



ADMINISTRATIVE RULES OF MONTANA



37.100.140 ADULT FOSTER CARE HOMES (AFCH): ENVIRONMENTAL REQUIREMENTS

- (1) The AFCH must be located close to community resources.
 - (a) The AFCH must be accessible to transportation (e.g., bus, train, or car).
 - (b) The AFCH must be in reasonable proximity to shopping areas, churches, senior centers, medical and dental clinics, and hospitals.
- (2) The AFCH must have an adequate and safe water supply. A public water supply must be used, if available.
 - (a) If a nonmunicipal water source is used, coliform sampling must be done before licensing and, at least, two separate times per year. The sampling schedule must include collection in the two time periods that the water source is most likely to be contaminated, such as in April through June and September through October or as directed by the local health authority.
 - (b) The water samples must be tested for coliform bacteria and action taken to ensure potability.
 - (c) Water test records must be retained for three years.
 - (d) Nonpotable water sources must be marked "not for human consumption."
 - (e) Bottled and packaged potable water must be obtained from a licensed and approved source and must be handled and stored in a way that protects it from contamination.
- (3) The AFCH must be connected to a public sewer system, if available. If septic tanks or other nonmunicipal sewage systems are used, they must be in good working order.
 - (a) The AFCH must repair or replace the sewage system whenever:
 - (i) it fails to accept sewage at the rate of application;
 - (ii) seepage of effluent from or ponding of effluent on or around the system occurs;
 - (iii) contamination of a potable water supply or state waters is traced to the system; or
 - (iv) a mechanical failure occurs.
- (4) Mop water or soiled cleaning water must be disposed of immediately after use in a utility sink or a toilet.
- (5) The AFCH must be equipped with a telephone landline. Telephone numbers of the hospital, police department, fire department, ambulance, and poison control center must be posted by each

telephone. The provider must notify the department, the residents' case managers, and the residents' legal representative within 24 hours any time the AFCH phone number is changed.

- (6) The provider must keep the home clean and in good repair and the premises must be kept free from objects, materials, and conditions which constitute a danger to the residents.
- (7) All operable windows that may be left open must be fitted with insect screens.
- (8) A minimum of ten foot-candles of light must be available in all rooms and hallways, with the following exceptions:
 - (a) all reading lamps must have a capacity to provide a minimum of 30 foot-candles of light;
 - (b) all toilet and bathing areas must be provided with a minimum of 30 foot-candles of light;
 - (c) general lighting in food preparation areas must be a minimum of 50 foot-candles of light; and
 - (d) hallways must be illuminated at all times by at least a minimum of five foot-candles of light at the floor.
- (9) The AFCH must make adequate provisions for laundering of residents' personal laundry.
 - (a) A mechanical washer and a hot air dryer must be available.
 - (b) Soiled linens and clothing must be stored in closed containers prior to laundering in an area that is separate from food, storage, kitchen, and dining areas.
 - (c) Sheets and pillowcases must be laundered at least weekly, and more often, if soiled.
 - (d) All bed linens, towels, and washcloths must be dried in the dryer.
 - (e) Clean laundry must be protected from contamination from soiled laundry.
 - (f) Anyone who handles soiled laundry must wash their hands before handling clean laundry.
- (10) The facility must be equipped to provide an adequate amount of hot water for a resident's use between the temperature range of 110° through 120° F at the fixture.
- (11) There must be no more than three residents in any bedroom and each room must include:
 - (a) floor to ceiling walls;
 - (b) one door which can be closed to allow privacy for residents;
 - (c) exclusive of toilet rooms, closets, lockers, wardrobes, alcoves, or vestibules, each resident's bedroom must have 80 square feet per each bed placed in that bedroom;
 - (d) at least one window which can be opened from the inside without the use of tools;
 - (e) a mirror appropriate for grooming;
 - (f) an adequate closet or wardrobe, lighting sufficient for reading and other resident activities, bureau or dresser or equivalent, and at least one chair with arms in each bedroom for every two residents;
 - (g) an individual bed for each resident at least 36 inches wide and 72 inches long with comfortable springs in good condition, a clean protected mattress not less than 5 inches thick or 4 inches if of a synthetic construction and a pillow;

- (h) a provider must provide washable bedding for each bed, which includes two sheets, a pillow case, minimum of one blanket, and a bedspread; and
 - (i) a provider must have a linen supply for twice the number of beds in the home.
- (12) An AFCH must provide distinct living and sleeping areas. All areas must be well lighted, heated, and ventilated.
 - (a) The home must have a living or day room area for use by a resident and his visitors.
 - (b) The living and sleeping areas for a resident must not be in separate wings, units, or buildings.
 - (c) A living room, dining room, or other room not ordinarily used for sleeping must not be used for sleeping by residents, providers, or other persons living in the home.
- (13) One toilet, sink, and bath or shower must be provided for each six individuals in the AFCH. At least one toilet and sink must be available on each floor where residents' bedrooms are located.
 - (a) Light switches must be located by the door in all bathrooms.
 - (b) Bathrooms must be vented to outside or have an outside window.
 - (c) Every bathroom door must be designed to permit the opening of the locked door from the outside in an emergency.
 - (d) Bathtubs and showers must be equipped with a nonskid surface and sturdy grips.
 - (e) The use of a commode/movable toilet must only be temporary, less than 30 days, and be accompanied by the resident's practitioner's order. Commodes/movable toilets must be emptied frequently and cleaned and sanitized daily, or more often if necessary.
- (14) The kitchen must be equipped properly to prepare and serve adequate meals.
 - (a) Waste must be kept in leakproof, nonabsorbent containers with close fitting covers for garbage, refuse, and other solid waste.
 - (b) Waste must be removed from the kitchen daily and from the premises at least weekly.
 - (c) Poisonous compounds, caustics, and other dangerous material must not be kept in the food preparation area.
 - (d) The kitchen must be maintained in a clean and sanitary condition.
- (15) The AFCH must be heated by centralized heating or its equivalent. Temperature of all rooms must be between 68° F through 76° F in the daytime and 60° F through 76° F during sleeping hours.
 - (a) If the heating mechanism is located in the basement of the home, the separation must include at least a 1 3/4 inch solid wood core door or equivalent to create a floor separation between the basement and the first floor.
 - (b) Flame producing water heaters must be installed with the same protection as the heating mechanism.
 - (c) The use of space heaters in an AFCH is prohibited.
 - (d) Factory mutual and underwriter's laboratories approved permanent, fixed type electrical heating, such as recognized panel or baseboard fixed type may be utilized in any location.

- (e) In existing homes where an American Gas Association (AGA) approved sealed combustion wall heater has been installed in accordance with both the AGA and the manufacturer's recommendations, approval will be given if the unit is located on an outside wall, obtains combustion air directly from the outside, and vents products of combustion directly to the outside.
- (f) The use of wood burning stoves or fireplaces is prohibited unless documentation is available showing that proper installation and inspection have taken place by a qualified inspector.
 - (i) Documentation will be required upon initial licensure or initial installation and annually, thereafter.
 - (ii) Documentation must be kept for three years and be available for inspection.
- (g) Storage of combustible materials is prohibited in areas containing the heating mechanism, water heater, or incinerator.
- (h) The heating mechanism must be inspected by the provider at least yearly and necessary maintenance and repairs made.
- (i) At least one carbon monoxide detector is required on each level of the AFCH.

Authorizing statute(s): 50-5-103, 50-5-215, MCA

Implementing statute(s): 50-5-103, 50-5-204, 50-5-215, MCA

History: NEW, 1985 MAR p. 289, Eff. 3/29/85; TRANS, from Dept. of SRS, 1987 MAR p. 1492, Eff. 7/1/87; AMD, 1989 MAR p. 2207, Eff. 12/22/89; AMD, 1996 MAR p. 921, Eff. 4/5/96; TRANS, from DFS, 1998 MAR p. 667; AMD, 2014 MAR p. 1098, Eff. 5/23/14.