

**481—61.3 (135C) General requirements.** Nursing facilities shall contain the elements described in this chapter and shall be built in accordance with these construction requirements. Elements available through affiliation with a connected hospital need not be duplicated. (III)

**61.3(1)** This chapter covers both new and existing construction, except as noted in paragraphs “a” through “f” below. In various sections of the rules, specific provisions for existing structures which differ from those for new construction are indicated by a notation at the end of the rule as follows:

- a. (Exception 1): Rule does not pertain to facilities built before 1957;
- b. (Exception 2): Rule does not pertain to facilities built before 1972;
- c. (Exception 3): Rule does not pertain to facilities built according to plans approved by the department prior to January 1, 1977;
- d. (Exception 4): Rule does not pertain to facilities built according to plans approved by the department prior to November 21, 1990;
- e. (Exception 5): Rule does not pertain to facilities built according to plans approved by the department prior to May 6, 1992;
- f. (Exception 6): Rule does not pertain to facilities built or renovated according to plans approved by the department and designated as a person directed care environment.

**61.3(2)** The rules apply to renovations, additions, functional alterations, or change of space utilization to existing facilities which are completed after November 21, 1990. Conversion of a building or any of the parts not currently licensed as a nursing facility must meet the rules governing construction of new facilities. (III)

**61.3(3)** The building site is subject to departmental approval.

- a. An 8½- by 11-inch vicinity map shall be submitted which indicates the site location and address. If possible, a city map should also be included. (III)
- b. The neighborhood environment shall be free from excessive noise, dirt, polluted or odorous air. (III)
- c. There shall be an area available for outdoor activities. Open air porches and decks may be included in meeting this requirement. (III)
- d. The outdoor area shall be 40 square feet per licensed bed. (III) (Exception 4)
- e. Each facility shall have on-site parking space for residents, employees, staff and visitors. (III)

The following minimum parking spaces shall be provided:

- (1) In facilities of 20 or more beds, one space for each 5 beds, plus one space for each day-shift employee. (III) (Exception 4)
- (2) In facilities of 19 or fewer beds, one space for each 3 beds, plus one space for each day-shift employee. (III) (Exception 4)
- (3) Handicapped parking as appropriate, or a minimum of one space. (III) (Exception 4)

- f. Accessibility shall be provided for emergency and delivery vehicles. (III) (Exception 3)

**61.3(4)** When new construction, an addition, functional alteration, or conversion of an existing building is contemplated, the licensee or applicant for license shall:

- a. File a detailed and comprehensive program of care as set forth in rules 481—58.3(135C) and 481—59.3(135C) which includes a description of the specific needs of the residents to be served, and any other information the department may require. (III)
- b. Submit a preliminary site plan and floor plan. The design shall meet the requirements of all applicable state statutes, fire codes, federal regulations and local ordinances. The most stringent standards shall apply in resolving conflicts. (III)
- c. Submit legible working drawings and specifications showing all elements of construction, fixed equipment, and mechanical and electrical systems to the department and to the state fire marshal. These construction documents shall be prepared by or under the direct supervision of a registered architect or engineer. The architects or engineers shall be working within their field of registration and shall be licensed to practice in Iowa. All construction documents shall be certified by and bear the seal of the architect or engineer responsible for the project. Each project shall be evaluated for its impact on the

facility. Projects not affecting primary structural elements may, at the discretion of the department, be excluded from this rule. (III)

*d.* Receive written approval from the department and the state fire marshal's office before starting construction. If on-site construction above the foundation is not started within 12 months of the date of final approval of the working drawings and specifications, the approval shall be void and the plans and specifications shall be resubmitted. (III)

*e.* Have plans and specifications approved in writing by the department and the state fire marshal's office before a change in the building is made. The applicant is responsible for ensuring that construction proceeds according to approved plans and specifications. (III)

**61.3(5)** For new construction, an addition, functional alteration or conversion of an existing building, it is the responsibility of the owner or an agent to notify the department at all of the following intervals and wait for inspection by the department before proceeding:

*a.* At least 30 days before commencement of construction on the premises; (III)  
*b.* At least 30 days before pouring the concrete floor slab; (III)  
*c.* After completion of the mechanical or electrical rough-in and 30 days before enclosing walls; (III)

*d.* Thirty days before the completion of the project. (III)

**61.3(6)** Rescinded IAB 12/6/06, effective 1/10/07.

**61.3(7)** The facility shall be made accessible to and usable by persons with physical handicaps in accordance with the requirements of the American National Standards Institute (ANSI) document A117.1-1986 except where more stringent requirements are specified in these rules. (II, III) (Exception 3)

**61.3(8)** No room in a basement shall be occupied for living purposes unless the room meets all the requirements of the department and is approved by the department as fit for human habitation. (III)

**61.3(9)** A foundation drainage system shall be installed around any portion of a building containing a basement. (III) (Exception 4)

*a.* The foundation drainage system shall be installed at a slope so the water will run to a low point and then run into a sump pit in the basement, into a storm sewer system, or out to surface drainage. (III) (Exception 4)

*b.* The foundation drainage system shall not be connected to the sanitary sewer system. (III) (Exception 4)

*c.* The high point of the flow line shall be 4 inches below the elevation of the basement floor slab. (III) (Exception 4)

**61.3(10)** Projects involving alterations of and additions to existing buildings shall be programmed and phased so that on-site construction will minimize disruptions of living functions. Access, exits and fire protection shall be maintained so that the safety of the occupants is not jeopardized during construction. (II, III)

**61.3(11)** If a resident exit is below the outside grade level, at least one exit from that level shall include an approved ramp. (III) (Exception 4)

**61.3(12)** Any equipment found to be hazardous, or which fails to meet the purposes for which it is intended, shall be repaired, removed or replaced. (III)

**61.3(13)** Upon completion of the contract, the department shall be provided a complete set of approved record drawings, specifications, and addenda which show all construction, fixed equipment, mechanical and electrical systems. (III) (Exception 4)