

Chapter H 31

RESIDENTIAL CARE INSTITUTIONS

Type II—Halfway House

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|---------|--|---------|----------------------------------|
| H 31.01 | Statutory definitions | H 31.12 | General food requirements |
| H 31.02 | Administrative definitions | H 31.13 | Modified or special diets |
| H 31.03 | Procedure for licensure | H 31.14 | Menu planning |
| H 31.04 | Suspension, revocation and denial of license | H 31.15 | Food supply |
| H 31.05 | Licensee | H 31.16 | Food preparation |
| H 31.06 | Administrator | H 31.17 | Meal service |
| H 31.07 | Personal adjustment services | H 31.18 | Construction requirements |
| H 31.08 | Medical care | H 31.19 | Resident safety |
| H 31.09 | Medical records | H 31.20 | Sanitation and plant maintenance |
| H 31.10 | Resident care | H 31.21 | New construction |
| H 31.11 | Furnishings, equipment and supplies | H 31.22 | Variance procedure |

H 31.01 Statutory definitions. (1) A "residential care institution" means, without limitation because of enumeration, any building, structure, institution, boarding home or other place for the reception and care of 3 or more unrelated individuals for not less than 72 hours in any week, who by reason of physical or mental disability, including mental retardation and mental illness, are in the opinion of a licensed physician, in need of care but not the care given in a nursing home as defined in section 146.30 (1) (a), Wis. Stats.

History: Cr. Register, June, 1971, No. 186, eff. 7-1-71.

H 31.02 Administrative definitions. (1) **TYPE I. RESIDENTIAL CARE FACILITIES** (See chapter H 30). A type I residential care institution hereinafter called a residential care facility has the following characteristics:

- (a) It is generally a long-term care institution.
- (b) The residents are at least 18 years of age.
- (c) The residents are aged (generally over 65).
- (d) The residents admitted or retained are at least independently mobile. (When a resident needs assistance in dressing, bathing, eating or ambulation, he is required to be transferred to at least a personal care nursing home.)
- (e) The residents have social service and activity therapy needs as distinguished from nursing needs.

(2) **TYPE II. HALFWAY HOUSE.** A Type II residential care institution hereinafter called a halfway house has the following characteristics:

- (a) It is a short-term care institution with the general length of stay less than one year; often less than 6 months.
- (b) The residents are at least 18 years of age.
- (c) The residents are active younger adults (generally under 65).

Register, February, 1977, No. 254
Health

(d) The residents admitted or retained are:

1. Capable of being employed on a full-time or part-time basis; or
 2. Involved in work adjustment training, and/or vocational training;
- or

3. Receiving services for mental or emotional disability.

(3) **RESIDENTS.** Residents means individuals cared for in any halfway house irrespective of how admitted.

(4) **DEPARTMENT.** Department means the state department of health and social services.

(5) **HALFWAY HOUSE.** Halfway house means a facility which is staffed, maintained and equipped for the accommodation of individuals who are capable of caring for their personal needs but who require some supervision and assistance in daily living.

(6) **LICENSEE.** Licensee is the "person" to whom the license is issued and shall be responsible for compliance with all the laws, rules and regulations relating to the residential care facility and its operation.

(7) **ADMINISTRATOR.** Administrator is the individual, not necessarily the licensee, who is directly responsible for the full-time operations and activities of the facility and the supervision of employees.

(8) **MAXIMUM BED CAPACITY.** (a) Maximum bed capacity shall mean the exact number of beds permitted by these standards for accommodation of residents, exclusive of beds in rooms occupied by the licensee and/or administrator, his family and employees.

History: Cr. Register, June, 1971, No. 186, eff. 7-1-71.

H 31.03 Procedure for licensure. (1) **APPLICATION FOR LICENSE.** (a) The application for a license shall be in writing upon forms provided by the department and shall contain such information as it requires.

(2) **ISSUANCE OF LICENSE.** (a) The department shall issue a license:

1. If the applicant is reputable and financially responsible;
2. If the administrator designated by the applicant to be in charge is fit and qualified; and
3. If the halfway house facility meets the requirements herein established.

(3) **ADMINISTRATOR TO BE INTERVIEWED.** (a) Every administrator shall be interviewed by a designated representative of the department to determine fitness and qualifications, including financial plans presumptive to the management of the facility and acceptable supervision of residents.

(4) **PROGRAM STATEMENT.** The halfway house administrator shall provide a written program or plan of services for residents which shall be reviewed by the department. This program shall be a statement of specific services and staff personnel assignments to accomplish and justify the goals to be attained by the facility. Services for residents and staff assignment should be clearly expressed and justified in

HEALTH AND SOCIAL SERVICES

74-5

program terms. Such a program statement should include at least the following:

- (a) Specific admission policy for the facility.
- (b) Specific program goals.

Next page is numbered 74e

(c) *Mechanical cleaning.* 1. Racking of utensils. a. Utensils shall be stacked in racks or trays so as to avoid overcrowding and in such manner as to assure complete washing contact with all surfaces of each article.

2. Wash water—mechanical dishwashing. a. The wash water temperature of the utensil washing machine shall be held at from 130 to 150° F. The utensils shall be in the washing sections for at least 20 minutes.

3. Detergent. a. A detergent shall be used in all utensil washing machines and it is recommended that they be equipped with automatic detergent dispensers so that the maximum efficiency of the machines can be obtained.

4. Sanitizing—mechanical. a. For sanitizing in a spray type machine, dishes shall be subjected to a rinse period of 10 seconds or more at a temperature in the line of at least 180° F. For sanitizing in an emersion tank type machine, dishes shall be submerged for 30 seconds or more with water at a temperature of 170° F. or more. There shall be a constant change of water through the inlet and overflow.

5. Dishwater thermometers. a. Thermometers shall be located in both the wash compartment and rinse water line at the machine so as to be readily visible. Thermostatic control of the temperature of the wash and rinse water shall be provided in the new equipment and is recommended for existing equipment.

6. Dishwasher water pressure. a. The pressure of the water used in spray washing and rinsing shall be 15 to 25 pounds per square inch at the machine nozzles.

7. Glass washer. a. Automatic cold water glass washers, approved as provided under Wis. Adm. Code section H 96.05, may be used when operated with a sanitizer approved by the department for the specific purpose.

(d) *Drying of utensils.* 1. Drying cloths, if used, shall be clean and shall be used for no other purpose. It is recommended that utensils be allowed to drain and air dry in racks or baskets.

(4) **PLANT MAINTENANCE.** (a) The building shall be maintained in good repair and free of hazards such as cracks in floors, walls or ceilings; warped or loose boards; warped, broken, loose or cracked floor covering such as tiles or linoleum; loose handrails or railings; loose or broken window panes; and any similar hazard.

(b) All electrical, mechanical, water supply, fire protection and sewage disposal system shall be maintained in a safe and functioning condition. Electrical cords and appliances shall be maintained in a safe condition. Frayed wires, cracked or damaged switches, plugs and electric fixtures shall be repaired or replaced. No electrical cords shall be strung under carpets or rugs or attached to light fixtures.

(c) All plumbing fixtures shall be in good repair, properly functioning and satisfactorily provided with protection to prevent contamination from entering the water supply piping.

(d) The heating system shall be maintained in a safe and properly functioning condition.

(e) The interior and exterior of the building shall be painted as needed to protect the surfaces. Loose, cracked or peeling wall paper or paint shall be promptly replaced or repaired.

(f) All furniture and furnishings shall be maintained in good repair.

(g) Storage areas shall be maintained in a safe and orderly condition. Attics and basements shall be free of accumulations of garbage, refuse, discarded furniture, old newspapers, boxes, discarded equipment and similar items.

(h) The grounds, yards and sidewalks shall be maintained in a neat, orderly and safe condition.

History: Cr. Register, June, 1971, No. 186, eff. 7-1-71.

H 31.21 New construction. (1) **NEW CONSTRUCTION AND ADDITIONS TO EXISTING FACILITIES.** (a) *Submission of plans for halfway house.* 1. Plans covering the construction of new buildings, additions to existing buildings, conversion of existing buildings, or for major remodeling or alterations of existing buildings shall be submitted to and approved by the department before construction or conversion is begun. These plans shall show the general arrangement of the buildings, including a room schedule and fixed equipment for each room and a listing of room numbers, together with other pertinent information.

2. Plans shall be drawn to scale.

(b) *Location.* 1. The site shall adhere to local zoning regulations; be free from environmental nuisances, such as noise, odors, etc.; be easily accessible for employes and visitors. The facility shall be so located as to promote at all times the health, treatment, comfort, safety and well being of persons accommodated. The site shall be so located that it can be assured of fire protection by an organized fire department.

History: Cr. Register, June, 1971, No. 186, eff. 7-1-71.

H 31.22 Variance procedure. (1) If the residential care facility meets the requirements herein established, the department may approve variances in the requirements of this chapter when such variances or alternatives are demonstrated, to the satisfaction of the department, to enhance quality care of the residents affected. Variances are not permitted without approval from the department.

History: Cr. Register, February, 1977, No. 254, eff. 3-1-77.