

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD WELFARE LICENSING

CHILDREN'S SERVICES AGENCY

JUVENILE COURT OPERATED FACILITIES

(By authority conferred on the department of health and human services by sections 1 and 14 of the social welfare act, 1939 PA 280, MCL 400.1 and 400.14, and section 2 of 1973 PA 116, MCL 722.112.)

PART 1. GENERAL PROVISIONS

R 400.10101 Definitions.

Rule 101. (1) As used in these rules:

(a) "Act" means 1973 PA 116, MCL 722.111 to 722.128, and known as the child care organization licensing act.

(b) "Behavior management" means techniques employed to control behavior in accordance with written policy and procedures related to program expectations, child safety, facility safety, and security.

(c) "Chief administrator" means the person designated as having the day-to-day responsibility for the overall administration of a facility and for assuring the care, safety, and protection of residents.

(d) "Counseling" means planned opportunities for residents to express their feelings verbally with the goal of resolving individual problems. Counseling may be in a one-to-one relationship or in a small or large group.

(e) "Department" means the Michigan department of health and human services.

(f) "Detention" means the temporary residential care of a juvenile who requires custody in a physically restricting facility pending court action or other placement.

(g) "Direct care worker" means a person who has assigned child care responsibilities and provides direct care and supervision of children in a facility.

(h) "Discipline" means action taken for the sake of training or correction and may include punishment.

(i) "Employee" means a staff person who is under contract of hire on a full-time or a part-time basis at a juvenile facility.

(j) "Human services degree or field" means a major in a curriculum that is designed to give students an understanding of human behavior and to teach them appropriate intervention/problem-solving skills on behalf of selected populations.

(k) "Inspection" means the on-site review of a juvenile facility by the department to determine compliance with these administrative rules for a juvenile facility.

(l) "Juvenile facility," hereinafter referred to as "facility" means a program operated by a juvenile court and providing residential care as provided in the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

- (m) "Medication" means prescription and nonprescription medicines.
- (n) "Parent" means a biological parent, adoptive parent, or guardian.
- (o) "Physical examination" means a thorough evaluation of a patient's current physical condition and a medical history conducted by, or under the supervision of, a licensed medical professional.
- (p) "Policy" means a definitive, stated course or method of action that guides and determines present and future decisions and activities. A policy is a written statement of principles that guides the facility in the attainment of objectives. To comply with a rule that requires a policy, there must be evidence that a line of action or principle has been adopted and is being followed by the facility.
- (q) "Protection" means the continual responsibility of the facility to take reasonable action to insure the health, safety, and well-being of a resident while under the supervision of the facility or an agent or employee of the facility and includes protection from physical harm, humiliation, intimidation, and social, moral, financial, and personal exploitation while on the premises.
- (r) "Rated capacity" means the actual number of beds that are available and approved by the department for use. This does not include hospital beds, segregation beds, or other spaces used only on a temporary basis.
- (s) "Resident" means a child who is admitted to and resides in a facility.
- (t) "Resident confinement room" means a locked or unlocked room or area that is approved by the licensing authority for the seclusion or retention of a resident.
- (u) "Residential treatment facility" means a facility that has established a goal-oriented intervention program to provide post-dispositional residential care.
- (v) "Resident record" means the individual file kept by a facility concerning a child who has been placed at the facility.
- (w) "Resident restraint" means the use of material, mechanical, medical, or physical techniques for restricting a resident's behavior or movement.
- (x) "Secure facility" means a facility, or portion thereof, other than a resident confinement room, that is used to retain residents in custody. Outside doors usually have locks that prevent egress from the building.
- (y) "Shelter care facility" means a facility that provides care for residents pending court action or other placement planning.
- (z) "Social service supervisor" means a person who supervises a social service worker.
- (aa) "Social worker" means a person who works directly with residents, their families, and other relevant individuals and who is primarily responsible for the development, implementation, and review of service plans for the resident. This definition shall not be interpreted to prevent a team approach to service plan development and implementation.
- (bb) "Training" means any of the following:
- (i) Formal classroom instruction.
 - (ii) Recognized courses provided through other means.
 - (iii) On-the-job training under the direction of an instructor.
 - (iv) Meetings or conferences that include agendas and instruction by instructors.
 - (v) Other instructional programs that include a trainer-trainee relationship.
- (cc) "Volunteer" means a person who donates his or her time in activities at a juvenile facility.
- (2) A term defined in the act has the same meaning when used in these rules.

History: 1992 AACCS 2020 MR 11, Eff. August 31, 2020.

R 400.10103 Program statement.

Rule 103. (1) A facility shall have a current written program statement which specifically addresses all of the following:

(a) Purpose and function, including the types of children to be admitted for care.

(b) The services provided to residents and parents directly by the facility and the services to be provided by outside resources.

(c) Written policies and procedures pertaining to the admission, care, and release of residents.

(2) A program statement shall be available to residents, parents, and referral sources.

History: 1992 AACCS.

R 400.10105 Financing plan.

Rule 105. A facility shall annually develop a plan of financing to carry out the facility's programs. The plan shall include projected income and expenditures.

History: 1992 AACCS.

R 400.10106 Rule variance.

Rule 106. (1) Upon written request from a juvenile facility, the department may grant a variance from an administrative rule if the facility demonstrates, through clear and convincing facts, that the alternative proposed will provide equivalent protection to the health, welfare, safety, and needed services of children.

(2) The decision of the department, including the conditions upon which the variance is granted, shall be entered upon the records of the department and a signed copy shall be sent to the facility. This variance may remain in effect for as long as the facility continues to comply with the intent of the rule or may be time-limited.

History: 1992 AACCS.

R 400.10107 Employment policies and procedures; establishment.

Rule 107. A facility shall establish and follow written employment policies and procedures that shall assure that staff are emotionally stable and of suitable health, ability, experience, and education to perform the duties assigned.

History: 1992 AACCS.

R 400.10109 Job description.

Rule 109. There shall be a job description for each staff position which prescribes duties, required qualifications, and lines of authority.

History: 1992 AACCS.

R 400.10111 Employees; qualifications.

Rule 111. An employee who is in a position and who was approved pursuant to the provisions of R 400.71 et seq. is deemed to be qualified for that position at that facility or in an identical position at any other facility governed by these rules. A person who is appointed to a position after these rules become effective shall meet the qualifications of these rules for that position.

History: 1992 AACCS.

R 400.10113 Employee records.

Rule 113. Employee records shall be maintained for each employee and shall include all of the following information:

- (a) Name.
- (b) Verification of education where minimum education requirements are specified by rule.
- (c) Work history.
- (d) Three references which are obtained before employment from persons unrelated to the employee.
- (e) A record of any convictions other than minor traffic violations.
- (f) A written evaluation of the employee's performance within the first 6 months of each position designated by these rules and annually thereafter.
- (g) Verification of freedom from communicable disease at the time of employment.

History: 1992 AACCS.

R 400.10115 Tuberculosis screening for employees and volunteers.

Rule 115. A facility shall document that each employee and each volunteer who has contact with residents 4 or more hours per week for more than 2 consecutive weeks is free from communicable tuberculosis. Freedom from communicable tuberculosis shall be verified within the 3-year period before employment and shall be verified every 3 years after the last verification.

History: 1992 AACCS.

R 400.10117 Chief administrator; qualifications.

Rule 117. A chief administrator, at the time of appointment, shall possess either of the following:

(a) A master's degree in any of the following areas and 1 year of supervisory experience in a facility, a child caring institution, a child placing agency, or a criminal justice agency:

- (i) Social work.
- (ii) Sociology.
- (iii) Psychology.
- (iv) Guidance and counseling.
- (v) Criminal justice.
- (vi) Other human services field.
- (vii) Education.
- (viii) Business administration.
- (ix) Public administration.

(b) A bachelor's degree with a major in any of the following areas and 2 years of supervisory experience in a facility, a child caring institution, a child placing agency, or a criminal justice agency:

- (i) Social work.
- (ii) Sociology.
- (iii) Psychology.
- (iv) Criminal justice.
- (v) Guidance and counseling.
- (vi) Other human services field.
- (vii) Education.
- (viii) Business administration.
- (ix) Public administration.

History: 1992 AACCS.

R 400.10119 Supervisor of direct care workers; qualifications.

Rule 119. A supervisor of direct care workers shall possess either of the following:

(a) A bachelor's degree in human services with 1 year of work experience in a facility, child caring institution, or a criminal justice agency.

(b) Two years of college in a human services field, with 2 years of work experience in a facility, a child caring institution, a child placing agency, or a criminal justice agency.

History: 1992 AACCS.

R 400.10121 Direct care worker; qualifications.

Rule 121. (1) A direct care worker shall have completed 30 semester hours of college or equivalent quarter hours.

(2) In place of meeting the requirement specified in subrule (1) of this rule, a direct care worker shall have a minimum of a high school diploma or its equivalent and 2 years of work experience in a facility or child caring institution.

History: 1992 AACCS.

R 400.10123 Staff sufficiency.

Rule 123. (1) A facility shall have a staffing pattern of administrative, supervisory, direct care, and other staff sufficient to perform the prescribed functions required by these administrative rules and to provide for the needs, protection, and supervision of the residents.

(2) A facility shall maintain a staffing ratio of at least 1 direct care worker or supervisory staff for 8 residents at all times when the residents are present and awake. During normal sleeping hours, there shall be a staffing ratio of at least 1 direct care worker or supervisory staff for 20 residents. These staff shall be awake, on duty, available within the facility, and have immediate access to the residents.

(3) A facility shall have a designated employee in charge on the premises at all times.

History: 1992 AACCS.

R 400.10125 Initial staff orientation and ongoing staff training.

Rule 125. (1) A facility shall provide an orientation program for all direct care workers.

(2) A facility shall document that each direct care worker participated in 40 hours of planned orientation preceding independent assignment to direct care functions. The orientation shall include the following:

(a) The facility's purpose, policies, and procedures, including those related to discipline, crisis intervention, emergency, and safety.

(b) The role of the staff members in service delivery and the protection of the residents.

(3) In addition to the orientation training, a facility shall document that each direct care worker received 24 clock hours of planned training annually.

(4) A facility shall establish and follow a written plan of ongoing staff training related to the facility's function, which shall include all of the following areas:

(a) Developmental needs of children.

(b) Child management techniques.

(c) Basic group dynamics.

(d) Appropriate discipline, crisis intervention, deescalation techniques, and child handling techniques.

(e) The direct care worker's and the social service worker's roles in the facility.

(f) Interpersonal communication.

(g) Proper and safe methods and techniques of restraint.

(h) First aid and cardiopulmonary resuscitation training.

(i) Suicide prevention.

History: 1992 AACCS.

R 400.10127 Compliance with child protection law; development of plan required.

Rule 127. A facility shall develop and implement a written plan to assure compliance with the provisions of Act No. 238 of the Public Acts of 1975, as amended, being S722.621 et seq. of the Michigan Compiled Laws, and known as the child protection law.

History: 1992 AACCS.

R 400.10129 Privacy and confidentiality.

Rule 129. A facility shall provide for resident and parent privacy and confidentiality and shall protect residents from exploitation.

History: 1992 AACCS.

R 400.10131 Resident correspondence.

Rule 131. (1) A facility shall establish and follow written policy and procedure granting residents the right to correspond with persons or organizations, subject only to the limitation necessary to maintain facility order and security.

(2) The written policy and procedure shall permit residents to send sealed letters to any of the following entities:

- (a) Courts.
- (b) Counsel.
- (c) Officials of the confining authority.
- (d) Administrators of grievance systems.
- (e) Members of the releasing authority.

History: 1992 AACCS.

R 400.10133 Resident visitation.

Rule 133. (1) A facility shall establish and follow written visitation policy and procedures. The policy shall provide for visits at least weekly between each resident and the resident's parents, except where parental rights have been terminated or the resident's record contains documentation that visitation is detrimental to the resident.

(2) The policy shall specify that visitors must register upon entry and shall indicate the circumstances under which visitors are searched.

History: 1992 AACCS.

R 400.10135 Religion policy.

Rule 135. A facility shall establish and follow written policy and procedures that permit residents to participate in religious services and religious counseling on a voluntary basis, subject only to limitations necessary to maintain order and security.

History: 1992 AACCS.

R 400.10137 Grievance procedure.

Rule 137. (1) A facility shall have and follow a written grievance procedure.

(2) The grievance procedure shall be explained and made available to residents and their parents.

(3) The grievance procedure shall allow for the progression of a grievance to at least 1 level beyond the supervisor of the direct care worker.

(4) In place of meeting the requirement specified in subrule (3) of this rule, a grievance shall progressively extend to at least the level of the chief administrator.

History: 1992 AACCS.

R 400.10139 Resident records; admission information.

Rule 139. Upon admission to a juvenile facility, the facility shall obtain all of the following information for each child:

(a) Date and time of admission.

(b) Name.

(c) Last known address.

(d) Name, title, and signature of delivering person.

(e) Specific charge or charges.

(f) Sex.

(g) Date of birth; age.

(h) Race or nationality.

(i) Last school attended and current educational status.

(j) Religion.

(k) Medical consent authorization or the instructions for obtaining immediate medical consent authorization.

(l) Name, relationship, address, and phone number of a parent or parents, a guardian or guardians, or a person or persons with whom the child resided at the time of admission.

(m) Health status, including notation of any of the following: \

(i) Bruises.

(ii) Open wounds or sores that require treatment.

(iii) Evidence of disease, body vermin, or tattoos.

(n) Name of the person who records the health status information required by subdivision (m) of this rule.

(o) An inventory of property.

(p) Name, address, and phone number of emergency contacts.

(q) Name and title of the person who prepares the admission information.

History: 1992 AACCS.

R 400.10141 Resident records; maintenance.

Rule 141. (1) Written information shall be maintained for each resident, shall be kept in a secure place, and shall include, at a minimum, the following information:

- (a) Admission forms.
- (b) Documented legal authority to accept resident.
- (c) Legal status.
- (d) A record of cash and valuables held.
- (e) Notations of temporary absences from the facility, if any.
- (f) Probation officer or caseworker assigned.
- (g) Progress reports on program involvement.
- (h) Program rules and disciplinary policy signed by resident.
- (i) Grievance and disciplinary record, if any.
- (j) Final release information.

(2) Responsible staff members shall make all entries into the records of youth assigned to them and shall date and sign each entry.

History: 1992 AACCS.

R 400.10143 Daily population list.

Rule 143. A facility shall maintain a daily up-to-date single master population list that identifies all residents who are housed in the facility.

History: 1992 AACCS.

R 400.10145 Admission; policy and procedure.

Rule 145. (1) A facility shall establish and follow written policy and procedure which governs the reception and orientation of newly admitted residents.

(2) Each child brought into the intake process shall be informed of the steps in the process at the initiation of intake.

History: 1992 AACCS.

R 400.10147 Personal possessions.

Rule 147. A facility shall establish and follow written policy and procedure requiring that a written, itemized list is made of all personal property in the possession of a newly admitted resident. A copy of this list, which notes all property that will be held until release, shall be signed by the resident and signed again when the resident is released. The resident's signature at the time of his or her release certifies that the resident has received all of his or her personal property.

History: 1992 AACCS.

R 400.10149 Programs and services.

Rule 149. (1) Programs and services shall be initiated for all residents as soon as they are admitted to living units.

(2) A facility shall provide or make available the following minimum programs and services to residents:

- (a) An education program.
- (b) Provisions for visiting with parents and guardians.
- (c) Counseling.
- (d) Continuous supervision of living units.
- (e) Medical services.
- (f) Food services.
- (g) Recreation and exercise.
- (h) Reading materials.

(3) A resident shall be provided with activities and services outside of his or her room not less than 14 hours each day, except when the resident is confined for purposes of discipline or behavior management as stipulated in R 400.10171.

History: 1992 AACCS.

R 400.10151 Education.

Rule 151. (1) A facility shall assure that an appropriate education program is provided to residents in accordance with the provisions of Act No. 451 of the Public Acts of 1976, as amended, being S380.1 et seq. of the Michigan Compiled Laws, and known as the school code of 1976, not later than 5 calendar days after admission and continuously thereafter for each resident of school age or otherwise available for special education.

(2) A facility shall provide, or arrange for the provision of, an educational program through either of the following means:

(a) Employ staff and operate a private school in accordance with the provisions of Act No. 302 of the Public Acts of 1921, as amended, being S388.551 et seq. of the Michigan Compiled Laws.

(b) Contract or arrange with a local or intermediate school district to operate an on-site school program or provide education elsewhere.

History: 1992 AACCS.

R 400.10153 Resident work experience.

Rule 153. Work experiences for a resident shall be appropriate for the age, health, and abilities of the resident.

History: 1992 AACCS.

R 400.10155 Recreational activities.

Rule 155. (1) Written policy and procedure shall provide a recreation and leisure time plan that includes at least 1 hour per day of large muscle activity and 1 hour of leisure time activities.

(2) Residents shall have access to recreational opportunities and equipment, including, when the weather permits, outdoor exercise.

History: 1992 AACCS.

R 400.10157 Health services; policies and procedures.

Rule 157. (1) A facility shall establish and follow written health service policies and procedures that address all of the following:

- (a) Routine and emergency medical and dental care.
- (b) Health screening procedures.
- (c) Maintenance of health records.
- (d) Storage of medications.
- (e) Dispensing medication.
- (f) Personnel authorized to dispense medications.

(2) Prescription medication shall be kept in the original pharmacy-labeled container, stored in a locked area, and refrigerated if required.

(3) Medical treatment, including the prescribing of medications, shall be under the supervision of a licensed physician.

History: 1992 AACCS.

R 400.10159 Reporting hospitalization or death of resident.

Rule 159. (1) Any serious injury or illness that requires the hospitalization of a resident shall be reported to the parent and responsible referring agency as soon as possible, but not more than 24 hours after hospitalization.

(2) The death of a resident shall be reported immediately to all of the following entities:

- (a) The parents or next of kin.
- (b) The department.
- (c) The referring agency.
- (d) Law enforcement officials.

History: 1992 AACCS.

R 400.10161 Clothing.

Rule 161. Each resident shall have sufficient, clean, properly fitting, seasonally appropriate clothing.

History: 1992 AACCS.

R 400.10163 Personal hygiene.

Rule 163. A facility shall arrange for each resident to maintain or receive personal care, hygiene, and grooming appropriate for the resident's age, sex, race, cultural background, and health needs.

History: 1992 AACCS.

R 400.10165 Resident nutrition.

Rule 165. (1) A facility shall provide a minimum of 3 nutritious meals daily, unless medically contraindicated and documented.

(2) Special diets shall be prescribed only by a physician. A resident who has been prescribed a special diet by a physician shall be provided such diet.

(3) Menus shall be written before a meal is served. Any change or substitution to the menu shall be noted and considered as part of the original menu.

History: 1992 AACCS.

R 400.10167 Emergency procedures; firearms.

Rule 167. (1) A facility shall have written procedures to be followed in emergency situations, including all of the following situations:

- (a) Fire.
- (b) Tornado.
- (c) Medical emergency.
- (d) A missing person.
- (e) The taking of a hostage.
- (f) A bomb threat.
- (g) A riot.
- (h) A power outage.

(2) The written procedures shall designate all of the following:

- (a) Who is to implement the emergency procedures.
- (b) Which personnel are to be involved.
- (c) Which authorities are to be notified and when they are to be notified.

(3) Written plans shall be developed that govern space arrangements and procedures to be followed in the event of a group arrest that exceeds the rated capacity of the facility.

(4) Firearms are not permitted in the resident living area of the facility. A provision for the temporary, safe, locked storage of such equipment is required.

History: 1992 AACCS.

R 400.10169 Discipline.

Rule 169. (1) A facility shall have and follow written policy and procedure which stipulates that residents shall not be subjected to any of the following:

- (a) Corporal or cruel punishment.
- (b) Humiliation.

(c) Mental abuse.

(d) Punitive interference with daily physiological functions.

(2) A facility shall have and follow written discipline policy and procedure that specify acts which are prohibited within the facility and penalties that may be imposed for minor misbehavior and major violations.

(a) The policy and procedures shall be posted in a conspicuous place.

(b) A copy shall be given and explained to each resident and staff member.

History: 1992 AACCS.

R 400.10171 Resident confinement room; approved usage.

Rule 171. A facility approved to use a resident confinement room may place a resident in this room for the following reasons:

(a) For sleep during normal sleeping hours.

(b) For medical reasons.

(c) For privacy, when a resident voluntarily requests to be confined to his or her room.

(d) For confinement during an emergency situation to maintain the safety and security of other residents, staff, and the facility.

(e) For behavior management/confinement when a resident is in danger of harming self or others.

(f) For confinement, when the facility's normal security precautions are inadequate to prevent a resident's escape.

(g) For disciplinary reasons in accordance with the provisions of R 400.10169.

History: 1992 AACCS.

R 400.10173 Resident confinement room; construction.

Rule 173. (1) A room used for resident confinement shall be approved in writing for use as such by the fire inspection authority and the licensing authority.

(2) A resident confinement room shall be constructed and equipped so as to minimize suicide and fire risk.

(3) A resident confinement room established and approved after the effective date of these rules shall:

(a) Be constructed to allow for both visual and auditory supervision of a resident in the room.

(b) Be equipped with a 2-way audio monitoring device. The device shall be maintained in an operative condition.

(c) Have break-resistant windows or break-resistant materials on internal windows.

(d) Have breakable outside windows covered by security screening.

(e) Have walls and ceilings made of noncombustible materials.

Polyurethane materials shall be prohibited.

(f) Provide adequate lighting.

(g) The area of the resident confinement room shall not be less than 48 square feet.

(4) A resident confinement room may have 1 approved locking-against-egress device on the door if a staff person is available and awake and is in possession of a key for the door locking device when the room is occupied.

History: 1992 AACCS.

R 400.10175 Resident confinement room; procedures for use.

Rule 175. (1) A facility that uses a resident confinement room shall establish and follow written policies and procedures specifying its use.

(2) The policy shall include the approved reasons for use as specified in R 400.10171.

(3) Not more than 1 resident shall be placed in a resident confinement room at one time when it is used for behavior management or discipline purposes.

(4) When a resident is confined in a resident confinement room, except during normal sleeping hours, for sleeping purposes only, staff shall maintain a record of confinement. The record shall contain all of the following information:

(a) The name of the resident.

(b) Time of confinement.

(c) The name of the staff member responsible for the confinement.

(d) A description of the specific behavior that necessitated the confinement.

(5) For each instance in which a resident remains in a resident confinement room for more than 2 hours, except during normal sleeping hours, a record shall be maintained and shall contain documented supervisory approval and the reasons for continued use.

(6) During a resident's confinement, visual observations of the resident shall be made by staff at least every 15 minutes. Each contact shall be logged at the time of the observation.

(7) A review by the chief administrator or a designee who is not involved in the room confinement shall be conducted and logged every 12 hours for each room confinement that is 12 hours or longer in duration.

The review shall determine both of the following:

(a) Whether each room confinement was appropriate and consistent with the facility's policies and procedures.

(b) The action that is necessary to insure the appropriate use of resident confinements.

(8) When a resident is confined in a resident confinement room for sleeping purposes only during normal sleeping hours, a visual observation of the resident shall be made by staff at least every 30 minutes.

History: 1992 AACCS.

R 400.10176 Resident confinement room; disciplinary usage.

Rule 176. (1) A resident confinement room may be used for disciplinary reasons, but only as specified in written policy and procedure.

(2) Before confinement to a resident confinement room or as soon as possible thereafter, a resident shall have the disciplinary reason for the restriction explained to him or her and have an opportunity to explain his or her behavior that led to the restriction.

(3) Confinement to a resident confinement room for up to 72 hours may be used when a resident has been charged with a major rule violation that endangers the safety of residents or others or endangers the security of the facility.

(4) Confinement to a resident confinement room for more than 72 hours may be used only with the written approval of the chief administrator.

History: 1992 AACCS.

R 400.10177 Resident restraint; pregnant youth.

Rule 177. (1) The facility shall establish and follow written policy and procedures specifying the use of resident restraint.

(2) The written policy must limit the uses of resident restraint to the following:

- (a) As a precaution against escape during transfer.
- (b) For medical reasons by direction of the medical officer.
- (c) To prevent self-injury, injury to others, or property damage.

(3) The written resident restraint policy must prescribe the maintenance of written records of the routine and emergency distribution and use of restraint equipment.

(4) Restraint equipment and physical restraint techniques must not be used for punishment.

(5) Resident restraint must only be applied for the minimum time necessary to accomplish the purpose for its use as specifically permitted in subrule (2) of this rule and must only be applied with the approval of the facility administrator or administrative designee. Approval must be obtained within 20 minutes after the restraint has been initiated.

(6) Subrules (7) and (8) of this rule apply to those secure juvenile detention and correction facilities, for which the primary purpose is to serve juveniles that have been accused of or adjudicated delinquent for having committed an offense.

(7) Mechanical restraints must not be used on pregnant youth, including youth who are in labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the youth presents an immediate and serious threat of hurting self, staff, or others.

(8) The following restraints are prohibited for use on pregnant youth unless reasonable grounds exist to believe the youth presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method:

- (a) Abdominal restraints.
- (b) Leg and ankle restraints.
- (c) Wrist restraints behind the back.
- (d) Four-point restraints.

(9) A staff member shall be present continuously while material or mechanical restraint equipment is being used on a resident.

(10) Each use of material or mechanical restraint equipment must be documented in a written record and must include all of the following information:

- (a) The name of the resident.
- (b) The name of the administrator or designee who authorized the use of the

equipment, and the time of the authorization.

- (c) The time the restraint equipment was applied.
- (d) The name of the staff member who was responsible for the application.
- (e) A description of the specific behavior that necessitated its use.
- (f) The name of the staff person who was continuously with the resident.
- (g) The date and the time of removal of the equipment and the name of the person removing the equipment.

History: 1992 AACCS 2020 MR 11, Eff. August 31, 2020; 2020 MR 20, Eff. Oct. 27, 2020.

R 400.10179 Inspection and approval of facility.

Rule 179. A facility, including new construction, additions, and conversions, shall be occupied by residents only after inspection and approval by the department.

History: 1992 AACCS.

R 400.10181 Facility construction; plans and specifications.

Rule 181. (1) Plans and specifications shall be submitted to the licensing authority for review and approval before any remodeling in a facility or the construction or conversion of a structure for use as a facility.

(2) The plans shall comply with all of the following provisions:

(a) Show layout, room arrangements, construction materials to be used, and the location, size, and type of fixed equipment.

(b) For additions, show those portions, including existing exits, types of construction, and room occupancies, which may be affected by the addition.

(c) Be approved, in writing, by the department, fire inspection authority, and, where applicable, the health inspection authority before construction begins.

(3) The plans for open institutions for not more than 6 residents need not be developed by an architect.

History: 1992 AACCS.

R 400.10183 Sleeping rooms and resident confinement rooms; minimum requirements.

Rule 183. (1) All resident sleeping rooms and resident confinement rooms shall have a bed above floor level.

(2) If not a part of the sleeping room, all of the following shall be made available to residents:

(a) A toilet that is available for use 24 hours a day.

(b) A washbasin and drinking water.

(c) Hot and cold running water.

(d) Storage space.

(3) The room shall be constructed to allow for the visual supervision of the resident in the room.

(4) In new and converted facilities, a single sleeping room shall not be less than 70 square feet, exclusive of closet space.

(5) In new and converted facilities, a multiresident sleeping room shall not be less than 45 square feet per resident, exclusive of closet space.

(6) Residents of the opposite sex who are older than 5 years of age shall not sleep in the same room.

History: 1992 AACCS.

R 400.10185 Facility proximity to adult corrections facility.

Rule 185. If the facility is on the grounds of or is attached to an adult corrections facility, it shall be in a separate, self-contained unit.

History: 1992 AACCS.

R 400.10187 Housing population; rated capacity.

Rule 187. The population in housing or living units shall not exceed the rated capacity.

History: 1992 AACCS.

R 400.10189 Bedding and linen.

Rule 189. (1) Each resident shall be provided with an individual bed with a clean mattress and sufficient clean blankets. Polyurethane mattresses are prohibited.

(2) Each resident shall be provided with clean bedding at least weekly and more often if soiled.

History: 1992 AACCS.

R 400.10199 Rescission.

Rule 199. R 400.71 to R 400.74 of the Michigan Administrative Code, appearing on pages 2991 and 2992 of the 1979 Michigan Administrative Code, are rescinded.

History: 1992 AACCS.

PART 2. DETENTION AND SHELTER CARE FACILITIES

R 400.10201 Applicability.

Rule 201. This part and part 1 apply to all detention and shelter facilities unless specifically noted otherwise.

History: 1992 AACCS.

R 400.10205 Residential care after 48 hours.

Rule 205. A detention or shelter care facility shall continue to provide care for a resident for more than 48 hours only after it has been established that the facility is an appropriate placement for the resident in accordance with applicable statute or court rules.

History: 1992 AACCS.

R 400.10207 Admission physical examination; screening for communicable disease.

Rule 207. (1) A detention or shelter care facility shall arrange for an admission physical examination for each resident not later than 7 calendar days after admission.

(2) A facility shall have and follow written procedures approved by a licensed physician for screening all residents for communicable diseases upon their admission.

History: 1992 AACCS.

R 400.10208 Preliminary resident plan.

Rule 208. A brief written plan shall be developed within 7 calendar days of admission for each resident in a detention or shelter care facility.

The plan shall include both of the following:

- (a) An assessment of the resident's immediate and specific needs.
- (b) The specific services to be provided by the facility and other resources.

History: 1992 AACCS.

R 400.10209 Resident report.

Rule 209. (1) A written resident report shall be completed 30 days after admission and every 15 days thereafter for each resident in a detention or shelter care facility. The report shall include all of the following:

- (a) The reasons for continued care.
 - (b) Plans for other placement.
 - (c) Barriers to other placement and plans to eliminate the barriers.
- (2) Copies of the report shall be maintained at the facility.

History: 1992 AACCS.

R 400.10211 Resident release report.

Rule 211. When a resident is released from a detention or shelter care facility, all of the following shall be documented:

- (a) The reason for release.
- (b) The new location of the resident, if known.
- (c) Medical and dental services provided while in residence.
- (d) The name and title of the person to whom the resident was released.
- (e) The name and title of the person who prepared the release report.

History: 1992 AACCS.

PART 3. RESIDENTIAL TREATMENT FACILITIES

R 400.10301 Applicability.

Rule 301. This part and part 1 apply to all juvenile court-operated residential treatment facilities unless specifically noted otherwise.

History: 1992 AACCS.

R 400.10303 Admission of child.

Rule 303. A child shall be admitted to a facility only after establishing that the facility is an appropriate placement to meet the child's needs.

History: 1992 AACCS.

R 400.10305 Admission physical examination.

Rule 305. A facility shall document that each resident received a physical examination within 3 months before admission to a facility or a new physical examination shall be completed within 30 days after admission, unless a greater frequency is medically indicated.

History: 1992 AACCS.

R 400.10307 Immunizations.

Rule 307. (1) A resident in a facility shall have current immunizations as required by the department of public health.

(2) If documentation of immunization is unavailable, immunizations shall begin within 30 days of admission, unless a statement from a physician which indicates that immunizations are contraindicated is included in the resident's record.

(3) A statement from a physician, referring agency, parent, or guardian which indicates that immunizations are current is sufficient documentation of immunizations.

History: 1992 AACCS.

R 400.10309 Dental care.

Rule 309. A facility shall document the provision of a dental examination and treatment for each resident who is 3 years of age and older. A dental examination within 12 months before admission shall be documented or there shall be an examination not later than 3 months after admission. Reexamination shall be provided at least annually.

History: 1992 AACCS.

R 400.10311 Social service supervisor; qualifications.

Rule 311. A social service supervisor, at the time of appointment to the position, shall possess either of the following:

(a) A master's degree in a human service field and 1 year of professional experience in a juvenile facility, child caring institution, child placing agency, or criminal justice agency.

(b) A bachelor's degree with a major in a human service field and 2 years of professional experience in a juvenile facility, child caring institution, child placing agency, or criminal justice agency.

History: 1992 AACCS.

R 400.10313 Social worker; qualifications.

Rule 313. A social worker, at the time of appointment to the position, shall possess a bachelor's degree with a major in a human service field.

History: 1992 AACCS.

R 400.10315 Initial service plan.

Rule 315. (1) An initial service plan shall be completed and recorded by the social worker for each facility resident within 30 days of admission.

(2) The initial service plan shall be developed with the resident, the resident's parents, and the referral source, unless documented as inappropriate.

(3) The initial service plan shall include all of the following information:

(a) Problems that require placement.

(b) A social history for the resident and family which includes past and current family functioning.

(c) The resident's physical, emotional, mental, social, behavioral, and educational functioning.

(d) Identified resident's needs and strengths based on the social history.

(e) Identified family needs and strengths based on the social history.

(f) A long-range permanent plan for the resident.

(g) Objectives which must be met to achieve the long-range permanent plan.

(h) Specific steps and time frames for addressing the problems, achieving the objectives, and meeting the needs of the resident.

(i) Plans for, and the purpose of, visits between the resident and the resident's family.

(j) Documented approval of the plan by the social service supervisor.

(4) A resident's parents shall be involved in the development of the service plan and shall be informed of their role and responsibility while the resident is in care.

History: 1992 AACCS.

R 400.10317 Updated service plan.

Rule 317. (1) An updated service plan shall be completed and recorded by the social worker for each facility resident at least once every 3 months after completing the initial service plan.

(2) The updated service plan shall be developed with the resident, the resident's parents, and the referral source, unless documented as inappropriate.

(3) The updated service plan shall include all of the following information:

(a) Progress made toward achieving the objectives established in the previous service plan.

(b) Any changes in the service plan, including new problems and new objectives to remedy the problems. Steps and time frames for achievement shall be indicated.

(c) A release plan. The plan shall be developed and recorded in the updated services plan before the release date and shall include a projected release date, projected next placement, and action steps necessary to accomplish the plan.

History: 1992 AACCS.

R 400.10319 Resident release; documentation.

Rule 319. When a resident is released from a facility, all of the following information shall be documented in the resident's record within 14 days after release:

(a) The reason for release and the new location of the child.

(b) An assessment of the resident's needs which remain to be met.

(c) A statement that the release plan recommendations have been reviewed with the resident and parent.

(d) The name and title of the person to whom the resident was released.

History: 1992 AACCS.

PART 4. ENVIRONMENTAL HEALTH AND SAFETY

R 400.10401 Applicability.

Rule 401. This part applies to all facilities unless specifically noted otherwise.

History: 1992 AACCS.

R 400.10403 Facility and premises maintenance.

Rule 403. (1) A facility and premises shall be maintained in a clean, comfortable, and safe condition. The facility shall be located on land that is properly drained.

(2) Hazardous areas shall be guarded or posted as appropriate for the age and developmental capacity of the residents.

(3) The facility, including main and accessory structures, shall be maintained so as to prevent and eliminate rodent and insect harborage.

(4) Rooms, exterior walls, doors, skylights, and windows shall be weathertight and watertight and shall be kept in sound condition and good repair.

(5) Floors, interior walls, and ceilings shall be sound and in good repair and shall be maintained in a clean condition.

(6) Plumbing fixtures and water and waste pipes shall be properly installed and maintained in good working condition.

(7) Water closet compartment, bathroom, and kitchen floors shall be constructed and maintained so as to be reasonably impervious to water and be composed of a slip-resistant material.

(8) Equipment, including recreation devices, shall be inspected periodically for defects. Proper maintenance shall be carried out to keep equipment in a safe operating condition.

(9) Water heaters shall have an operable thermostatic temperature control and a pressure relief valve.

(10) Stairways, porches, and elevated walkways shall have structurally sound and safe handrails.

History: 1992 AACCS.

R 400.10405 Ventilation.

Rule 405. (1) Except for a basement, each habitable room shall have direct outside ventilation by means of windows, louvers, air conditioning, or mechanical ventilation.

(2) Each door, window, and other opening to the outside which is used for ventilation purposes shall be supplied with screens. Each screen door shall have a self-closing device in working condition and shall swing outward.

(3) Where windows or louvers are used for ventilation, the total openable area for each resident-occupied room, other than a bathroom, shall not be less than 3 1/2% of the floor area of the room.

History: 1992 AACCS.

R 400.10407 Lighting.

Rule 407. (1) Every sleeping room that is occupied by residents shall have natural light from a source which is equal to not less than 8% of the floor area for that room. A skylight, louver, glass-blocked panel, or similar light-transmitting device shall not be

counted for more than 50% of the required area in place of conventional windows and glass doors.

(2) Every habitable room shall have artificial light that is capable of providing not less than 20 footcandles of illumination at a height of 3 feet above the floor.

History: 1992 AACCS.

R 400.10409 Water supply.

Rule 409. (1) The water supply for a facility shall comply with the requirements of the department of public health. The installation of new wells or repairs on existing wells shall be done by a water drilling contractor who is registered under sections 12701 to 12721 of Act No. 368 of the Public Acts of 1978, as amended, being SS333.12701 to 333.12721 of the Michigan Compiled Laws.

(2) Each sink, lavatory, bath, shower, drinking fountain, and other water outlet shall be supplied with safe and potable water which is sufficient in quantity and pressure to meet the conditions of peak demand.

Hot and cold or tempered water shall be provided in each sink, lavatory, bath, and shower. Hot water temperatures shall not be more than 120 degrees Fahrenheit at outlets accessible to residents.

(3) Plumbing shall be installed and maintained to prevent cross-connections with the water supply.

History: 1992 AACCS.

R 400.10411 Toilet and bathing facilities.

Rule 411. The following toilet and bathing facilities shall be provided:

(a) Toilets that allow for individual privacy, unless such toilets are inconsistent with a toilet training program or security program.

(b) Bathing and toilet fixtures that are specially equipped if used by the physically handicapped.

(c) For each 8 residents, at least 1 toilet, lavatory, and tub or shower that are easily accessible from sleeping quarters.

History: 1992 AACCS.

R 400.10413 Food service facilities, equipment, and procedures.

Rule 413. Facilities, equipment, and procedures used in the preparation, storage, and service of food shall comply with the applicable provisions of sections 12901 to 12922 of Act No. 368 of the Public Acts of 1978, as amended, being SS333.12901 to 333.12922 of the Michigan Compiled Laws. The facilities, equipment, and procedures required shall be based on the amount of food service and the type of food service operation.

History: 1992 AACCS.

R 400.10415 Garbage and refuse.

Rule 415. (1) Garbage shall be stored in fly-tight, watertight containers with tight-fitting covers. A garbage can shall be provided with a waterproof liner or shall be thoroughly cleaned after each emptying.

(2) Garbage and refuse shall be removed at intervals of at least once a week.

History: 1992 AACCS.

R 400.10417 Sewage disposal.

Rule 417. Sewage and other water-carried wastes shall be disposed of through a municipal sewer system where such a system is available. Where a municipal sewer connection is not available, liquid waste shall be discharged into an approved private system. The private system shall not create a nuisance or pollute a stream, lake, or other body of water or contaminate a water supply or bathing place and shall comply with applicable local health department requirements.

History: 1992 AACCS.

R 400.10419 Heating equipment.

Rule 419. (1) Heating equipment shall be capable of maintaining a temperature of not less than 68 degrees Fahrenheit at a point 4 feet above the floor. An accurate thermometer shall be provided.

(2) Hot water radiators, steam radiators and pipes, or any other heating device that is capable of causing a burn shall be effectively shielded.

History: 1992 AACCS.

R 400.10421 Swimming beaches and pools.

Rule 421. (1) The water and beach area of a natural swimming area of a facility shall be free from contamination by garbage, refuse, sewage pollution, and hazardous foreign or floating materials. A survey or evaluation of the quality of the water at the swimming area shall be made in accordance with the provisions of sections 12541 to 12563 of Act No.

368 of the Public Acts of 1978, as amended, being SS333.12541 to 333.12563 of the Michigan Compiled Laws, and the rules promulgated thereunder.

(2) A facility's artificial swimming pool shall be constructed and maintained in accordance with the provisions of sections 12521 to 12534 of Act No. 368 of the Public Acts of 1978, as amended, being SS333.12521 to 333.12534 of the Michigan Compiled Laws, and the rules promulgated thereunder.

History: 1992 AACCS.

PART 5. FIRE SAFETY FOR SMALL, LARGE, AND SECURE FACILITIES

R 400.10501 Definitions.

Rule 501. As used in this part:

(a) "Ambulatory," with respect to a resident, means being physically and mentally capable of traversing a path to safety without the aid of another person. A path to safety includes the ascent and descent of any stairs or approved means of egress.

(b) "Approved" means acceptable to the department and the fire inspecting authority and in accordance with these rules. The department makes the final approval based on recommendations from the fire inspecting authority.

(c) "Basement" means the habitable portion of a building which is below grade, but which is so located that the vertical distance from the grade to the floor is not more than the vertical distance from the grade to the ceiling. Where the ceiling of such portion of a building is located 5 feet or more above grade for more than 25% of the perimeter measurement of the building or part of the building affected, the building shall be classed as a first story.

(d) "Combustible" means those materials which can ignite and burn.

(e) "Conversion" or "converted" means any of the following:

(i) A change, after the effective date of these rules, in the use of a facility or portion thereof from some previous use to that of a licensed or approved institution.

(ii) An increase in capacity from a residential group home to a small facility.

(iii) An increase in capacity from a small facility to a large facility.

(iv) A change to a secure facility.

(v) After the effective date of these rules, a change from caring for ambulatory residents only to caring for 1 or more nonambulatory or wheelchair-confined residents. A converted facility shall comply with the provisions of these rules for fire safety for converted facilities.

(f) "Electric lock" means an electric door lock system that is operated from a remote control unit. The system shall be fail-safe and all locks shall automatically unlock in the event of electrical failure. The system shall be approved by a nationally recognized independent testing laboratory.

(g) "Escape window," in a newly converted or remodeled facility, means an approved side-hinged window which has a minimum opening of 5 square feet and which does not have an open dimension of less than 22 inches. The window shall be openable from the inside with a single motion and shall be equipped with nonlocking-against-egress hardware. The window shall be openable without the use of special tools. The sill height shall not be more than 36 inches from the floor, unless an approved substantial permanent ledge or similar device which is not less than 12 inches wide is provided under the window, in which case the sill height may be increased to 44 inches from the floor. In an existing facility, "escape window" means a window that is acceptable to the fire inspecting authority.

(h) "Existing facility" means a building which is licensed or approved by the department as an institution at the time these rules take effect and which is not unoccupied or unlicensed for more than 90 consecutive days thereafter. Where an increase in capacity or change in use affects fire safety requirements, the facility shall comply with all applicable requirements before the increase or change in use.

(i) "Facility" means a building that is owned, leased, or primarily rented by a juvenile court for use as a small, large, or secure facility to house and sleep residents. "Facility" includes new, remodeled, converted, and small, large, secure, and existing facilities. Any portion of a facility which is not used by residents, which is not used as a required means of egress, and which is protected from the rest of the facility by an approved fire barrier does not need to meet these rules for fire safety. However, the right of the fire inspecting authority to inspect a nonuse area for hazardous use is retained and directives relative to fire safety of the nonuse area may be issued to assure the fire safety of the use areas. "Facility" does not include an open occupancy building for less than 7 residents.

(j) "Fire alarm device" means an approved device that is capable of sounding an alarm. A fire alarm shall be specifically designated as such and shall not be used for any purpose other than sounding an alarm of fire or other emergency or for fire drills. The device shall be loud enough to be heard throughout the facility under normal conditions. A device may be a bell, a horn, a whistle, or any other device that is acceptable to the fire inspecting authority.

(k) "Fire alarm system" means an approved electrical closed circuit, self-supervised local system for sounding an alarm. The system is comprised of a panel, pull stations, and audible electric signal devices.

(l) "Fire-resistance rating" means the time in hours or fractions thereof that materials or their assemblies will resist fire exposure as determined by fire tests established and conducted by approved testing laboratories.

(m) "Hazardous area" means those parts of a facility that house a flame-producing heating plant, an incinerator, a water heater, or a kitchen and areas where combustible materials, flammable liquids, gases, or dangerous chemicals are used or stored. Domestic laundry equipment is excluded from this definition.

(n) "Large facility" means a building that is used to house more than 15 residents.

(o) "Means of egress and exit" means an unobstructed way of departure from any point in a building to safe open air outside at grade.

(p) "Newly constructed," "new construction," or "new facility" means a structure or addition to a facility after the effective date of these rules.

(q) "Nonambulatory," with respect to a resident, including a resident confined to a wheelchair, means being physically or mentally incapable of traversing a path to safety without the aid of another person. A path to safety includes the ascent and descent of any stairs or other approved means of egress from the building.

(r) "Remodeled" means changes in a facility which modify existing conditions and includes renovation. Remodeled and affected areas of a child caring institution shall conform to the provisions of these rules for fire safety for remodeled and converted facilities. Unaffected areas of a facility are not required to conform to the required provisions for remodeled and converted facilities.

(s) "Residential group home" means an open institution that is used to house less than 7 residents.

(t) "Secure facility" means a building that is used as a detention facility. The building or portions of the building are used to keep residents in custody. Outside doors and individual sleeping rooms usually have locks which are secure from the inside. The locks are used in the usual course of operation. A secure facility shall meet the

requirements for a large facility, regardless of the number of residents. A facility with an approved resident confinement room is not a secure facility solely by virtue of having a resident confinement room.

(u) "Small facility" means a building which houses not less than 7 residents and not more than 15 residents and which is not a secure facility.

(v) "Story" means that part of a building between a floor and the floor or roof next above.

(w) "Street floor" means the lowest story of a facility that is not a basement.

(x) "Substantially remodeled" means changes in a facility that result in the exposure or addition of structural joists or studs.

(y) "Wire glass" means glass which is not less than 1/4 of an inch thick; which is reinforced with wire mesh, no. 24 gauge or heavier, with spacing of not more than 1 square inch; and which is installed in steel frames or, when approved, installed in wood frames or stops of hardwood material which is not less than 3/4 of an inch actual dimension and not more than 1,296 square inches per frame, with no single dimension more than 54 inches in length.

History: 1992 AACCS.

R 400.10503 Applicability.

Rule 503. The rules set forth in this part apply to all newly constructed, remodeled, converted, and existing facilities as indicated.

History: 1992 AACCS.

R 400.10505 Adoption by reference.

Rule 505. The department adopts the fire safety codes and standards set forth in this rule. These codes and standards are available for inspection and distribution to the public at cost at the Department of Social Services, 235 S. Grand Avenue, P.O. Box 30037, Lansing, Michigan 48909.

Copies of the codes and standards may also be obtained from the appropriate agency, organization, or association listed in this rule. The costs indicated are those in effect at the time these rules were promulgated. The codes and standards adopted are as follows:

(a) Standard E-84-77A, "Tests for Surface Burning Characteristics of Building Materials," 1978, American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103 - \$1.75.

(b) Pamphlet no. 13, "Installation of Sprinkler Systems," 1980, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$6.00.

(c) Pamphlet no. 13A, "Care and Maintenance of Sprinkler Systems," 1981, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$1.00.

(d) Pamphlet no. 22, "Water Tanks for Private Protection," 1978, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$4.75.

(e) Pamphlet no. 70, "National Electrical Code," 1978, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$6.75.

(f) Pamphlet no. 72A, "Local Protective Signaling Systems," 1979, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$5.00.

(g) Pamphlet no. 72E, "Automatic Fire Detectors," 1978, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$5.00.

(h) Pamphlet no. 82, "Incinerator, Rubbish Handling," 1977, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$4.50.

(i) Pamphlet no. 90A, "Air Conditioning and Ventilating Systems," 1978, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$5.00.

(j) Pamphlet no. 96, "Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment," 1980, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$4.50.

(k) Pamphlet no. 220, "Standard on Types of Building Construction," 1979, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - 50 cents.

(l) Pamphlet no. 255, "Method of Test of Surface Burning Characteristics of Building Materials," 1979, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$4.50.

(m) Standard 723, "Test Method for Fire Hazard Classification of Building Materials," 1977, Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, Illinois 60062 - \$3.50.

(n) "Life Safety Code 101," 1967, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$4.00.

(o) "Life Safety Code 101," 1973, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 - \$4.00.

History: 1992 AACCS.

R 400.10507 Fire drills and telephone.

Rule 507. (1) There shall be quarterly emergency fire drills for each staff shift. Two of the drills shall include evacuations, unless approved by the department, in writing, as clinically contraindicated. Where a facility has a 24-hour staff shift, the emergency drills shall be conducted at different times of the day and night. Written records shall be maintained for each drill and shall indicate the date and time of the drill and, where evacuation was a part of the drill, the approximate evacuation time.

(2) A telephone or other suitable means of communicating an alarm of fire to the fire department shall be provided. Pay stations are not suitable means of communicating alarms. The telephone number of the fire department shall be posted conspicuously by all phones designated for outside service.

History: 1992 AACCS.

R 400.10509 Facility location.

Rule 509. A new or converted facility shall not be established within 300 feet of an aboveground storage tank that contains flammable liquids that are used in connection with any of the following:

- (a) A bulk storage plant.
- (b) A marine terminal.
- (c) Aircraft refueling.
- (d) A bottling plant of a liquefied petroleum gas installation.
- (e) Other similar hazard.

History: 1992 AACCS.

R 400.10511 Facilities with sleeping rooms above second floor.

Rule 511. All facilities with sleeping rooms above the second floor shall comply with the requirements of a secure facility, except for the requirements of R 400.10523(c).

History: 1992 AACCS.

R 400.10513 Combustible materials and decorations.

Rule 513. (1) A resident-occupied facility shall be kept free of all accumulations of combustible materials that are unnecessary for the immediate operation of the institution.

(2) Easily ignited or rapidly burning combustible decorations are not permitted in a facility. Personal artwork and personal decorations made or owned by residents are permitted up to 6 square feet of wall space in each room or use areas other than means of egress and hazardous areas.

History: 1992 AACCS.

R 400.10515 Basement as sleeping room prohibited.

Rule 515. A basement shall not be used as a sleeping room.

History: 1992 AACCS.

R 400.10517 Electrical installations.

Rule 517. (1) In a newly constructed, converted, or remodeled facility, the electrical wiring and equipment shall be installed in accordance with the provisions of the national fire protection association pamphlet no.

70, entitled "National Electrical Code," 1978. A final electrical certificate of approval for the electrical installation shall be obtained from a qualified local electrical inspecting authority or state electrical inspecting authority.

(2) In an existing facility, electrical wiring and equipment that is acceptable at the time these rules take effect shall continue to be approved until the facility or a portion thereof is remodeled or converted. When an existing facility or a portion thereof is remodeled or converted, only that portion remodeled or converted need comply with the provisions of subrule (1) of this rule. Electrical services shall be maintained in a safe condition. When conditions indicate a need for inspection, the electrical services shall be inspected by a qualified electrical inspection service. A copy of the inspection report shall be maintained at the facility for review. Any areas cited in the report shall be corrected and a new electrical system inspection shall be obtained to verify that corrections have been made.

History: 1992 AACCS.

R 400.10519 Facility construction.

Rule 519. (1) A new, substantially remodeled, or converted large or secure facility shall be 1 of the following types of construction as specified in the national fire protection association pamphlet no. 220, entitled "Standard on Types of Building Construction, 1979":

(a) Type I 443 or 332 or type II 222.

(b) Type II 111, type III 211, type IV 2HH, or type V 111 up to 2 stories. A basement and second story for these types of construction require complete sprinkler protection.

(c) Type II 000, type III 200, or type V 000 up to 2 stories, with all stories completely covered by sprinkler protection.

(2) New, converted, and substantially remodeled small facilities shall be at least frame construction and shall be fire-stopped with not less than 2-inch nominal lumber at all wall and floor junctures and all wall and ceiling junctures.

(3) Existing construction which was approved before these rules take effect and which meets the construction requirements of the fire safety guidelines these rules supersede shall continue to be approved until the facility is substantially remodeled or converted. When an existing facility is substantially remodeled or added to, only the portion of the facility being substantially remodeled or added need be in compliance with the provisions of subrule (1) or (2) of this rule, as appropriate.

History: 1992 AACCS.

R 400.10521 Interior finish.

Rule 521. (1) The following alphabetical classification of finished materials for flame spread and smoke development, as determined by the tunnel test in accordance with the national fire protection association pamphlet no. 255, 1979; American society of testing materials standard E-84-77A, 1978; or underwriters laboratories standard no. 723, 1977, shall be used to classify interior finishes: Class Flame Spread Smoke Developed A 0-25 0-450 B 26-75 0-450 C 76-200 0-450 The same alphabetical classification is also used to classify combustibility of prefabricated acoustical tile units, as determined by federal specifications test no. SS-S-118a.

(2) Interior finish includes all of the following:

- (a) The plaster, wood, or other interior finish materials of walls.
- (b) Partitions, fixed or movable.
- (c) Ceilings.
- (d) Other exposed interior surfaces of the facility, other than nominal wood trim.

(3) The classification of interior finish materials as to their flame spread and smoke development shall be that of the basic material used, without regard to subsequently applied paint or other coverings, except where such paint or other covering is of such a character or thickness where applied so as to affect the material classification. Finishes such as lacquer, polyurethane-based materials, or unapproved wall coverings shall not be used.

(4) Paints or coatings that contain plastics, polyurethane, or epoxies may be used on noncombustible surfaces without proof of classification if they are not applied more than 8 mils in thickness.

(5) In a newly constructed, remodeled, or converted facility, an interior finish classification shall be that of the basic material used, without regard to subsequently applied paint or other covering in an attempt to meet the classification.

(6) In an existing facility, where an interior finish at the time these rules take effect does not comply with the provisions of subrule (5) of this rule and where an interior finish is applied to or furred out not more than 1 inch from a continuous noncombustible backing, an interior finish may have the surface protected with an approved fire retardant coating so as to meet the interior finish requirements.

(7) Interior finish materials in facilities shall have the following classifications:

- (a) In small and large open facilities without a sprinkler system, class A or B in exitways and class A in behavior management rooms. In all other areas, at least class C.
- (b) In open facilities with a sprinkler system, at least class C throughout, except in a behavior management room.
- (c) In secure facilities, class A throughout.

History: 1992 AACCS.

R 400.10523 Fire protection.

Rule 523. Fire protection shall be provided in all facilities as follows:

- (a) In a small facility any of the following:
 - (i) An attendant shall be on duty 24 hours a day and shall be awake and fully dressed.
 - (ii) Complete sprinkler protection shall be provided.
 - (iii) The provisions of R 400.10525 shall be met.
- (b) In a large facility, any of the following:
 - (i) An attendant shall be on duty 24 hours a day and shall be awake and fully dressed.
 - (ii) Complete sprinkler protection shall be provided.
 - (iii) The provisions of R 400.10527 shall be met.
- (c) In a secure facility, an attendant shall be on duty 24 hours a day and shall be awake and fully dressed.

History: 1992 AACCS.

R 400.10525 Fire detection; small facilities.

Rule 525. (1) A newly constructed, remodeled, or converted small facility that elects to provide fire protection through fire detection shall be protected by approved fire detection equipment that consists, at a minimum, of battery-operated ionization fire detection devices installed in every sleeping room and all areas, except kitchen and bathrooms. The fire detection devices shall comply with all of the following requirements: (a) Be listed and labeled by an independent, nationally recognized testing laboratory.

(b) Be installed and maintained in accordance with the manufacturer's and test specifications.

(c) Be cleaned and tested at least quarterly, with a written record maintained of the cleaning and testing.

(d) Be of a type that provides a signal when batteries are not providing sufficient power and when batteries are missing.

(2) Any battery-operated device required by the provisions of subrule (1) of this rule which signals that power is low or that a battery is missing shall be immediately serviced and restored to full power. There shall be not less than a 10% supply of extra batteries maintained at the facility at all times for the total number of battery-operated devices in the facility.

(3) In existing small facilities, fire detection systems that are approved before these rules take effect shall continue to be approved until the facility or a portion thereof is remodeled or converted. When the facility or a portion thereof is remodeled or converted, fire detection shall be, at a minimum, as required by this rule for the newly constructed, remodeled, or converted facilities in that portion of the facility that is remodeled or converted. Existing fire detection systems shall be maintained in proper working order and shall be tested at least quarterly, with a written record maintained of the testing.

History: 1992 AACCS.

R 400.10527 Fire detection; large facilities.

Rule 527. (1) A newly constructed, remodeled, or converted large facility that elects to provide fire protection through fire detection shall be equipped with a 100% coverage fire detection system which is tested and listed by a nationally recognized, independent testing laboratory and which is installed in compliance with the national fire protection association pamphlet no. 72A, entitled "Local Protective Signaling Systems," 1979, national fire protection association pamphlet no. 72E, entitled "Automatic Fire Detectors," 1978, and these rules, except that the installation of wiring and equipment shall comply with national fire protection association pamphlet no. 70, entitled "National Electrical Code," 1978.

(2) In a new, remodeled, or converted large facility, the main power supply source for an automatic fire detection system shall be from an electric utility company and shall be on a separate circuit which is fused ahead of the building main service switch. A

secondary power supply shall be provided which, in the event of the main power supply failure, will maintain the system in an operative condition for 24 hours and, in the event of a fire, will sound the alarm signaling units at least a 5-minute period.

(3) In a new, remodeled, or converted large facility, where an automatic fire detection system is required, the detection devices shall comply with both of the following provisions:

(a) Be installed in all rooms, lofts, closets, stairways, corridors, basements, attics, and any other areas. Spacing of detection devices shall be as recommended by the manufacturer to provide complete coverage. Small bathrooms that contain a single water closet and lavatory, small closets that are not more than 20 square feet, and similar spaces are exempted from the provisions of this subdivision.

(b) Be smoke detectors, except that heat detectors may be installed in attics, kitchens, bathrooms, attached garages, and heating plant rooms instead of smoke detectors. Heat detectors shall be the fixed-temperature, rate-of-rise type.

(4) In a new, remodeled, or converted large facility, an automatic fire detection system shall be an electrical, closed circuit, self-supervised system which gives a distinctive signal in a staff-occupied area when trouble occurs in the system, including loss of the main power supply.

(5) In a new, remodeled, or converted large facility, complete final plans and specifications of the automatic fire detection system, where such a system is to be installed, shall be submitted to the department and approved before installation. The plan shall show facility floor plans and locations and types of detection devices, pull stations, and sounding units.

(6) In existing large facilities, fire detection systems that are approved before these rules take effect shall continue to be approved until the facility is converted or a portion thereof is remodeled. When the facility is converted or a portion thereof is remodeled, the portion of the facility remodeled or converted shall meet the appropriate requirements of this rule. Where the required new system cannot be added to the existing systems maintaining a single signaling alarm system, the total system shall be replaced and shall comply with this rule for remodeled and converted facilities.

(7) Automatic fire detection systems, fire alarm systems, and fire detection systems shall be maintained in proper working condition. When problems occur, they shall be immediately remedied. When the system is rendered inoperable, staff shall be awake and on duty until the system is again operable.

History: 1992 AACCS.

R 400.10529 Sprinkler systems.

Rule 529. (1) A sprinkler system in a new or converted facility shall comply with the provisions of the national fire protection association pamphlet no. 13, 1980, entitled "Installation of Sprinkler Systems." Where there is no adequate water from a community water system to supply a sprinkler system and where the area to be protected is not more than 20,000 square feet, a special pressure tank supply for sprinklers, as specified in the national fire protection association pamphlet no. 22, 1981, entitled "Standard for Water Tanks for Private Fire Protection," shall be

provided. The special pressure tanks shall contain 2,000 gallons of water in a 3,000-gallon tank for partial systems and for complete building systems shall have 3,000 gallons of water in a 4,500-gallon tank.

The tank shall be enclosed in at least a 1-hour-fire-resistance rated structure or room.

(2) All required sprinkler systems shall be inspected and tested and all other maintenance performed as specified in the national fire protection association pamphlet no. 13A, 1981, entitled "Care and Maintenance of Sprinkler Systems," at least once a year by a sprinkler contractor. The licensee shall maintain documentation of the last inspection and test.

(3) A sprinkler system in an existing facility that is approved before these rules take effect shall continue to be approved until the facility or a portion thereof is remodeled, converted, or expanded. The system shall be maintained in accordance with the standards applicable at the time it was originally approved.

(4) When an existing facility is remodeled, converted, or expanded and the remodeling, conversion, or expansion results in an existing sprinkler system that does not provide adequate protection, fire protection shall be provided by extension of the current system where it is possible to extend the system and maintain its integrity or a new sprinkler system shall be installed in the affected area.

(5) The sprinkler piping for any isolated hazardous area that can be adequately protected by not more than 2 sprinklers may be connected directly to the domestic water system at a point where a minimum 1-inch supply is available. An approved OS and Y valve and check valve shall be installed between the sprinklers and the connection to the domestic water supply.

History: 1992 AACCS.

R 400.10531 Fire extinguishers.

Rule 531. (1) All required fire extinguishers shall be subjected to a maintenance check at least once a year. Each fire extinguisher shall have a tag or label attached that indicates the month and year maintenance was performed and identifies the person or company that performs the service.

(2) All required extinguishers shall be recharged after use.

(3) A minimum of 1 approved fire extinguisher shall be provided on each floor and in or immediately adjacent to kitchens, combustion-type heating devices, and incinerators. Additional fire extinguishers may be required at the discretion of the fire safety inspector to assure that it is not necessary to travel more than 75 feet to a fire extinguisher.

(4) All fire extinguishers shall be not less than 4 inches off the floor and the top of the extinguisher shall not be higher than 5 feet off the floor in a special cabinet or on a wall rack which is easily accessible at all times, unless programmatically contraindicated. Where programmatically contraindicated, the required extinguishers may be kept behind locked doors if both of the following conditions are met:

(a) The locations are clearly labeled "Fire Extinguisher."

(b) All staff carry keys to the doors.

(5) In new, remodeled, or converted facilities, a fire extinguisher shall be at least type 2-A-10BC.

(6) In existing small facilities, previously approved fire extinguishers other than type 2-A-10BC will continue to be approved if they are located in the area for which approved.

History: 1992 AACCS.

R 400.10533 Fire alarm.

Rule 533. (1) All new and converted large and secure facilities shall have a fire alarm with fire alarm pull stations at each exit on each floor.

(2) All new and converted small facilities that have resident sleeping on only 1 floor shall have at least a fire alarm device. All new and converted small facilities that have resident sleeping on more than 1 floor shall have a fire alarm system with at least 1 pull station on each level.

(3) Fire alarm systems and devices in existing facilities shall be maintained in proper working order and shall continue to be approved until the facility is remodeled or converted.

History: 1992 AACCS.

R 400.10535 Means of egress.

Rule 535. (1) Means of egress shall be considered the entire way and method of passage to free and safe ground outside a facility. All required means of egress shall be maintained in an unobstructed, well-defined, easily traveled condition at all times.

(2) In an existing facility, each resident-occupied room or area shall have access to not less than 2 independent, properly separated, approved means of egress or have a doorway leading directly to the outside at grade.

(3) In multistory secure and large facilities, at least 1 means of egress from each floor shall be direct to the outside or shall be through an enclosed stairway which is properly separated from floors below and which exits directly to the outside at grade or through a previously approved escape window.

(4) In a small facility where ambulatory residents use a floor above the street level, 1 of the 2 required means of egress may be an approved escape window from each resident-occupied room which provides direct access to the ground and which has a sill height that is not more than 5 feet above the ground below or which provides access to an approved fire escape.

(5) In a newly constructed, remodeled, or converted facility, each resident-occupied story, including a resident-occupied basement, shall have not less than 2 independent approved means of egress separated by not less than 50% of the longest dimension of the story. Where possible, resident sleeping rooms shall be located between approved means of egress.

When this is not possible, each exit shall be arranged so that a corridor or aisle does not have a pocket or dead end of more than 20 feet and so that not more than 4 residents

have sleeping rooms with exit access on such corridor or aisle. There shall not be a hazardous area on such a dead-end corridor or aisle.

(6) In a newly constructed, remodeled, or converted large or secure facility, additional means of egress, in addition to the minimum of 2 required from each story, are required if the maximum possible occupancy is more than 100 residents per story. There shall be at least 1 additional means of egress for each 100 additional residents per story. Means of egress shall be of such number and so arranged that it is not necessary to travel more than 100 feet from the door of a resident-occupied room to reach the nearest approved protected exitway from that story.

(7) An elevator shall not be approved as a required means of egress.

(8) A means of egress shall not be used to house residents or for storage of any kind and shall not be obstructed or hidden from view by ornamentation, curtains, or other appurtenances.

(9) Each required means of egress from floors where nonambulatory residents are permitted shall discharge at grade or shall be equipped with a ramp which terminates at grade level. Ramps shall not exceed 1 foot of rise in 12 feet of run and shall have sturdy handrails. Once at grade, nonambulatory residents shall have a surface that is sufficient to permit them to move a safe distance from the facility.

(10) In a small facility that houses 1 or more nonambulatory residents, required aisles that form part of a required means of egress from portions of the facility housing such residents shall be not less than 48 inches wide in a new facility and not less than 44 inches wide in a converted facility and shall have doors that are a minimum of 36 inches wide.

History: 1992 AACCS.

R 400.10537 Stairways, halls, corridors, and aisles.

Rule 537. (1) In existing and small facilities, all stairways and other vertical openings shall be enclosed with materials equal in fire resistance to the standard partition construction of the building, if such partition construction is at least standard lath and plaster. There shall be at least a 1 3/4-inch solid-core wood door that has self-closing and latching hardware which is installed so that there is effective fire and smoke separation between floors or, alternatively, each sleeping room on the second floor shall be equipped with at least a 1 3/4-inch solid-core wood door with latching hardware.

(2) In all new and converted large and secure facilities, stairways shall be enclosed with materials that have at least the fire-resistance rating specified by the national fire protection association pamphlet no.

220, 1979, for the type of construction. All other vertical openings through floors shall be fire-stopped with like materials.

(3) If a facility has less than 3 levels, if each level exits at grade, and if elevations between levels are not more than 4 feet, the building shall be considered to be 1 story and enclosures shall not be required between levels.

(4) In all new and converted facilities, stairs shall have treads and risers of uniform width and height, with treads that are not less than 9 1/2 inches deep, exclusive of nosing, and risers that are not more than 7 3/4 inches in height.

(5) Stairs in new, remodeled, and converted facilities shall change direction by use of an intermediate landing and not by a variance in the width of the treads. A sturdy and securely fastened handrail that is located between 30 and 34 inches, measured vertically, above the nose of the treads shall be provided.

(6) Stairs in existing facilities that are approved before these rules take effect shall continue to be approved until the portion of the building that encompasses the stairs is remodeled.

(7) An outside stairway or fire escape that is used as part of an approved means of egress shall be protected against fire in the building by blank or closed walls directly under such stairway and for a distance of 6 feet in all directions. Windows are permitted within this area if they consist of wire glass set in unopenable frames.

(8) In newly constructed small facilities, halls, corridors, aisles, and stairs that are used as part of a means of egress shall be not less than 44 inches wide and shall be not less than 36 inches wide in converted small facilities, except as required by R 400.10535(10).

(9) In newly constructed and converted large and secure facilities, halls, corridors, and aisles that are used as part of a means of egress shall be not less than 5 feet wide and 90 inches high and stairs that are used as part of an exit shall be not less than 4 feet wide.

History: 1992 AACCS.

R 400.10539 Doors.

Rule 539. (1) Doors to required means of egress shall comply with all of the following provisions:

(a) Be side-hinged and installed at floor level.

(b) Be not less than 36 inches wide in new and converted large and secure facilities and new small facilities, and not less than 30 inches wide in remodeled and converted small facilities, except as required by R 400.10535(10).

(c) Be not less than 78 inches high in new, remodeled, and converted facilities.

(d) In large and secure facilities, doors shall be hung to swing in the direction of egress, except for doors to single-occupant rooms and bathrooms.

(e) Be equipped with at least knob-type, properly operating, approved, positive-latching, nonlocking-against-egress-type hardware which insures the opening of the door with a single motion, such as turning a knob or applying normal pressure on a latch, except as otherwise provided by subrule (2) of this rule and R 400.10173.

(2) In secure facilities, locking hardware is permitted if resident sleeping rooms are equipped with approved electric locks with mechanical overrides or if staff are present and awake, fully dressed, on duty, and in possession of keys to release residents in an emergency.

(3) Doors that enter stairs and other vertical openings and doors to fire-rated enclosures shall not be held in an open position at any time by an under-door wedge or hold-open device.

(4) Interior doors to any enclosure that is required to have not less than a 1-hour-fire-resistance rating shall be B-labeled fire doors in labeled frames and shall be equipped with positive-latching hardware and self-closing devices.

History: 1992 AACCS.

R 400.10541 Partition construction; large and secure facilities.

Rule 541. In new, remodeled, or converted large and secure facilities, rooms shall be separated from corridors used as means of egress with partition construction which extends to the floor or deck above and which affords not less than a 3/4-hour-fire-resistance rating. Doors shall be at least 1 3/4-inch solid-core wood. Any glass in these partitions, including doors, shall be wire glass that is not more than 54 inches in any 1 lineal dimension and not more than a total of 1,296 square inches. If glass breakage is a potential hazard, clear acrylic may be placed directly in contact with and between 2 layers of wire glass to give added strength.

This rule does not apply where the type of construction requires more restrictive separation.

History: 1992 AACCS.

R 400.10543 Hall, stairways, and means of egress lighting; emergency lighting; large and secure facilities.

Rule 543. (1) In large and secure facilities, all halls, stairways, and means of egress shall be constantly lighted. Approved exit signs shall be installed over each required exit. Exit directional signs shall be provided where exit signs are not readily visible in means of egress. In new and converted large and secure facilities, the circuits for this lighting shall be installed ahead of the main power disconnect.

(2) In new and converted multistory large and secure facilities, there shall be a system of emergency backup lighting that is capable of maintaining required lighting for not less than 24 hours in the event of power failure.

History: 1992 AACCS.

R 400.10545 Elevators and dumbwaiters.

Rule 545. Elevator and dumbwaiter shafts shall be completely enclosed by noncombustible materials with a fire-resistance rating of not less than 1 hour. An opening shall not be permitted through the side wall enclosure for ventilation or for any other purpose. Doors and frames that service elevators and dumbwaiters shall be approved B-labeled fire door assemblies and labeled fire frame construction and shall be hung so as to be reasonably smoketight when the doors are closed. Glass side lights, transoms, and panels above the doors shall be wire glass and shall not be more than 100 square inches.

History: 1992 AACCS.

R 400.10547 Heating devices and flame-producing devices.

Rule 547. (1) In large and secure facilities and all newly constructed and converted facilities, flame-producing-type heating devices and incinerators shall be in an enclosure that provides at least 1 hour of resistance to fire. Adequate combustion air shall be provided directly from the outside through a permanently open louver. Fire dampers are not required in ducts that penetrate this enclosure.

(2) In existing small facilities, flame-producing-type heating devices and incinerators approved pursuant to R 400.71 et seq. shall continue to be approved with regard to enclosure or lack of enclosure until the portion of the facility that contains the flame-producing device is remodeled or the facility is converted. This subrule does not abrogate requirements relative to maintaining doors and other safety devices in proper working order.

(3) Electric heating shall be installed in accordance with the manufacturer's specifications and shall be approved by a nationally recognized, independent testing laboratory.

(4) Portable heaters and space heaters, including solid fuel heaters, are prohibited.

(5) A fireplace is permitted if it is masonry and has all of the following components:

(a) An approved glass door shielding the opening. The door shall be closed at all times except when a fire is being tended.

(b) A noncombustible hearth that extends a minimum of 16 inches out from the front, and 8 inches beyond each side, of the fireplace opening.

(c) A noncombustible face that extends not less than 12 inches above, and 8 inches on each side of, the fireplace opening.

(d) A masonry chimney that is constructed with approved flue liners.

(6) A heating plant room shall not be used to store combustibles or as a maintenance shop unless sprinklered.

(7) A furnace and other flame-producing units shall be installed according to manufacturer and test specifications and shall be vented by metal ducts to a chimney which is constructed of bricks, solid block masonry, or reinforced concrete, which has an approved flue lining, and which is properly erected and maintained in a safe condition. A bracket chimney is not permitted. This rule does not prohibit the installation and use of any prefabricated chimney that bears the label of an approved, nationally recognized, independent testing laboratory if the chimney is installed and used in accordance with manufacturer and test specifications and is compatible with the heating unit or units connected to it. Only gas- and oil-fired units may be connected to a prefabricated chimney.

History: 1992 AACCS.

R 400.10549 Air-handling equipment.

Rule 549. (1) In newly constructed or converted large or secure facilities, air conditioning, warm-air heating, air cooling, and ventilating systems shall comply with the provisions of the national fire protection association pamphlet no. 90A, entitled "Air Conditioning and Ventilating Systems," 1978.

(2) In newly constructed or converted large or secure facilities, fans and air-handling equipment used for recirculating air in more than 1 room or single area shall

have a thermostatic device with a setting of not more than 125 degrees Fahrenheit or an approved automatic smoke detector located in the system at a suitable point in the return air duct ahead of the fresh air intake, the actuating of which shall open the electrical circuit that supplies the fan motor. Fan rooms shall be designed and used only to house other mechanical equipment.

(3) In existing facilities, fans and air-handling equipment and systems that are approved pursuant to R 400.71 et seq. shall continue to be approved until the facility is converted. This subrule does not abrogate requirements relative to maintaining the equipment and systems in proper and safe working order.

History: 1992 AACCS.

R 400.10551 Smoke barriers.

Rule 551. (1) Smoke barriers with a 1-hour-fire-resistance rating shall be provided on each floor that is used for sleeping rooms for more than 24 residents and shall be located so as to form an area of refuge on either side that is served with an approved means of egress. The barriers shall be located as close as possible to the middle of the floor to be protected and shall extend from outside wall to outside wall and from the floor through any interstitial spaces to the roof or floor structure above.

(2) Doors in the smoke barrier shall be at least C-labeled fire doors that are hung in labeled frames with self-closing devices. Where double doors without mullions are used, synchronizing hardware and astragals shall be installed.

(3) Doors in smoke barrier partitions may be held open only by electric hold-open devices which are designed so that interruption of the electric current or actuation of the fire alarm, sprinkler system, or the heat or smoke detector will cause the release of the doors. The doors shall also be capable of being manually opened and closed.

History: 1992 AACCS.

R 400.10553 Storage rooms.

Rule 553. Storage rooms which are larger than 100 square feet and which are used for the storage of combustible materials shall be separated from the remainder of the facility by construction which has at least a 1-hour-fire-resistance rating.

History: 1992 AACCS.

R 400.10555 Combustible storage.

Rule 555. (1) In a new, remodeled, or converted large facility, hazardous areas and rooms for storing combustible materials, including all janitor rooms and closets, except as provided by subrule (2) of this rule; linen rooms, except as provided by subrule (2) of this rule; shipping and receiving rooms; kitchen storage rooms; and maintenance shops shall be separated from the remainder of the building by construction which has at least a 1-hour-fire-resistance rating and shall be protected by automatic sprinklers.

(2) In a new, remodeled, or converted large facility, janitor rooms, closets, and linen rooms that are less than 21 square feet do not require automatic sprinklers if such rooms are not located on a corridor or in an area used as part of a required means of egress or if these rooms and closets are on an egress corridor and the door to such is a B-labeled fire door and labeled frame.

(3) In an existing facility, combustible materials storage rooms and hazardous areas, including janitor rooms and closets, shipping and receiving rooms, kitchen storage rooms, and maintenance shops, that are approved before these rules take effect shall continue to be approved until the facility or portion thereof is remodeled or converted.

History: 1992 AACCS.

R 400.10557 Cooking appliances.

Rule 557. (1) Cooking appliances shall be suitably installed in accordance with approved safety practices.

(2) If metal hoods or canopies are provided over domestic cooking appliances, they shall be equipped with filters. Filters shall be maintained in an efficient and clean condition.

(3) In a newly constructed, remodeled, or converted large and secure facility, if metal hoods or canopies are provided over commercial kitchen cooking appliances, they shall be designed and equipped in compliance with the provisions of the national fire protection association pamphlet no.

96, entitled "Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment," 1980, and shall comply with all of the following requirements:

(a) Filters shall be maintained in an efficient and clean condition.

(b) Only vaporproof electrical wiring and equipment shall be permitted in hoods or canopies.

(c) Exhaust ducts from hoods shall be run to the outside by the shortest practicable route. When exhaust ducts are run through concealed spaces between a ceiling and a floor or roof or through any floors above, the ducts shall be enclosed in horizontal or vertical shafts which are protected from the remainder of the building by construction that affords a 2-hour-fire-resistance rating. Hoods and unenclosed ducts shall be a minimum of 18 inches from any combustible surfaces.

(d) Fire extinguishing equipment for the hood and exhaust duct of a cooking appliance in a kitchen shall be in compliance with the provisions of the national fire protection association pamphlet no. 96, entitled "Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment," 1980.

(4) In an existing facility, metal hoods and canopies that are approved before these rules take effect shall continue to be approved until the facility or a portion thereof which incorporates the kitchen is remodeled or converted. When the kitchen is remodeled or the facility is converted, hoods or canopies for cooking appliances shall be in compliance with the requirements of this rule for new construction. Filters in any

hood or canopy in an existing facility shall be maintained in an efficient and clean condition.

History: 1992 AACCS.

R 400.10559 Rubbish handling and incinerators.

Rule 559. (1) In a newly constructed, remodeled, or converted large or secure facility, rubbish handling and incinerators shall be in compliance with the provisions of the national fire protection association pamphlet no. 82, entitled "Incinerators, Rubbish Handling," 1977. Rubbish chutes and refuse bins or rooms shall be in compliance with the provision of this pamphlet for industrial-type incinerators. Approved 2-bushel or less gas incinerators may be placed in an approved furnace room and shall be equipped with approved automatic 100% shutoff controls, including a safety pilot. Feed doors shall be located in an enclosed sprinklered room or compartment that is separated from other parts of the building by walls, a floor, and a ceiling that have a fire-resistance rating of not less than 1 hour. Openings to such rooms or compartments shall be protected by approved B-labeled fire door assemblies and fire door frames.

(2) In a newly constructed, remodeled, or converted large or secure facility, rubbish chutes shall extend to not less than 4 feet above the roof and shall be covered by a metal skylight that is glazed with thin pane glass. A sprinkler head shall be installed at the top of rubbish chutes and within the chutes at alternate floor levels in buildings that are more than 2 stories in height. A rubbish chute shall empty into a separate room, closet, or bin which is constructed of materials that have at least a 1-hour resistance to fire and which is protected with an automatic sprinkler system.

(3) In new construction, incinerator rooms shall have at least 1 wall on an outside wall not exposing a closed court.

(4) In an existing large or secure facility, rubbish handling and incinerators approved before these rules take effect shall continue to be approved until the facility is converted or the portion of the facility which includes the rubbish-handling facilities or incinerators is remodeled.

History: 1992 AACCS.

R 400.10561 Laundries.

Rule 561. (1) In a newly constructed, remodeled, or converted large or secure facility with a laundry, the laundry shall be in compliance with all of the following requirements:

(a) Be located in a room that is constructed of materials which have a 1-hour-fire-resistance rating. The laundry shall be protected by an approved automatic sprinkler system. When a laundry is located in a nonresident-occupied level, a sprinkler system is not required if domestic laundry equipment is used.

(b) Have steam lines installed that have at least a 1-inch clearance from combustibles.

(c) Have dryers that are constructed of metal. Lint traps shall be cleaned frequently.

(d) Have 100% automatic and manual shutoff controls for gas appliances other than domestic laundry equipment, which need only have manual shutoff controls.

(e) Have adequate outside air for combustion where combustion-type equipment is used.

(2) In a newly constructed, remodeled, or converted facility, laundry chutes shall be in compliance with all of the following requirements:

(a) Be enclosed in shafts that are constructed of an assemblage of noncombustible materials which have at least a 1-hour resistance to fire.

If the shaft does not extend through the roof of the building, the top shall be covered with noncombustible material that affords at least a 1-hour resistance to fire. There shall be no openings into the shaft other than those necessary for the intended use of the laundry chute. Feed doors shall be located in an enclosed sprinklered room or compartment that is separated from other parts of the building by walls, a floor, and a ceiling which have a fire-resistance rating of not less than 1 hour.

Openings to such rooms or compartments shall be protected by B-labeled fire doors in labeled frames.

(b) Have a sprinkler head installed at the top of the chutes and within the laundry chutes at alternate floor levels in buildings over 2 stories in height.

(c) Empty into a separate room, closet, or bin which is constructed of materials that have at least a 1-hour resistance to fire and which is protected by automatic sprinklers.

(d) Have any of the following:

(i) An open vent at the top where the shaft extends through the roof of the building.

(ii) A skylight which is glazed with ordinary glass and which is not less than 10% of the shaft area.

(iii) A window of ordinary glass which is not less than 10% of the shaft area.

(iv) A window of ordinary glass which is not less than 10% of the shaft area and which is set into the side of the shaft with the sill of the window not less than 2 feet above the roof level and 10 feet from any property line or other exposure it faces.

(3) In an existing facility, laundry facilities and laundry chutes that are approved before these rules take effect shall continue to be approved until the facility is converted or the portion of the facility which includes the laundry facility or chute is remodeled.

History: 1992 AACCS.

R 400.10563 Motor vehicle housing.

Rule 563. A motor vehicle or gasoline-powered equipment or devices which may cause or communicate fire and which are not necessary for the personal care of residents shall not be stored within a facility, unless the area that houses such equipment is separated from the rest of the facility by materials that have at least a 1-hour-fire-resistance rating.

History: 1992 AACCS.

R 400.10565 Garages.

Rule 565. (1) Garages that are located beneath a facility shall have walls, partitions, floors, and ceilings separating the garage space from the rest of the facility by construction that has not less than a 1-hour-fire-resistance rating.

(2) In newly constructed, remodeled, or converted facilities, a garage that is located beneath the facility shall be sprinklered.

(3) Garages that are attached to a facility shall be completely separated from the rest of the facility by construction that has not less than a 1-hour-fire-resistance rating.

(4) In all new, remodeled, or converted facilities, the sills of all door openings between the garage and breezeway or the garage and the facility shall be raised not less than 4 inches above the garage.

(5) In existing facilities, garages which are located beneath or attached to the facility and which are approved before these rules take effect shall continue to be approved until the facility is converted or the portion of the facility that contains the garage is remodeled.

History: 1992 AACCS.

PART 6. FIRE SAFETY FOR RESIDENTIAL GROUP HOME FACILITIES

R 400.10601 Definitions.

Rule 601. As used in this part:

(a) "Approved" means acceptable to the department and fire inspecting authority and in accordance with these rules. The department makes the final approval based on recommendations from the fire inspecting authority and recognized national standards.

(b) "Basement" means that habitable portion of a building which is below grade but which is located so that the vertical distance from the grade to the floor is more than the vertical distance from the grade to the ceiling. However, where the ceiling of such portion of a building is located 5 feet or more above grade for more than 25% of the perimeter measurement of the building or part of the building affected, the building shall be classed as a first story.

(c) "Combustible" means that any part of a material can ignite and burn.

(d) "Conversion" or "converted" means any of the following:

(i) A change, after the effective date of these rules, in the use of a facility or a portion thereof from some previous use to that of a licensed or approved facility.

(ii) An increase in capacity from a residential group home facility to a small facility or a large facility.

(iii) A change to a secure facility.

(iv) After the effective date of these rules, a change from caring for ambulatory residents only to caring for 1 or more nonambulatory residents.

A converted facility shall be in compliance with the provisions of these rules for fire safety for converted facilities.

(e) "Existing facility" means a building which is licensed or approved by the department as an open facility for less than 7 residents at the time these rules take effect and which is not unoccupied or unlicensed for more than 90 consecutive days

thereafter. Where an increase in capacity or change in use affects fire safety requirements, the facility shall comply with all applicable requirements before the increase or change in use.

(f) "Facility" means a building that is owned, leased, or primarily rented by a juvenile court for use as a residential group home facility to house and sleep residents. "Facility" includes new, remodeled, converted, and existing facilities.

(g) "Fire alarm device" means an approved device that is capable of sounding an alarm. A fire alarm shall be specifically designated as such and shall not be used for any purpose other than sounding an alarm of fire or other emergency or for fire drills. The device shall be loud enough to be heard throughout the facility under normal conditions. A device may be a bell, a horn, a whistle, or any other device that is acceptable to the fire inspecting authority.

(h) "Fire-resistance rating" means the time in hours or fractions thereof that materials or their assemblies will resist fire exposure as determined by fire tests established and conducted by approved testing laboratories.

(i) "Means of egress or exit" means an unobstructed way of departure from any point in a building to safe open air outside at grade.

(j) "Newly constructed," "new construction," or "new facility" means a structure or addition to a facility after the effective date of these rules.

(k) "Nonambulatory" with respect to a resident, including a resident confined to a wheelchair, means being physically or mentally incapable of traversing a path to safety without the aid of another person. A path to safety includes the descent and ascent of any stairs or other approved means of egress from the building.

(l) "Remodeled" means changes in a facility that modify existing conditions and includes renovation. Remodeled and affected areas of an institution shall conform to the provisions of these rules for fire safety for remodeled and converted facilities. Unaffected areas of a facility are not required to conform to the required provisions for remodeled and converted facilities.

(m) "Residential group home facility" means a building which is used to house less than 7 residents and which is not a secure facility.

(n) "Second story" means the story of a building above the highest story which has a means of egress that is not more than 4 feet to grade.

(o) "Street floor" means the lowest story of a facility that is not a basement.

(p) "Story" means that part of a building between a floor and the floor or roof next above.

History: 1992 AACCS.

R 400.10603 Applicability.

Rule 603. The rules set forth in this part apply to residential group home facilities.

History: 1992 AACCS.

R 400.10604 Evacuation training; telephone.

Rule 604. (1) Residential group home facility staff shall be trained in the evacuation of the facility in the event of an emergency. A record shall be maintained of the training.

(2) There shall be a telephone for communicating an alarm of fire to the fire department. A pay phone is not acceptable as a phone for communicating an alarm of fire.

(3) The telephone number of the fire department shall be posted by all phones.

History: 1992 AACCS.

R 400.10605 Facility location.

Rule 605. A residential group home facility shall not be established within 300 feet of an aboveground storage tank which contains flammable liquids that are used in connection with any of the following:

(a) A bulk plant.

(b) A marine terminal.

(c) Aircraft refueling.

(d) Bottling plant of a liquid petroleum gas installation.

(e) Other similar hazard.

History: 1992 AACCS.

R 400.10607 Combustible materials and decorations.

Rule 607. (1) A residential group home facility shall be kept free of all accumulation of combustible materials other than those necessary for the daily operation of the residential group home.

(2) Easily ignited or rapidly burning combustible decorations are not permitted in a facility. Personal artwork and personal decorations made or owned by residents are permitted up to 6 square feet of wall space in each room or area other than means of egress or hazardous areas.

History: 1992 AACCS.

R 400.10609 Basement as sleeping room prohibited.

Rule 609. A residential group home facility basement shall not be used for sleeping.

History: 1992 AACCS.

R 400.10611 Electrical service.

Rule 611. (1) The electrical service in a residential group home facility shall be maintained in a safe condition.

(2) If the inspecting authority believes there is a need for an inspection of the electrical system because of its condition, the electrical service shall be inspected by a qualified electrical inspection service. A copy of the inspection report shall be maintained at the facility for review.

(3) If an electrical system inspection indicates deficiencies in the electrical system, the deficiencies shall be corrected and a certificate of approval shall be maintained at the facility which confirms that all deficiencies related to the electrical system have been corrected.

History: 1992 AACCS.

R 400.10613 Construction.

Rule 613. A residential group home facility shall be at least of ordinary construction, light platform frame, and not over 2 stories high above the highest grade.

History: 1992 AACCS.

R 400.10614 Locked resident confinement room prohibition.

Rule 614. A locked resident confinement room is not permitted in a residential group home facility.

History: 1992 AACCS.

R 400.10615 Interior finish.

Rule 615. (1) The following alphabetical classification of finished materials for flame spread and smoke development, as determined by the tunnel test in accordance with the provisions of the national fire protection association pamphlet no. 255, 1979; American society of testing materials standard E-84-77A, 1978; or underwriters laboratories standard no. 723, 1977, shall be used to classify interior finishes in residential group home facilities: Class Flame Spread Smoke Developed A 0-25 0-450 B 26-75 51-450 C 76-200 126-450 The same alphabetical classification is used to classify combustibility of prefabricated acoustical tile units, as determined by federal specifications test no. SS-S-118a.

(2) The classification of interior finish materials as to their flame spread and smoke development shall be that of the basic material used, without regard to subsequently applied paint or other coverings, except where such paint or other covering is of such a character or thickness where applied so as to affect the material classification. Finishes such as lacquer, polyurethane-based materials, or unapproved wall coverings shall not be used.

(3) In a newly constructed, remodeled, or converted residential group home, an interior finish classification shall be that of the basic material used, without regard to subsequently applied paint or other covering in an attempt to meet the classification.

(4) In an existing residential facility, if an interior finish at the time these rules take effect does not comply with the provisions of subrule (3) of this rule and if an interior finish is applied to or furred out not more than 1 inch from a continuous noncombustible backing, an interior finish may have the surface protected with an approved fire-retardant coating so as to meet the interior finish requirements.

(5) Interior finishes and materials shall be at least class C throughout.

History: 1992 AACCS.

R 400.10617 Smoke detection equipment.

Rule 617. (1) A residential group home facility shall be protected by at least battery-operated smoke detection devices that are installed in all of the following areas:

(a) Between sleeping areas and the other areas of the facility.

(b) At the top of all interior stairways.

(c) In the immediate vicinity of combustion-type heating and incinerating devices, if such devices are not in an enclosure that provides at least 1 hour of resistance to fire. If such heating and incinerating devices are in enclosures that provide at least 1 hour of resistance to fire, a fire detection device shall be installed immediately outside of the enclosure.

(d) At least 1 on every floor.

(2) Fire detection devices shall be in compliance with all of the following requirements:

(a) Be listed or labeled by an independent, nationally recognized testing laboratory.

(b) Be installed and maintained in accordance with the manufacturer's and test specifications.

(c) Be cleaned and tested at least quarterly.

(d) Have the batteries replaced at least annually.

(e) Be of a type that provides a signal if batteries are not providing sufficient power and if batteries are missing.

(3) Any device that is required by this rule which signals that power is low or that a battery is missing shall be immediately serviced and restored to full power.

(4) A written record shall be maintained in the facility of the quarterly cleaning and testing of devices and of the annual battery replacements.

(5) In an existing residential group home facility, fire detection systems that are approved before these rules take effect shall continue to be approved. In an existing residential group home facility and in any other residential group home facility with a fire detection system, the fire detection system shall be maintained in proper working order.

(6) Detectors shall be ceiling-mounted when possible.

History: 1992 AACCS.

R 400.10619 Fire extinguishers.

Rule 619. (1) All required fire extinguishers in residential group home facilities shall be subjected to a maintenance check at least once a year.

Each fire extinguisher shall have a tag or label attached that indicates the month and year maintenance was performed and that identifies the person or company that performs the service.

(2) All required extinguishers shall be recharged after use.

(3) A minimum of 1 approved fire extinguisher shall be provided on each floor.

(4) All fire extinguishers shall be not less than 4 inches off the floor and the top of the extinguisher shall be not more than 5 feet off the floor in a special cabinet or on a wall rack which is easily accessible at all times, unless programmatically contraindicated. Where programmatically contraindicated, the required extinguishers may be kept behind locked doors if all staff carry keys to the doors.

(5) In new, remodeled, or converted facilities, a fire extinguisher shall be at least a type 2-A-10BC.

(6) In existing facilities, previously approved fire extinguishers other than type 2-A-10BC will continue to be approved if they are located in the area for which approved.

History: 1992 AACCS.

R 400.10621 Fire alarm systems.

Rule 621. A residential group home facility shall be equipped with a fire alarm device. The device shall be used only to sound an alarm of fire, for practice drills, and for other emergencies that require evacuation of the facility.

History: 1992 AACCS.

R 400.10623 Means of egress.

Rule 623. (1) Means of egress in a residential group home facility shall be considered the entire way and method of passage to free and safe ground outside a facility. All required means of egress shall be maintained in an unobstructed, well-defined, easily traveled condition at all times.

(2) There shall be not less than 2 means of egress from the street floor story. At least 1 of the 2 means of egress shall be through a side-hinged door. The door shall be a minimum of 30 inches wide, except as provided in R 400.10625. The second means of egress may be a sliding glass door.

(3) A second story shall only be used by ambulatory residents and shall be in compliance with 1 of the following requirements:

(a) Have 2 open stairways that are separated by not less than 50% of the longest dimension of the story.

(b) Have 1 open interior stairway and 1 exterior stairway or fire escape that are separated by not less than 50% of the longest dimension of the story. An exterior stairway or fire escape does not require protection from fire in the building. An exterior stairway or fire escape shall be constructed of not less than 2-inch nominal lumber and be in good repair.

(c) Have 1 interior stairway and all floors separated by materials which afford at least a 3/4-hour-fire-resistance rating. The doors separating floors shall be at least 1 3/4-inch solid-core wood and shall be equipped with latching hardware and self-closing devices. Each sleeping room on the second story shall have a window which is not less than 5 square feet and which does not have a dimension that is less than 22 inches to allow for emergency rescue.

(4) A basement that is used by residents shall have at least 1 means of egress, which may be a stairway. The stairway may be an open stairway, except as required by the provisions of subrule (3)(c) of this rule.

History: 1992 AACCS.

R 400.10625 Special requirements for nonambulatory residents.

Rule 625. A residential group home facility that provides care to 1 or more nonambulatory residents shall comply with all of the following provisions:

(a) House such residents only on the street floor.

(b) Have required exitways that are not less than 48 inches wide in a new facility and not less than 44 inches wide in an existing or converted facility. Doors shall be a minimum of 36 inches wide.

(c) Have required exits discharge at grade level or have required exits equipped with ramps. Ramps shall not have more than 1 foot of rise in 12 feet of run and shall have sturdy handrails. Once at grade, nonambulatory residents shall have a surface that is sufficient to permit them to move a safe distance from the facility.

History: 1992 AACCS.

R 400.10629 Stairs.

Rule 629. (1) In new and converted residential group home facilities, stairs shall have treads of uniform width and risers of uniform heights.

Treads shall be not less than 9 1/2 inches deep, exclusive of nosing, and risers shall be not more than 7 3/4 inches in height.

(2) Stairs in an existing facility that is approved before these rules take effect shall continue to be approved until the portion of the building that encompasses the stairs is remodeled.

History: 1992 AACCS.

R 400.10631 Doors.

Rule 631. (1) Doors to required means of egress in residential group home facilities shall be equipped with at least knob-type, properly operating, positive-latching, nonlocking-against-egress-type hardware which insures the opening of the door with a single motion, such as turning a knob or applying normal pressure on a latch, except that an approved sliding door may be equipped with a non-key locking device.

(2) Required doors that enter stairways and doors to fire-rated enclosures shall not be held in an open position at any time by an under-door wedge or hold-open device.

History: 1992 AACCS.

R 400.10633 Heating devices and flame-producing devices.

Rule 633. (1) Flame-producing-type heating devices and incinerator devices on any story of a residential group home facility that is used by residents shall be in an enclosure that provides at least 1 hour of resistance to fire. Any interior door to the enclosure shall be at least a B-labeled fire door in a labeled frame that is equipped with latching hardware and a self-closing device. Adequate combustion air shall be provided to the enclosure directly from the outside through a permanently opened louver or continuous ducts. Fire dampers are not required in ducts that penetrate this enclosure.

(2) If flame-producing-type heating devices or incinerator devices are located on a story that is not used by residents, there shall be a separation between the story or stories that contain such devices and resident-used stories such that at least a 3/4-hour resistance to fire is provided. Any interior stairway to such a nonresident-used story shall have at least a 1 3/4-inch solid-core wood door which is equipped with latching hardware and a self-closing device which separates the nonresident-used story from resident-used stories.

(3) Electric heating shall be installed in accordance with the manufacturer's specifications and shall be of a type approved by a nationally recognized, independent testing laboratory.

(4) Portable heaters and space heaters, including solid fuel heaters, are prohibited.

(5) A fireplace is permitted if it is masonry and has all of the following components:

(a) An approved glass door shielding the opening. The door shall be closed at all times, except when a fire is being tended.

(b) A noncombustible hearth that extends a minimum of 16 inches out from the front, and 8 inches beyond each side, of the fireplace opening.

(c) A noncombustible face that extends not less than 12 inches above, and 8 inches on each side of, the fireplace opening.

(d) A masonry chimney that is constructed with approved flue liners.

(6) A heating plant room shall not be used for combustible storage or for a maintenance shop unless sprinklered.

(7) A furnace and other flame-producing unit shall be installed according to manufacturer and test specifications and shall be vented by metal ducts to a chimney which is constructed of bricks, solid block masonry, or reinforced concrete, which has an approved flue lining, and which is properly erected and maintained in a safe condition. A bracket chimney is not permitted. This rule does not prohibit the installation and use of any prefabricated chimney that bears the label of an approved, nationally recognized, independent testing laboratory if it is installed in accordance with manufacturer and test specifications and is compatible with the heating unit or units connected to it. Only gas- and oil-fired units may be connected to a prefabricated chimney.

History: 1992 AACCS.

R 400.10635 Storage rooms.

Rule 635. Residential group home facility storage rooms which are more than 100 square feet and which are used for the storage of combustible materials shall be separated from the remainder of the facility by construction that has at least a 1-hour-fire-resistance rating.

History: 1992 AACCS.

R 400.10637 Cooking appliances.

Rule 637. (1) Cooking appliances that are used in residential group home facilities shall be of the domestic type and shall be installed in accordance with approved safety practices.

(2) If hoods or canopies are provided over the cooking appliances, they shall be equipped with filters. Filters shall be maintained in an efficient and clean condition.

History: 1992 AACCS.

R 400.10639 Garages.

Rule 639. (1) A garage that is located beneath a residential group home facility shall have walls, partitions, floors, and ceilings that separate the garage from the rest of the facility by construction that has at least a 1-hour-fire-resistance rating.

(2) A garage that is attached to a facility shall be separated from the rest of the facility by construction that has at least a 1-hour-fire-resistance rating.

History: 1992 AACCS.