas of the nursing home  
19 must be adequate and comfortable. "Adequate lighting" means  
20 levels of illumination suitable to tasks the resident chooses to  
21 perform or the nursing home staff must perform. The  
22 installation of rheostats to provide varying levels of  
23 illumination in resident areas deemed appropriate by the nursing  
24 home is acceptable. "Comfortable lighting" means lighting that  
25 minimizes glare and provides maximum resident control, where  
26 feasible, of the intensity, location, and direction of  
27 illuminations so that visually impaired residents can maintain  
28 or enhance independent functioning.

29 The design of the lighting system must:

- 30 A. minimize direct, reflected, and contrast glare;  
31 B. provide consistent and even illumination of wall  
32 surfaces and floors;  
33 C. be residential in appearance;  
34 D. incorporate lamp colors that do not distort the

1 true color of people, objects, or architectural elements; and

2 E. be energy efficient.

3 Where feasible, indirect lighting by fluorescent lamps  
4 concealed by architectural molding or wall sconces is  
5 preferred. Electronic ballasts must be used for all fluorescent  
6 light fixtures. Full spectrum fluorescent and halogen lamps  
7 must not be used for task lighting. The lighting system must  
8 use natural light to the fullest extent possible in conjunction  
9 with artificial lighting. Illumination levels at transitions  
10 between outside daylight and interior light levels at entry ways  
11 must be equalized.

12 4658.4620 FIRE ALARM SYSTEMS; NEW CONSTRUCTION.

13 Fire alarm systems and sprinkler systems must be provided  
14 in accordance with chapter 1305.

15 4658.4625 BEDROOM RECEPTACLES; NEW CONSTRUCTION.

16 Each resident bedroom must have a minimum of two duplex  
17 receptacles mounted on the wall at the head of the bed, and one  
18 receptacle mounted on each side of the bed, for a total of four  
19 electrical outlets per bed. In addition to the receptacles at  
20 the head and side of each bed, each resident bedroom must be  
21 provided with two additional duplex receptacles, conveniently  
22 located on adjacent walls for resident use. At least one  
23 receptacle must be located between 16 inches and 20 inches above  
24 the floor, and be accessible for resident use.

25 4658.4630 NIGHT LIGHTS; NEW CONSTRUCTION.

26 Each resident bedroom must be provided with a night light.

27 4658.4635 NURSE CALL SYSTEM; NEW CONSTRUCTION.

28 The nurses' station must be equipped with a communication  
29 system designed to receive calls from the resident and nursing  
30 service areas required by this part. The communication system,  
31 if electrically powered, must be connected to the emergency  
32 power supply. Nurse calls and emergency calls must be capable  
33 of being inactivated only at the points of origin. A central  
34 annunciator must be provided where the door is not visible from



1 the nurses' station.

2           A. A nurse call must be provided for each resident's  
3 bed. Call cords, buttons, or other communication devices must  
4 be placed where they are within reach of each resident. A call  
5 from a resident must register at the nurses' station, activate a  
6 light outside the resident bedroom, and activate a duty signal  
7 in the medication room, nourishment area, clean utility room,  
8 soiled utility room, and sterilizing room. In multicorridor  
9 nursing units, visible signal lights must be provided at  
10 corridor intersections.

11           B. An emergency call must be provided in each  
12 resident toilet room, in all areas used for resident bathing,  
13 dayrooms, therapy areas, and activity areas. If a pull cord is  
14 provided it must extend to within six inches above the floor. A  
15 push-button type emergency call must be installed at a height of  
16 24 inches. An emergency call must register a call from a  
17 resident at the nurses' station, activate a duty signal in the  
18 medication room, nourishment area, clean utility room, soiled  
19 utility room, and sterilizing room, and activate a signal light  
20 by the bedroom door. The emergency duty signal must provide a  
21 visual signal light and an audible alarm.

22           C. If a nurse call system provides two-way voice  
23 communication, it must be equipped with an indicator light at  
24 each call station which lights and remains lighted as long as  
25 the voice circuit is operating. Nurse calls of this type may be  
26 capable of being inactivated at the nurses' station.

27 4658.4640 EMERGENCY ELECTRIC SERVICE; NEW CONSTRUCTION.

28           To provide electricity during an interruption of the normal  
29 electrical power supply that affects medical care, or safety of  
30 the occupants, an emergency source of electrical power must be  
31 provided and connected to certain circuits for lighting and the  
32 nurse call system. The emergency system must provide lighting  
33 for the nurses' station, telephone switchboard, resident  
34 corridors, exits, the boiler or heating system room, and, if  
35 provided, the emergency generator room. The emergency

1 electrical service must assure functioning of the fire  
 2 detection, alarm, and suppression systems, and the life support  
 3 systems. Emergency electrical service must be provided by one  
 4 of the following methods:

5       A. a battery-operated system with automatic controls  
 6 and recharging if effective for four or more hours; or

7       B. an on-site emergency generator.

8       The emergency generator, if provided, must be operated and  
 9 tested in accordance with the manufacturer's instructions. It  
 10 is recommended that the emergency generator system include all  
 11 items necessary for the functioning of the heating system. An  
 12 automatic transfer switch is recommended.

13 4658.4690 PENALTIES FOR ELECTRICAL SYSTEMS; NEW CONSTRUCTION  
 14 RULE VIOLATIONS.

15       Penalty assessments for violations of parts 4658.4600 to  
 16 4658.4640 shall be assessed on a daily basis and are as follows:

17       A. part 4658.4600, subpart 1, \$50;

18       B. part 4658.4600, subpart 2, \$200;

19       C. parts 4658.4605 to 4658.4630, \$200; and

20       D. parts 4658.4635 and 4658.4640, \$350.

21                               EXISTING CONSTRUCTION  
 22                               RESIDENT AREAS; EXISTING CONSTRUCTION

23 4658.5000 BEDROOM DESIGN, EXISTING CONSTRUCTION.

24       Subpart 1. **Design.** Each resident bedroom must be designed  
 25 and equipped for adequate nursing care, comfort, and privacy of  
 26 residents, including full visual privacy of residents.

27       Subp. 2. **Usable floor area.** The usable floor area per bed  
 28 must be at least 70 square feet for three- or four-bed rooms, at  
 29 least 80 square feet for two-bed rooms, and at least 100 square  
 30 feet for single bedrooms. The usable floor area and the  
 31 arrangement and shape of the bedroom must provide space for  
 32 furnishings, for the free movement of residents with physical  
 33 handicaps, and for nursing procedures. "Usable floor area"  
 34 does not include spaces occupied by toilet rooms, vestibules,  
 35 permanently installed wardrobes, lockers, closets, or heating

1 units.

2 Subp. 3. Access to exit. Each bedroom must have direct  
3 access to an exit corridor.

4 Subp. 4. Bedroom shape. The shape of the bedroom must  
5 allow for the capability of a bed arrangement which provides at  
6 least three feet of floor space at both sides and the foot end  
7 of each bed.

8 Subp. 5. Distance from nurses' station. Resident bedrooms  
9 must be located within 140 feet from the nurses' station.

10 4658.5005 BEDROOM DOOR LOCKS; EXISTING CONSTRUCTION.

11 Subpart 1. Written policy. A nursing home must develop a  
12 written policy regarding the use of locks on resident bedroom  
13 doors. The policy must address whether or not doors can be  
14 locked while the resident is in the room.

15 Subp. 2. Door locks. Door locks must permit exit from the  
16 room by a simple operation without the use of a key. Door locks  
17 must be openable with a master key which is located at each  
18 nurses' station.

19 4658.5010 CLOTHES WARDROBE OR CLOSET; EXISTING CONSTRUCTION.

20 A nursing home must provide each resident with individual  
21 wardrobe or closet space in the resident's bedroom with clothes  
22 racks and shelves accessible to the resident. Locks may be  
23 provided, with keys for the residents, when a pass key is  
24 provided at the nurses' station.

25 4658.5015 CORRIDOR HANDRAILS; EXISTING CONSTRUCTION.

26 Securely anchored, durable handrails must be provided on  
27 both sides of corridors used by residents. If a length of  
28 corridor space between doorways is 60 inches or less, a handrail  
29 is not necessary for that portion of the corridor.

30 4658.5020 NURSING AREA; EXISTING CONSTRUCTION.

31 Subpart 1. Nurses' station. At least one nurses' station  
32 must be provided per resident floor. A nurses' station may  
33 serve more than one nursing area on the same floor if the  
34 maximum distance from resident bedrooms does not exceed that

1 required in part 4658.5000, subpart 5. The nurses' station must  
2 be equipped to receive resident calls through a communication  
3 system from resident rooms and toilet and bathing facilities.

4 Subp. 2. Clean utility room. A clean utility room must be  
5 provided within each nursing area.

6 Subp. 3. Soiled utility room. A separate soiled utility  
7 room must be provided within each nursing area. It must contain  
8 handwashing facilities and a clinical service sink for disposal  
9 of waste materials and the cleanup of soiled linen and  
10 utensils. Cabinets and shelving must be provided for the  
11 storage of materials and supplies.

12 4658.5025 TOILET ROOMS AND SANITARY FIXTURES; EXISTING  
13 CONSTRUCTION.

14 A nursing home must have at least one ~~water-closet~~ toilet  
15 and one ~~lavatory~~ sink for eight beds, and at least one shower or  
16 tub for 20 beds. When the licensed bed capacity is increased,  
17 the requirements under part 4658.4135 apply to the new  
18 addition. In resident toilet rooms where grab bars or towel  
19 bars are not provided, bars must be installed according to part  
20 4658.4145 to the extent that the room arrangements will permit.  
21 A toilet room must have a ~~lavatory~~ sink and all ~~lavatories~~ sinks  
22 must be provided with hot and cold water.

23 4658.5030 CENTRAL BATHING AREA; EXISTING CONSTRUCTION.

24 Subpart 1. Fixtures. Bathing fixtures must be provided in  
25 accordance with part 4658.5025.

26 Subp. 2. Bathing areas.

27 A. In bathing areas with more than one fixture, each  
28 bathtub or shower area must have privacy curtains or wall  
29 dividers.

30 B. Bathtubs and showers must have a nonslip bottom or  
31 floor surface, and at least one grab bar, securely anchored,  
32 must be provided at each fixture.

33 C. If a ~~water-closet~~ toilet is located within an open  
34 area with multiple bathing fixtures, the toilet area must have  
35 privacy curtains or stall partitions.

1 4658.5035 HANDWASHING FACILITIES; EXISTING CONSTRUCTION.

2 Handwashing facilities must be available for persons  
3 providing services to residents. Single-service towels must be  
4 available. Use of a common towel is prohibited.

5 4658.5040 ROOM LABELING; EXISTING CONSTRUCTION.

6 All bedrooms must be labeled using a system of numbers.  
7 All service rooms must be labeled.

8 4658.5090 PENALTIES FOR RESIDENT AREAS; EXISTING CONSTRUCTION  
9 RULE VIOLATIONS.

10 Penalty assessments for violations of parts 4658.5000 to  
11 4658.5040 shall be assessed on a daily basis and are as follows:

- 12 A. part 4658.5000, subpart 1, \$200;
- 13 B. part 4658.5000, subpart 2, \$150;
- 14 C. part 4658.5000, subpart 3, \$200;
- 15 D. part 4658.5000, subpart 4, \$200;
- 16 E. part 4658.5000, subpart 5, \$150;
- 17 F. part 4658.5005, subpart 1, \$100;
- 18 G. part 4658.5005, subpart 2, \$500;
- 19 H. part 4658.5010, \$150;
- 20 I. part 4658.5015, \$200;
- 21 J. part 4658.5020, subpart 1, \$150;
- 22 K. part 4658.5020, subparts 2 and 3, \$200;
- 23 L. part 4658.5025, \$150;
- 24 M. part 4658.5030, subpart 2, item A, \$150;
- 25 N. part 4658.5030, subpart 2, item B, \$200;
- 26 O. part 4658.5030, subpart 2, item C, \$150;
- 27 P. part 4658.5035, \$200; and
- 28 Q. part 4658.5040, \$50.

29 SUPPORTIVE SERVICES; EXISTING CONSTRUCTION

30 4658.5100 DINING, DAYROOM, AND ACTIVITY AREAS; EXISTING  
31 CONSTRUCTION.

32 Subpart 1. Area. A nursing home must provide areas for  
33 dining, dayroom, and activities.

34 Subp. 2. Space for adult day care. Additional space must

1 be provided, in accordance with part 9555.9730, for dining,  
2 dayroom, and activity areas if the nursing home is offering an  
3 adult day care program.

4 4658.5190 PENALTIES FOR SUPPORTIVE SERVICES; EXISTING  
5 CONSTRUCTION RULE VIOLATIONS.

6 A \$150 penalty shall be assessed on a daily basis for  
7 violations of part 4658.5100.

8 DIETARY, LAUNDRY, AND OTHER FACILITIES;  
9 EXISTING CONSTRUCTION

10 4658.5200 FOOD SERVICE EQUIPMENT; EXISTING CONSTRUCTION.

11 Subpart 1. Food service equipment. All food service  
12 equipment being replaced must be of a type that complies with  
13 the requirements of part 4658.3500, subpart 3.

14 Subp. 2. Cutting boards. Cutting boards or similar use  
15 table tops must be constructed of nonporous, smooth, and  
16 cleanable material, and be free of cracks, crevices, and open  
17 seams.

18 Subp. 3. Scullery sink. For manual washing, rinsing, and  
19 sanitizing of utensils and equipment, a sink with at least three  
20 compartments must be provided and used. Sink compartments must  
21 be large enough to permit the accommodation of the equipment and  
22 utensils, and each compartment of the sink must be supplied with  
23 hot and cold potable running water. Drain boards must be  
24 provided at each end for proper handling of soiled utensils  
25 before washing and for cleaned utensils following sanitizing and  
26 must be located so as not to interfere with the proper use of  
27 the utensil washing facilities. If the mechanical dishwasher or  
28 a mechanical utensil washer is used for the sanitizing of pots  
29 and pans, a sanitizing compartment is not required and a  
30 two-compartment scullery sink is acceptable if used according to  
31 parts 4658.0675 and 4658.0680.

32 4658.5205 LAUNDRY; EXISTING CONSTRUCTION.

33 A laundry, if provided in the nursing home, must be sized  
34 and equipped to handle the laundering of all linen and personal  
35 clothing to be processed in the nursing home.

1 4658.5210 SOILED LINEN COLLECTION ROOM; EXISTING CONSTRUCTION.

2 A separate, enclosed soiled linen room must be provided for  
3 the collection, storage, and sorting of soiled linen to be  
4 processed in the laundry processing room or by an outside  
5 laundry service.

6 4658.5215 LAUNDRY EQUIPMENT; EXISTING CONSTRUCTION.

7 Laundry equipment must be of commercial type and must be of  
8 sufficient size and quantity for the size of the facility. The  
9 washer installation must be constructed of materials capable of  
10 meeting the operating requirements in part 4658.1410. Any new  
11 or replacement washer must be capable of measuring and  
12 displaying internal water temperatures.

13 4658.5220 CLEAN LINEN STORAGE; EXISTING CONSTRUCTION.

14 Rooms, closets, or enclosed carts must be provided for the  
15 storage of clean linen.

16 4658.5225 LAUNDRY FOR PERSONAL CLOTHING; EXISTING CONSTRUCTION.

17 Provision must be made for the washing of personal clothing  
18 either within or outside the facility. Residential-grade  
19 equipment may be used for the washing of personal clothing.

20 4658.5230 REFUSE; EXISTING CONSTRUCTION.

21 Subpart 1. Refuse area. An outside, fenced area or a  
22 separate room must be provided for holding trash and garbage  
23 prior to disposal. It must be located conveniently to the  
24 service entrance and be sized to accommodate the refuse volume  
25 and the chosen type of disposal system.

26 Subp. 2. Incinerator. An incinerator, if provided, must  
27 be in a separate room, or in a designated area within the boiler  
28 or heater room, or outdoors. An incinerator, if provided, must  
29 comply with parts 7011.1201 to 7011.1285.

30 4658.5235 FACILITIES FOR PERSONNEL; EXISTING CONSTRUCTION.

31 Locker and toilet facilities must be provided for personnel.

32 4658.5240 REHABILITATIVE SERVICES AREAS; EXISTING CONSTRUCTION.

1 Subpart 1. Specialized rehabilitative therapy area. A  
 2 specialized rehabilitative therapy service, if provided, must be  
 3 provided space and equipment for exercise and treatment which  
 4 meets the needs of a medically directed therapy program and of  
 5 the residents receiving services. Each treatment area must be  
 6 designed and equipped to protect residents' visual privacy. A  
 7 lavatory or sink must be conveniently located to all  
 8 rehabilitative service areas. Space for administrative  
 9 activities and storage of supplies and equipment must be  
 10 provided for any rehabilitative service provided.

11 Subp. 2. Physical therapy area. A physical therapy area,  
 12 if provided, must have a lavatory or sink with institutional  
 13 fittings and a single-service towel dispenser. A toilet room  
 14 must be located convenient to the physical therapy area.

15 4658.5245 BARBER AND BEAUTY SHOP SERVICES ROOM; EXISTING  
 16 CONSTRUCTION.

17 In buildings constructed after 1972, a room must be  
 18 provided and equipped for barber and beauty shop services.

19 4658.5290 PENALTIES FOR DIETARY, LAUNDRY, AND OTHER SERVICES;  
 20 EXISTING CONSTRUCTION RULE VIOLATIONS.

21 Penalty assessments for violations of parts 4658.5200 to  
 22 4658.5245 shall be assessed on a daily basis and are as follows:

- 23 A. parts 4658.5200 to 4658.5220, \$200;
- 24 B. part 4658.5225, \$100; and
- 25 C. parts 4658.5230 to 4658.5245, \$150.

26 CONSTRUCTION DETAILS; EXISTING CONSTRUCTION  
 27 4658.5300 AREA HEAT PROTECTION; EXISTING CONSTRUCTION.

28 Floors and walls for resident living areas which are  
 29 overheated due to adjoining heat sources must be insulated or  
 30 otherwise protected to prevent the surface from exceeding a  
 31 temperature of 85 degrees Fahrenheit.

32 4658.5305 NONSKID SURFACES; EXISTING CONSTRUCTION.

33 Stairways, ramps, bathtubs, and showers must have nonslip  
 34 surfaces.



1 4658.5310 GLASS PROTECTION; EXISTING CONSTRUCTION.

2 All full height windows, glass partitions, or glass doors  
3 must have decals or markings.

4 4658.5315 CEILINGS, WALLS, AND FLOORS; EXISTING CONSTRUCTION.

5 Ceilings, walls, and floors must be of a type or finish to  
6 permit good maintenance including frequent washing, cleaning, or  
7 painting. Walls in areas subject to local wetting must have a  
8 hard, nonabsorbent surface. Floors in areas subject to local  
9 wetting must be finished with a smooth, hard, nonslip,  
10 nonabsorbent surface. In dietary areas, floor surfaces must be  
11 grease resistant. Carpeting in resident areas must be of high  
12 density, low-pile construction which is cleanable and  
13 facilitates wheeled traffic.

14 4658.5390 PENALTIES FOR CONSTRUCTION DETAILS; EXISTING  
15 CONSTRUCTION RULE VIOLATIONS.

16 A \$200 penalty shall be assessed on a daily basis for  
17 violations of part 4658.5300.

18 HEATING AND VENTILATION SYSTEMS; EXISTING CONSTRUCTION

19 4658.5400 HEATING SYSTEM; EXISTING CONSTRUCTION.

20 The heating system must be capable of maintaining a minimum  
21 temperature of 71 degrees Fahrenheit in all resident areas  
22 during the heating season.

23 4658.5405 VENTILATION REQUIREMENTS; EXISTING CONSTRUCTION.

24 Existing facilities must have mechanical exhaust  
25 ventilation in the kitchen, laundry, soiled linen collection  
26 room, soiled utility rooms, and toilet areas, except if the  
27 toilet area is private or semiprivate, and is provided with  
28 window ventilation. Ventilation must be provided according to  
29 part 4658.4520.

30 4658.5410 MECHANICAL ROOMS; EXISTING CONSTRUCTION.

31 Mechanical rooms below grade, located in buildings  
32 constructed after 1972, with equipment using liquefied petroleum  
33 gas, must have continuous mechanical ventilation providing a

1 pressure which is equal to or greater than atmospheric.

2 4658.5415 FILTERS; EXISTING CONSTRUCTION.

3 All air supplied to the nursing home must be free from  
4 harmful particulate matter, any type of combustion products or  
5 contaminants, obnoxious odors, or exhausted air from the  
6 building or adjoining property.

7 4658.5490 PENALTIES FOR HEATING AND VENTILATION SYSTEMS;  
8 EXISTING CONSTRUCTION RULE VIOLATIONS.

9 A \$200 penalty shall be assessed on a daily basis for  
10 violations of parts 4658.5400 to 4658.5415.

11 ELECTRICAL SYSTEMS; EXISTING CONSTRUCTION

12 4658.5500 DISTRIBUTION PANEL BOARDS; EXISTING CONSTRUCTION.

13 All circuits in light and power panels must be identified  
14 with a typewritten index. Doors on electrical panel boards  
15 accessible to residents must be equipped with a lock.

16 4658.5505 INTERIOR LIGHTING; EXISTING CONSTRUCTION.

17 A source of interior lighting must be provided in every  
18 room in the nursing home. Each resident bedroom must be  
19 provided with a reading light for each occupant. Lighting  
20 levels in all areas of the nursing home must be suitable to  
21 tasks the resident chooses to perform or the nursing home staff  
22 must perform. A nursing home may install rheostats to provide  
23 varying levels of illumination in resident areas.

24 4658.5510 FIRE ALARM SYSTEMS; EXISTING CONSTRUCTION.

25 Fire alarm systems and sprinkler systems must be provided  
26 according to chapter 1305.

27 4658.5515 NURSE CALL SYSTEM; EXISTING CONSTRUCTION.

28 A communication system must be provided in a nursing home.  
29 It must register a call from the resident at the nursing station  
30 and activate a signal light by the bedroom door.

31 4658.5520 EMERGENCY ELECTRIC SERVICE; EXISTING CONSTRUCTION.

32 To provide electricity during an interruption of the normal

1 electrical power supply that affects medical care, or safety of  
 2 the occupants, an emergency source of electrical power must be  
 3 provided and connected to certain circuits for lighting and the  
 4 nurse call system. The emergency system must provide lighting  
 5 for the ~~nursing-areas~~ nurses' station, telephone switchboard,  
 6 resident corridors, exits, the boiler or heating system room,  
 7 and, if provided, the emergency generator room. The emergency  
 8 electrical service must assure functioning of the fire  
 9 detection, alarm, and suppression systems, and the life support  
 10 systems. Emergency electrical service must be provided by one  
 11 of the following methods:

- 12           A. a battery-operated system with automatic controls  
 13 and recharging if effective for four or more hours; or  
 14           B. an on-site emergency generator.

15           The emergency generator, if provided, must be operated and  
 16 tested according to the manufacturer's instructions. It is  
 17 recommended that the emergency generator system include all  
 18 items necessary for the functioning of the heating system. An  
 19 automatic transfer switch is recommended.

20 4658.5590 PENALTIES FOR ELECTRICAL SYSTEMS; EXISTING  
 21 CONSTRUCTION RULE VIOLATIONS.

22           Penalty assessments for violations of parts 4658.5500 to  
 23 4658.5520 shall be assessed on a daily basis and are as follows:

- 24           A. part 4658.5500, \$50;  
 25           B. parts 4658.5505 and 4658.5510, \$200; and  
 26           C. parts 4658.5515 and 4658.5520, \$350.

27   CHAPTER 4660

28   DEPARTMENT OF HEALTH

29   BOARDING CARE HOMES: PHYSICAL PLANT

30 4660.0090 SCOPE.

31           This chapter applies to boarding care homes.

32 4660.3900 SANITARY FIXTURES.

33           Subpart 1. Existing facilities. The number of sanitary  
 34 fixtures shall not be less than: one ~~water-closet~~ toilet and

1 one ~~lavatory~~ sink for eight beds, and one shower or tub for 20  
2 beds.

3 When the licensed capacity is increased, the requirement  
4 under subpart 2 shall apply to the new addition. In resident  
5 toilets where grab bars or towel bars are not provided, such  
6 bars shall be installed in accordance with part 4658.4145 to the  
7 extent that the room arrangements will permit.

8 [For text of subps 2 and 3, see M.R.]

9 4660.7800 PLANT OPERATION AND MAINTENANCE FOR EXISTING AND NEW  
10 CONSTRUCTION.

11 [For text of subps 1 and 2, see M.R.]

12 Subp. 3. **Illumination.** Lighting shall be provided and  
13 maintained throughout the facility in accordance with parts  
14 4660.8420 to 4660.8460.

15 [For text of subps 4 to 15, see M.R.]

16 4660.8000 PLUMBING, NEW CONSTRUCTION.

17 [For text of subps 1 and 2, see M.R.]

18 Subp. 3. **Sanitary fixtures.** The numbers and special types  
19 of sanitary fixtures required in the various areas are covered  
20 under parts 4660.3400 to 4660.5600. The material used for  
21 sanitary fixtures shall be smooth and nonabsorbent with a  
22 nonslip bottom surface in bathtubs and showers. Flush valves in  
23 living areas shall be of a quiet operating type.

24 [For text of subps 4 to 11, see M.R.]

25 4660.8310 VENTILATION REQUIREMENTS.

26 [For text of subpart 1, see M.R.]

27 Subp. 2. **New construction.** Mechanical supply and exhaust  
28 ventilation shall be provided for all areas as indicated in part  
29 4660.9940. Areas not covered in this table shall be ventilated  
30 in accordance with the requirements in chapters 1300 to 1365,  
31 the State Building Code, 1971 edition. Areas indicated with  
32 equal or positive pressure relationship to adjacent areas shall  
33 be provided with tempered makeup air.

34 4665.0900 RESIDENTS.

1 Supervised living facilities may accept as residents such  
2 persons as are described in part 4665.0100, subpart 10, but may  
3 not accept as residents, nor provide lodging to any of the  
4 following persons:

5 A. persons who have or are suspected of having a  
6 communicable disease or a disease endangering the health of  
7 other residents;

8 B. persons who require nursing care as defined in  
9 Minnesota Statutes, section 144A.01, subdivision 6, except for  
10 brief episodic periods.

11 Examples of nursing care: bedside care, including  
12 administration of medications, irrigations and catheterizations,  
13 applications of dressings or bandages; rehabilitative nursing  
14 techniques; and other treatments prescribed by a physician which  
15 require technical knowledge, skill, and judgment as possessed by  
16 a registered nurse.

17 9050.0040 DEFINITIONS.

18 [For text of subps 1 to 82, see M.R.]

19 Subp. 83. **Nursing care.** "Nursing care" has the meaning  
20 given it in Minnesota Statutes, section 144A.01, subdivision 6.

21 [For text of subps 84 to 120, see M.R.]

22 9050.1070 RESIDENT RIGHTS AND RESPONSIBILITIES.

23 [For text of subps 1 to 22, see M.R.]

24 Subp. 23. **Laundry service.** Boarding care residents must  
25 have access to laundry facilities in the domiciliary units for  
26 the laundering of personal clothing. The administration of each  
27 facility may determine and post hours for use of the laundry  
28 facilities.

29 Each resident must be provided clean linens weekly, or as  
30 needed, according to parts 4655.8300, 4658.1405, and 4658.1410.  
31 Boarding care residents may choose to launder their own linens.

32 Laundry services consisting of laundering of linens and  
33 personal clothing must be provided to nursing care residents.

34 [For text of subps 24 to 39, see M.R.]

1 REPEALER. Minnesota Rules, parts 4655.0100, subparts 4, 8, and  
2 10; 4655.7500; 4655.8000; 4655.9070; 4655.9300; 4655.9320;  
3 4655.9321; 4655.9322; 4655.9323; 4655.9324; 4655.9325;  
4 4655.9326; 4655.9327; 4655.9328; 4655.9329; 4655.9330;  
5 4655.9331; 4655.9332; 4655.9333; 4655.9334; 4655.9335;  
6 4655.9336; 4655.9337; 4655.9338; 4655.9339; 4655.9341;  
7 4660.1300; 4660.1400; 4660.1410; 4660.1420; 4660.1430;  
8 4660.1440; 4660.1450; 4660.1460; 4660.1470; 4660.1480;  
9 4660.1500; 4660.1600; 4660.1700; 4660.1800; 4660.1900;  
10 4660.2000; 4660.2100; 4660.2200; 4660.2300; 4660.2400;  
11 4660.2500; 4660.2600; 4660.2610; 4660.2620; 4660.2630;  
12 4660.2640; 4660.2700; 4660.2800; 4660.2900; 4660.3000;  
13 4660.3100; 4660.3200; 4660.3300; 4660.5700; 4660.5800;  
14 4660.5810; 4660.7600; 4660.8010; 4660.8300; 4660.8380;  
15 4660.8410; 4660.8500; 4660.8510; 4660.8520; 4660.8530;  
16 4660.8540; 4660.8550; 4660.8560; 4660.8700; 4660.9910;  
17 4660.9920; and 4660.9930, are repealed.

18

19 EFFECTIVE DATE. These rules are effective 90 days after the  
20 notice of adoption is published in the State Register.