

RULES AND REGULATIONS PERTAINING TO
DOMICILIARY CARE ESTABLISHMENTS

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SECTION I. AUTHORITY

The following Rules and Regulations Pertaining to Domiciliary Care Establishments are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas including, without limitation, Act 96 of 1913 (Ark. Code Ann. § 20-7-109).

SECTION II. PURPOSE

To establish rules, regulations and minimum standards for domiciliary care establishments which will protect and ensure the public health of the people of Arkansas.

SECTION III. DEFINITIONS

The following terms are defined for the purpose of these Regulations:

- A. Domiciliary Care Establishment. Means any place, building or structure and/or appurtenance connected therewith which is used or maintained to provide, for pay, a place of residence for three (3) or more individuals who, for reasons of age, health or other causes, require such care, but do not require hospital or nursing home care on a daily basis.
- B. Open Space. Means the general soil, ground, water level, drainage and topography of the site, together with the square footage area of the site.
- C. Personnel. Means any person who does, or may, in any manner serve the paying guests.
- D. Proprietor. Means any person, firm, corporation or governmental agency operating a domiciliary care establishment.

SECTION IV. COMPLIANCE

All domiciliary care establishments, whether of temporary or permanent construction, must be in compliance with these Regulations. The proprietor shall be responsible for compliance with these Regulations.

SECTION V. ACCIDENT PREVENTION

All necessary accident prevention measures must be taken. Structural hazards must be eliminated and adequate fire safety measures must be taken. All equipment shall be maintained in such a manner as to assure maximum safety. All units shall meet Fire Prevention Code recommendations made by the American Insurance Association, 1965.

SECTION VI. STRUCTURES

A. Heating and Cooling. All heating and cooling units must be installed and maintained in a manner which will provide for the safety and comfort of the occupants.

1. All gas fired heating units, space and water heaters shall be of the completely enclosed, vented type and equipped with automatic shut-off valves.
2. All liquefied petroleum gas systems must be installed and maintained in accordance with the State Code for Liquefied Petroleum Gas Containers and Equipment, State of Arkansas.
3. All gas heating units shall bear the stamp of approval of the American Gas Association Testing Laboratories, Inc., or other nationally recognized testing agency for enclosed, vented heaters for the type of fuel used.
4. All gas heating units shall be vented adequately to carry the products of combustion to the outside atmosphere. Vents shall be constructed and maintained to provide a continuous draft to the outside atmosphere in accordance with the American Gas Association Recommended Procedures.
5. It is recommended that all heating units be provided with a sufficient supply of outside air so as to support combustion without depletion of the air within the occupied room.

B. Plumbing. All plumbing shall be installed and maintained in accordance with the current Arkansas State Plumbing Code.

C. Toilet Facilities. Toilet facilities shall be installed for each sex in accordance with the requirements for Public Buildings in Table 7.21.2 of the Arkansas State Plumbing Code.

D. Maintenance. All parts of the establishment and its premises shall be kept neat, clean and free of litter and rubbish.

SECTION VII. SLEEPING QUARTERS

A. Floor Space. At least 80 square feet of floor space shall be allotted for each occupant. In case of multiple occupancy of a room, each occupant shall have no less than 80 square feet. Sleeping arrangements shall be head to foot to minimize disease transmission. Occupants of any single room shall be of the same sex.

B. Walls, Ceilings and Floors. Walls, ceilings and floors must be kept clean and in good repair.

C. Windows and Openings. Windows and openings shall be equal to at least 1/8 of the floor area.

D. Ventilation. Sleeping rooms must be ventilated adequately by natural or artificial means, or both.

E. Furnishings. Each room shall be furnished with adequate furniture for the comfort of the occupants. Furnishings must be kept clean and in good repair.

F. Bedding.

1. Clean, fresh bed linens, unused by any other person or guest since the last laundering, must be furnished on all beds assigned for the use of any guest (Arkansas Statutes, 1947, Section 71-1114).

2. Top and under sheets shall be of sufficient size as to cover completely the mattress and fold under on the sides and ends. Sheets must be at least 99 inches long after being hemmed and laundered. The top sheet shall be folded back at the head of the bed so as to cover the top coverings for at least 12 inches. Beds, mattresses, bed coverings and pillows shall be kept clean, free from dust, dirt and vermin. No bedding shall be used which is badly worn and unfit for further use. Use of comforters and quilts on beds is prohibited. All bedding used shall be labeled and removal or alteration of labels is forbidden (Arkansas Statutes, 1947, Section 82-721).

G. Soap and Towels. Soap and clean, individual towels must be furnished for each guest.

H. Communicable Disease Control. Any room which has been occupied by a person or persons having any infectious or communicable disease shall, together with the furnishings, be treated in accordance with the requirements of the State Health Officer.

SECTION VIII. ENVIRONMENTAL AND OPEN SPACE REQUIREMENTS

A. General Requirements. Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or to the health or safety of the occupants. The site shall not be subject to unpredictable and/or sudden flooding.

B. Environmental Requirements. An adequate supply of potable water, under pressure, must be provided at all times. Where a public water system is available, a connection shall be made thereto. If water from a source other than a public water supply is used, the supply shall meet the requirements set forth under Rules and Regulations of the State Board of Health for Semi-Public Water Supplies.

C. Sewage. All sewage shall be disposed of by means of either:

1. A public sewerage system where one is accessible within 300 feet, or

2. An approved sewage disposal system which is constructed and operated in conformance with the standards established for such systems by the Arkansas State Board of Health.

D. Open Space Requirements. If a public sewer line is not available, no less than 20,000 square feet of land area must be available for the installation of an approved method of sewage disposal. In no case may the lot size be less than 15,000 square feet, regardless of sanitary needs, to provide an exercise area for ambulatory guests.

E. Refuse Handling. The storage, collection and disposal of refuse shall be conducted so as to create no health hazard, rodent harborage, insect breeding area, accident or fire hazard. All garbage shall be disposed of daily and in such manner as to prevent a public health nuisance. Effective measures shall be taken to protect against the entrance into the establishment and the presence or breeding on the premises of vector agents which could cause a communicable disease.

F. Grounds. The grounds connected with a domiciliary care establishment shall be kept free from accumulations which favor fly and mosquito breeding or the harboring of vermin. Said grounds shall be kept free of agents which could endanger health and safety.

SECTION IX. FOOD PREPARATION FACILITIES

If food preparation and eating facilities are provided in, or in connection with, rooms they shall meet the requirements set forth under Rules and Regulations of the State Board of Health Pertaining to Food Service Establishments.

A. Kitchenware and Equipment. All kitchenware and equipment used in the preparation of food and drink shall be clean and in good repair.

B. Eating and Drinking Utensils. All eating and drinking utensils shall be cleaned thoroughly and sanitized after each use.

SECTION X. PERSONNEL.

A. Disease. No person affected with any disease in a communicable stage shall be employed in any domiciliary care establishment.

B. Cleanliness. All employees shall wear clean outer garments, maintain a high degree of personal cleanliness and conform to good hygienic practices while on duty.

SECTION XI. SEVERABILITY

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can give effect without the invalid provisions or applications, and to this end the provisions hereto are declared to be severable.

SECTION XII. REPEAL

All Regulations and parts of Regulations in conflict herewith are hereby repealed.

CERTIFICATION

This will certify that the foregoing Rules and Regulations Pertaining to Domiciliary Care Establishments were adopted by the State Board of Health of Arkansas at a regular executive session of said Board held in Little Rock, Arkansas, on the twenty-third day of July, 1970.

(signed)

J. T. Herron, M.D.

Secretary, State Board of Health

State Health Officer

Dated at Little Rock, Arkansas, this twenty-third day of July, 1970.