

(g) For projects with an estimated dollar value of over \$5 million, a fee of \$5,000.

(3) **HANDLING AND COPYING FEES.** (a) The department shall charge a handling fee of \$50 per plan to the submitting party for any plan which is submitted to the department, entered into the department's system and then the submitting party requests that it be returned prior to review.

(b) The department may charge a photocopying fee of 25 cents per page to anyone who requests copies of construction or remodeling plans, except that a fee of \$5 per plan sheet shall be charged for reproduction of plan sheets larger than legal size.

History: Emerg. cr. eff. 1-1-94; cr. Register, August, 1994, No. 464, eff. 9-1-94.

**HSS 132.82 Life safety code.** (1) **1967 CODE.** Facilities with construction plans first approved by the department prior to June 1, 1976, shall meet the applicable provisions of either the 21st edition (1967) or 23rd edition (1973) of the Life Safety Code. (See Table 132.82).

(2) **1973 CODE.** Facilities with construction plans first approved by the department on or after June 1, 1976, but before November 26, 1982, shall meet the applicable provisions of the 23rd edition (1973) of the Life Safety Code. (See Table 132.82).

(3) **1981 CODE.** Facilities with construction plans first approved by the department on or after November 26, 1982, but before July 1, 1994, shall meet the applicable provisions of the 25th edition (1981) of the Life Safety Code. (See Table 132.82).

(3m) **1991 CODE.** Facilities with construction plans first approved by the department on or after July 1, 1994, shall meet the applicable provisions of the 1991 edition of the Life Safety Code. (See Table 132.82).

(4) **FIRE SAFETY EVALUATION SYSTEM.** A proposed or existing facility not meeting all requirements of the applicable life safety code shall be considered in compliance if it achieves a passing score on the Fire Safety Evaluation System (FSES), developed by the United States department of commerce, national bureau of standards, to establish safety equivalencies under the life safety code.

Note: See par. 1-3118, 1973 Life Safety Code. The FSES has been adopted for purposes of certification under the Medicaid program. See the July 28, 1980, Federal Register (45 FR 50264).

Note: Copies of the 1967, 1973 and 1981 Life Safety Codes and related codes can be obtained from the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269. Copies are kept on file in the offices of the bureau of quality compliance, the secretary of state, and the revisor of statutes.

(5) **APPLICABLE CODES.** The applicable provisions of the life safety codes required by subs. (1), (2), (3) and (3m) shall apply to facilities as follows:

TABLE 132.82

## Life Safety Code Requirements

FACILITY TYPE AND AGE	1967 NFPA 101 LIFE SAFETY CODE		1973 NFPA 101 LIFE SAFETY CODE		1981 NFPA 101 LIFE SAFETY CODE		1991 NFPA 101 LIFE SAFETY CODE	
	(Existing)	(New)	(Existing)	(New)	(Existing)	(New)	(Existing)	(New)
<b>Skilled Care</b>								
Plans approved prior to October 28, 1971	X		0		0		0	
Plans approved on or after Oct. 28, 1971, but prior to June 1, 1976		X	0		0		0	
Plans approved on or after June 1, 1976, but prior to Nov. 26, 1982				X	0		0	
Plans approved on or after November 26, 1982, but prior to July 1, 1994					X		0	
Plans approved on or after July 1, 1994							0	X
<b>Intermediate Care</b>								
Plans approved prior to March 17, 1974	X		0		0		0	
Plans approved on or after March 17, 1974, but prior to June 1, 1976		X	0		0		0	
Plans approved on or after June 1, 1976, but prior to Nov. 26, 1982		X	0		0		0	
Plans approved on or after November 26, 1982, but prior to July 1, 1994					X		0	
Plans approved on or after July 1, 1994								X

X = Standard requirements apply.

0 = Alternate requirements, that is, more recent editions of the Life Safety Code, which may be substituted for standard requirements at the option of the facility.

(6) **RESIDENT SAFETY AND DISASTER PLAN.** (a) *Disaster plan.* 1. Each facility shall have a written procedure which shall be followed in case of fire or other disasters, and which shall specify persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating helpless residents, frequency of fire drills, and assignment of specific tasks and responsibilities to the personnel of each shift and each discipline.

2. The plan shall be developed with the assistance of qualified fire and safety experts, including the local fire authority.

3. All employes shall be oriented to this plan and trained to perform assigned tasks.

4. The plan shall be available at each nursing station.

5. The plan shall include a diagram of the immediate floor area showing the exits, fire alarm stations, evacuation routes, and locations of fire extinguishers. The diagram shall be posted in conspicuous locations in the corridor throughout the facility.

(b) *Drills.* Fire drills shall be held at irregular intervals at least 4 times a year on each shift and the plan shall be reviewed and modified as necessary. Records of drills and dates of drills shall be maintained.

(c) *Fire inspections.* The administrator of the facility shall arrange for fire protection as follows:

1. At least semiannual inspection of the facility shall be made by the local fire inspection authorities. Signed certificates of such inspections shall be kept on file in the facility.

2. Certification by the local fire authority as to the fire safety of the facility and to the adequacy of a written fire plan for orderly evacuation of residents shall be obtained and kept on file in the facility.

3. Where the facility is located in a city, village, or township that does not have an official established fire department, the licensee shall obtain and maintain a continuing contract for fire protection service with the nearest municipality providing such service. A certification of the existence of such contract shall be kept on file in the facility.

(d) *Fire equipment.* All fire protection equipment shall be maintained in readily usable condition and inspected annually. In addition to any other equipment, a fire extinguisher suitable for grease fires shall be provided in or adjacent to the kitchen. Each extinguisher shall be provided with a tag for the date of inspection.

Note: See NFPA 10, 1973 edition.

(e) *Fire report.* All incidents of fire in a facility shall be reported to the department within 72 hours.

(f) *Smoking.* Smoking by residents shall be permitted only in designated areas supervised in accordance with the conditions, needs, and safety of residents.

(g) *Prevention of ignition.* Heating devices and piping shall be designed or enclosed to prevent the ignition of clothing or furnishings.

(h) *Floor coverings.* Scatter rugs and highly polished, slippery floors are prohibited, except for non-slip entrance mats. All floor coverings and edging shall be securely fastened to the floor or so constructed that they are free of hazards such as curled and broken edges.

(i) *Roads and sidewalks.* The ambulatory and vehicular access to the facility shall be kept passable and open at all times of the year. Sidewalks, drives, fire escapes, and entrances shall be kept free of ice, snow, and other obstructions.

History: Cr. Register, July, 1982, No. 319, eff. 8-1-82; r. and recr. (1) and (2), r. (4), renum. (3) and (5) to be (4) and (6), cr. (3) and (5), Register, January, 1987, No. 373, eff. 2-1-87;

emerg. am. (3), cr. (3m), r. and recr. (5) and Table, eff. 7-1-94; am. (3), cr. (3m), r. and recr. (5) and Table, Register, January, 1995, No. 469, eff. 2-1-95.

**HSS 132.83 Safety and systems.** (1) **MAINTENANCE.** The building shall be maintained in good repair and kept free of hazards such as those created by any damaged or defective building equipment.

(2) **CORRIDORS.** (a) *Handrails.* Corridors used by residents shall be equipped with handrails firmly secured on each side of the corridor.

(b) *Size.* 1. In period A facilities, all corridors in resident use areas shall be at least 4 feet wide.

2. In period B facilities, all corridors in resident use areas shall be at least 7 feet wide.

3. In period C facilities, all corridors in resident use areas shall be at least 8 feet wide.

(3) **DOORS.** (a) *Size.* 1. Doorways to residents' rooms, between residents' rooms and exits, and exit doorways shall be at least 28 inches wide.

2. In period B and C facilities, doors to residents' rooms shall not be less than 3 feet 8 inches wide and 6 feet 8 inches in height, and shall be at least one and three-quarter inches solid core wood or equivalent construction.

(b) *Latches.* Each exit door shall have such latches or hardware that the door can be opened from the inside by pushing against a single bar or plate or by turning a single knob or handle.

(c) *Locks.* 1. Exit doors from the building and from nursing areas and wards may not be hooked or locked to prevent exit from the inside, unless this is authorized under s. HSS 132.33.

*Note:* Written approval to lock exits must also be obtained from the department of industry, labor and human relations in accordance with ss. ILHR 51.15 (3) and 53.20.

2. No lock shall be installed on the door of a resident's room, unless:

a. The lock is operable from inside the room with a simple one-hand, one-motion operation without the use of a key unless the resident is confined in accordance with s. HSS 132.33;

b. All personnel regularly assigned to work in a resident care area have in their possession a master-key for the rooms in that area;

c. A master-key is available to emergency personnel such as the fire department; and

d. The resident is capable of following directions and taking appropriate action for self-preservation under emergency conditions.

(d) *Toilet room doors.* In period B and C facilities, resident toilet room doors shall be not less than 3 feet 0 inches by 6 feet 8 inches, and shall not swing into the toilet room unless they are provided with two-way hardware.

(e) *Thresholds.* In period B and C facilities, raised thresholds which cannot be traversed easily by a bed on wheels, a wheelchair, a drug cart, or other equipment on wheels shall not be used.

(4) **EMERGENCY POWER.** Emergency electrical service with an independent power source which covers lighting at nursing stations, telephone switchboards, exit and corridor lights, boiler room, and fire alarm systems, shall be provided. The service may be battery operated if effective for at least 4 hours.

(5) **FIRE PROTECTION.** (a) *Carpeting.* Carpeting shall not be installed in rooms used primarily for the following purposes: food preparation and storage, dish and utensil washing, soiled utility workroom, janitor closet, laundry processing, hydro-therapy, toilet and bathing, resident isolation, and resident examination.

(b) *Carpet fireproofing.* Carpeting, including underlying padding, if any, shall have a flamespread rating of 75 or less when tested in accordance with standard 255 of the national fire protection association (NFPA), or a critical radiant flux of more than 0.45 watts per square centimeter when tested in accordance with NFPA standard 253, 1978 edition. Certified proof by the manufacturer of the aforementioned test for the specific product shall be available in the facility. Certification by the installer that the material installed is the product referred to in the test shall be obtained by the facility. Carpeting shall not be applied to walls in any case except where the flamespread rating can be shown to be 25 or less.

(c) *Acoustical tile.* Acoustical tile shall be noncombustible.

(d) *Wastebaskets.* Wastebaskets shall be of noncombustible materials.

(e) *Vertical exit stairways.* At least one interior exit stairway shall be provided so that an enclosed protected path of at least one-hour fire-resistant construction is available for occupants to proceed with safety to the exterior of the facility.

(f) *Fire escapes.* In period A and period B facilities, outside fire escapes are permitted as one means of egress if they meet all of the following requirements:

1. Iron, steel, or concrete or other approved noncombustible material shall be used in the construction and support of the fire escape.

2. No part of access or travel in the path of exit shall be across a roof or other part of a facility which is of combustible construction.

3. Protection against fire in the facility shall be by blank or closed walls directly under the stairway and for a distance of 6 feet in all other directions. A window shall be permitted within this area if it is stationary, of steel sash construction, and is glazed with wire glass of not less than 1/4-inch thickness. The size of wire glass shall not exceed 1296 square inches with no dimension exceeding 54 inches in either length or width.

4. The fire escape shall be protected with a roof and at least partial sidewalls to prevent the accumulation of snow and ice.

5. The bottom riser shall terminate at ground level, with the last riser not more than the spacing of the riser above.

6. A tubular or spiral slide-type fire escape shall not be permitted.

(g) *Housing blind, nonambulatory, or handicapped residents.* In an existing facility of 2 or more stories which is not of at least two-hour fire-

resistive construction, blind, nonambulatory, or physically handicapped residents shall not be housed above the street level floor unless the facility is either of one-hour protected noncombustible construction (as defined in national fire protection standard 220), fully sprinklered one-hour protected ordinary construction, or fully sprinklered one-hour protected woodframe construction.

(h) *Storage of oxygen.* Oxygen tanks, when not in use, shall be stored in a ventilated closet designated for that purpose or stored outside the building of the home in an enclosed secured area.

(6) **SPRINKLERS FOR FIRE PROTECTION.** (a) *Facilities licensed prior to December 1, 1974.* Unless all walls, partitions, piers, columns, floors, ceilings, roofs and stairs are built of noncombustible material, and all metallic structural members are protected by a noncombustible fire-resistive covering, facilities licensed prior to December 1, 1974 shall have automatic sprinkler protection throughout all buildings.

(b) *Facilities licensed on or after December 1, 1974.* Except for the following, all facilities licensed on or after December 1, 1974 shall have automatic sprinkler protection throughout all buildings.

1. In the event of an addition to, or remodeling of, a facility licensed prior to December 1, 1974, the entire facility shall have automatic sprinkler protection throughout unless there is a 2-hour fire-rated partition wall between the old and new construction, in which case only the new or remodeled area shall be sprinklered.

2. In the event of the conversion of a portion of a recognized inpatient care facility in operation prior to December 1, 1974 to a facility licensed under this chapter, the facility shall have automatic sprinkler protection throughout unless there is a 2-hour fire-rated partition wall separating the portion of the facility licensed under this chapter from the rest of the building, in which case only the portion of the facility licensed under this chapter shall be sprinklered.

(7) **MECHANICAL SYSTEMS.** (a) *Water supply.* 1. A potable water supply shall be maintained at all times. If a public water supply is available, it shall be used. If a public water supply is not available, the well or wells shall comply with ch. NR 812.

2. An adequate supply of hot water shall be available at all times. The temperature of hot water at plumbing fixtures used by residents may not exceed 110° F. (43° C.) and shall be automatically regulated by control valves or by another approved device.

(b) *Sewage disposal.* All sewage shall be discharged into a municipal sewage system if available. Otherwise, the sewage shall be collected, treated, and disposed of by means of an independent sewage system approved under applicable state law and the local authority.

(c) *Plumbing.* The plumbing for potable water and drainage for the disposal of excreta, infectious discharge, and wastes shall comply with applicable state plumbing standards.

(d) *Heating and air conditioning.* 1. The heating and air conditioning systems shall be capable of maintaining adequate temperatures and providing freedom from drafts.

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2. A minimum temperature of 72° F. (22° C.) shall be maintained during the day and at least 70° F. (21° C.) during the night in all bedrooms and in all other areas used by residents.

(e) *Incineration.* 1. Facilities for the incineration of soiled dressings and similar wastes, as well as garbage and refuse, shall be provided when other methods of disposal are not available.

2. An incinerator shall not be flue fed nor shall any upper floor charging chute be connected with the combustion chamber.

(f) *Telephone.* There shall be at least one operational non-pay telephone on the premises and as many additional telephones as are deemed necessary in an emergency or required by s. HSS 132.84 (3).

(g) *General lighting.* 1. Adequate lighting shall be provided in all areas of the facility. Lighting shall be of a type that does not produce discomfort due to high brightness, glare or reflecting surface. No candles, oil lanterns, or other open flame method of illumination may be used.

2. Period C facilities shall have night lighting.

(h) *Ventilation.* 1. The facility shall be well-ventilated through the use of windows, mechanical ventilation, or a combination of both. Rooms and areas which do not have outside windows and which are used by residents or personnel shall be provided with functioning mechanical ventilation to change the air on a basis commensurate with the type of occupancy.

2. All inside bathrooms and toilet rooms shall have mechanical ventilation to the outside.

3. In period A facilities, kitchens, bathrooms, utility rooms, janitor closets, and soiled linen rooms shall be ventilated.

4. In period B facilities, when mechanical ventilation is provided, the corridors, solaria, dining, living, and recreation areas shall be under positive pressure.

5. In period C facilities:

a. Mechanical ventilation shall be provided to the resident area corridors, solaria, dining, living and recreation areas, and nursing station. These areas shall be under positive pressure.

b. All rooms in which food is stored, prepared or served, or in which utensils are washed shall be well-ventilated. Refrigerated storage rooms need not be ventilated.

(i) *Elevators.* 1. In period B facilities, at least one elevator shall be provided when residents' beds are located on one or more floors above or below the dining or service floor. The platform size of the elevator shall be large enough to hold a resident bed and attendant.

2. In period C facilities, at least one elevator shall be provided in the facility if resident beds or activities are located on more than one floor. The platform size of the elevator shall be large enough to hold a resident bed and an attendant.

(j) *Electrical.* 1. In all facilities, nonconductive wall plates shall be provided where the system is not properly grounded.

2. In period B and C facilities:

a. At least one duplex-type outlet shall be provided for every resident's bed; and

b. Silent-type wall switches shall be provided.

3. In new construction begun after the effective date of this chapter, at least 2 duplex-type outlets shall be provided for each bed.

History: Cr. Register, July, 1982, No. 319, eff. 8-1-82; am. (3) (c) 1, (5) (e) and (f) (intro), (6) (b), (7) (a), (f), (g) 1., (j) 2., Register, January, 1987, No. 373, eff. 2-1-87; emerg. am. (6) (a), r. and recr. (6) (b), eff. 7-1-94; am. (6) (a), r. and recr. (6) (b), Register, January, 1995, No. 469, eff. 2-1-95.

**HSS 132.84 Design. (1) RESIDENTS' ROOMS.** (a) *Assignment of residents.* Sexes shall be separated by means of separate wings, floors, or rooms, except in accordance with s. HSS 132.31 (1) (f) 1.

(b) *Location.* No bedroom housing a resident shall:

1. Open directly to a kitchen or laundry;

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