COMMONWEALTH OF PENNSYLVANIA – DEPARTMENT OF HEALTH

ANNEX A, TITLE 28. HEALTH AND SAFETY
PART V. DRUG AND ALCOHOL FACILITIES AND SERVICES
CHAPTER 701. GENERAL PROVISIONS, SUBCHAPTER A. DEFINITIONS

§ 701.1. General definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

Nonresidential facility – A facility that does not provide sleeping accommodations and provides one or more of the following activities: outpatient, partial hospitalization, intake, evaluation or referral activities.

Residential facility – An inpatient, nonhospital facility or inpatient freestanding psychiatric hospital that provides sleeping accommodations and provides one or more of the following activities: residential treatment and rehabilitation services, transitional living services or short-term detoxification services, 24 hours a day.

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CHAPTER 705. PHYSICAL PLANT STANDARDS.
SUBCHAPTER A. RESIDENTIAL FACILITIES

§ 705.1. General requirements for residential facilities.

The residential facility shall:

(1) Hold a license under Chapter 709 (relating to standards for licensure of freestanding treatment facilities) or a certificate under Chapter 711 (relating to standards for certification of treatment activities which are part of a health care facility).

Administrative buildings where the administrative services complement the treatment activities and are an integral part of the licensed facility will be reviewed for compliance with Chapter 705. For example, an administrative building located across the street from a residential facility, used for activities including, but not limited to, clinical team meetings and staff trainings would be inspected for compliance.

(2) Have a certificate of occupancy from the Department of Labor and Industry or its local equivalent.

The local equivalent refers to the agency responsible for the inspection and issuance of certificates in the cities of Philadelphia, Pittsburgh and Scranton.

Facilities operating campus-like settings with multiple structures will need to present either individual certificates for each structure utilized or one certificate that includes each structure utilized. This regulation does not apply to an office used solely for administrative purposes located at a different address, unless this office is an integral part of the licensed facility as discussed in § 705.1(1).

(3) Comply with applicable Federal, State and local laws and ordinances.

Includes compliance with all applicable requirements, such as local food service certifications, city/township occupancy permits, Act 10 (narcotic treatment programs only), DEP permits, etc.

§ 705.2. Building exterior and grounds.

The residential facility shall:

(1) Maintain all structures, fences and playground equipment, when applicable, on the grounds of the facility so as to be free from any danger to health and safety.

Those items identified above should be structurally sound and free of broken or malfunctioning components.

(2) Keep the grounds of the facility clean, safe, sanitary and in good repair at all times for the safety and well being of residents, employees and visitors. The exterior of the building and the building grounds or yard shall be free of hazards.

(3) Keep exterior exits, stairs and walkways lighted at night.

Facilities may use dusk-to-dawn lights or street lights in urban areas, provided the area is well illuminated. This requirement applies to all exterior exits, stairs and walkways.

(4) Store all trash, garbage and rubbish in noncombustible, covered containers that prevent the penetration of insects and rodents, and remove it, at least once every week.

Noncombustible is defined as incapable of igniting. Therefore, this regulation precludes the use of cardboard boxes, plastic bags, etc., but would permit the use of fabricated plastic refuse containers with lids. This standard applies

primarily to external garbage containers, however, the Division would expect garbage containers located in the facility's food service areas to also be covered.

§ 705.3. Living rooms and lounges.

The residential facility shall contain at least one living room or lounge for the free and informal use of clients, their families and invited guests. The facility shall maintain furnishings in a state of good repair.

The living room or lounge needs to be of sufficient size for the population and may not be a room designated for other purposes, e.g., bedroom, kitchen, dining room, counselor's office, or open porch. However, a living room or lounge may be used for group activities during non-visitation time periods.

The living room and/or lounge should have sufficient seating to accommodate the facility's licensed capacity.

§ 705.4. Counseling areas.

The residential facility shall:

(1) Maintain space for both individual and group counseling sessions.

This space needs to be designated for counseling, and may not include bedrooms, dining rooms, kitchens, etc. However, a living room or lounge may be used for group activities during non-visitation time periods.

(2) Maintain counseling areas with furnishings which are in good repair.

(3) Ensure privacy so that counseling sessions cannot be seen or heard outside the counseling room. Counseling room walls shall extend from the floor to the ceiling.

(4) Locate counseling areas so that noise does not disturb or interfere with counseling sessions.

§ 705.5. Sleeping accommodations.

(a) In each residential facility bedroom, each resident shall have the following:

(1) A bed with solid foundation and fire retardant mattress in good repair.

Documentation of fire retardant material may include the manufacturer's tag attached to the mattress, bill of sale, etc. that clearly identifies the mattress as fire retardant or manufactured in accordance with FF 4-72 Amended, 16 CFR Part 1632. While the use of fire retardant mattress pads is not prohibited,

compliance with § 705.5(a)(1) may not be achieved by using a fire retardant mattress pad to cover a non-fire retardant mattress.

(2) A pillow and bedding appropriate for the temperature in the facility.

(3) A storage area for clothing.

May include a closet, chest of drawers, wall rack, trunk, etc. Each resident should have his/her own storage area or have a designated part of a shared storage area.

(b) Each shared bedroom shall have at least 60 square feet of floor space per resident measured wall to wall, including space occupied by furniture. When bunk beds are used, each bedroom shall have at least 50 square feet of floor space per resident measured wall to wall. Bunk beds shall afford enough space in between each bed and the ceiling to allow a resident to sit up in bed. Bunk beds shall be equipped with a securely attached ladder capable of supporting a resident. Bunk beds shall be equipped with securely attached railings on each open side and open end of the bunk. The use of bunk beds shall be prohibited in detoxification programs. Each single bedroom shall have at least 70 square feet of floor space per resident measured wall to wall, including space occupied by furniture.

A bedroom is that area enclosed by floor-to-ceiling walls. Partitions or half-walls are not recognized in defining the bedroom area.

(c) No more than four residents may share a bedroom.

(d) When calculating the square feet of bedroom floor space under subsection (b) or the number of residents per bedroom under subsection (c), children occupying a bedroom with an adult family member or guardian may not be included as residents.

(e) Each bedroom shall have direct access to a corridor or external exit.

(f) A bedroom may not be used as a means of egress from or access to another part of the facility.

(g) Sole entrances to stairways or basements may not be located in a resident's bedroom.

(h) Each bedroom shall be ventilated by operable windows or have mechanical ventilation.

(i) Each bedroom shall have a window with a source of natural light.

The source of natural light may include the use of a skylight.

(j) A residential facility shall prohibit smoking and use of candles in bedrooms.

(k) Bedrooms located in a basement shall meet the following requirements:

These requirements are in addition to those found at § 705.5(a)–(j).

(1) The bedroom shall have wall, floor and ceiling coverings such as tile, linoleum, paneling or dry wall.

(2) The bedroom shall have a protective fire wall between the residents and any furnace.

(l) A residential facility shall be exempt from subsections (b), (c), (e), (f) and (i) for rooms that had been used as bedrooms in facilities licensed as of March 2, 2002. If a facility expands its capacity or renovates to relocate or add bedrooms, this exemption does not apply to the new bedrooms. If the facility relocates or rebuilds, this exemption does not apply.

§ 705.6. Bathrooms.

The residential facility shall:

(1) Provide bathrooms to accommodate staff, residents and other users of the facility.

There should be at least one commode, sink, and shower or tub for every eight residents.

(2) Provide a sink, a wall mirror, an operable soap dispenser, and either individual paper towels or a mechanical dryer in each bathroom.

Communal bars of soap and towels are not permitted, however, facilities may supply residents with individual bars of soap (with labeled soap container) and a personal towel provided the residents have access to these items at all times. The items addressed in § 705.6(2) may be located immediately outside the bathroom.

(3) Have hot and cold water under pressure. Hot water temperature may not exceed 120°F.

Facilities serving the criminal justice population, or otherwise required to collect urine specimens may shut off the hot water in the bathroom used for specimen collection, provided there are other sinks accessible to patients that have hot water.

(4) Provide privacy in toilets by doors, and in showers and bathtubs by partitions, doors or curtains. There shall be slip-resistant surfaces in all bathtubs and showers.

Open toilet stalls, including those with a curtain, and group shower rooms that do not provide individual privacy are not permitted. The bathtub and shower may have a manufactured slip-resistant surface, or utilize slip-resistant mats, spray-on applications, etc.

(5) Ventilate toilet and wash rooms by exhaust fan or window.

Windows used for ventilation need to be operable and should have screens. Exhaust fans, including those that are part of a larger ventilation system, must be operable and create a noticeable airflow.

(6) Provide toilet paper at each toilet at all times.

(7) Maintain each bathroom in a functional, clean and sanitary manner at all times.

§ 705.7. Food service.

(a) A residential facility shall provide meals to residents through onsite food preparation areas, a central food preparation area or contractual arrangements with vendors or caterers.

(b) A residential facility may operate a central food preparation area to provide food services to multiple facilities or locations. A residential facility that operates an onsite food preparation area or a central food preparation area shall:

Facilities that are under contract with a separate entity for the provision of food services need not comply with § 705.7(b)(1), (2), (3), (4), (6), (7), and (8) if the food is prepared off site. These regulations are applicable to the central food preparation area where the facility is a part of a larger corporation that operates a central food preparation area or when a contracted food service prepares food on site.

Facilities that provide snacks or other food items in addition to contracted food services must comply with § 705.7(b)(1)–(8) pertaining to food storage.

Policies and procedures for dietary services required in Chapter 709 or 711 need to be consistent with the implementation of § 705.7(b)(1)–(8).

Facilities licensed under 28 Pa. Code Chapter 711 where the patient meals are prepared by the hospital dietary department and served in that part of the facility licensed by the Department of Health, Division of Acute and Ambulatory Care as a hospital shall be deemed to be in compliance with § 705.7(b)(1)–(8). If the meals are prepared in this manner but served in the licensed drug and alcohol facility, the facility must demonstrate compliance with § 705.7(b)(5).

(1) Have a food preparation area with a refrigerator, a sink, a stove, an oven and cabinet space for storage.

Each cabinet should have a securely attached door.

(2) Clean and disinfect food preparation areas and appliances following each prepared meal.

(3) Clean all eating, drinking and cooking utensils and all food preparation areas after each usage and store the utensils in a clean enclosed area.

Pots and pans may be stored on open shelving units or hung from racks designed for that purpose. A "clean enclosed area" would refer to closets, cabinets, drawers, etc. Utensil trays that are covered when not in use are acceptable.

(4) Ensure that storage areas for foods are free of food particles, dust and dirt.

(5) Keep cold food at or below 40°F, hot food at or above 140°F, and frozen food at or below 0°F.

Food prepared off site and delivered to the facility for immediate consumption by the residents must be maintained in accordance with these temperatures.

The facility should utilize a mechanism to ensure these temperatures are maintained. Refrigerator and freezer temperatures should be monitored regularly (it is recommended at least twice a day). Facilities are encouraged to have appliance thermometers in refrigerators and freezers to check the temperature.

Foods held hot for service should be kept at 140°F or above.

(6) Store all food items off the floor.

(7) Prohibit pets in the food preparation area.

(8) Prohibit smoking in food preparation areas.

§ 705.8. Heating and cooling.

The residential facility:

(1) Shall have a heating and cooling ventilation system that is adequate to maintain an indoor temperature of at least 65°F in the winter. When indoor temperatures exceed 90°F, mechanical ventilation such as fans or air conditioning shall be used.

(2) May not permit in the facility heaters that are not permanently mounted or installed.

Portable space heaters are prohibited, and must be removed from the facility.

§ 705.9. General safety and emergency procedures.

The residential facility shall:

(1) Be free of rodent and insect infestation.

(2) Require that pets housed in the residential facility are cared for in a safe and sanitary manner.

(3) Limit smoking to designated smoking areas.

The Pro-Children Act of 1994 (P.L. 103-227, Sections 1041-1044, 20 U.S.C. Sections 6081-6084) prohibits smoking in any portion of any indoor facility owned, leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if any of the services are funded, in whole or in part, by federal programs either directly or through state or local governments, by federal grant, contract, etc.

(4) Provide written procedures for staff and residents to follow in case of an emergency, which shall include provisions for:

(i) The evacuation and transfer of residents and staff to a safe location.

(ii) Assignments of staff during emergencies.

(iii) The evacuation and transfer of residents impaired by alcohol or other drugs.

Procedures need to detail staff responsibilities regarding the care and evacuation of impaired residents, e.g., detoxification patients, relapsed patients. These procedures may include arranging transportation to another detoxification/residential facility or hospital.

(5) Notify the Department within 48 hours of a fire, other disaster or situation which affects the continuation of services.

It is recommended that facilities include § 705.9(5) in the procedures addressed in § 705.9(4).

§ 705.10. Fire safety.

(a) *Exits.*

(1) The residential facility shall:

(i) Ensure that stairways, hallways and exits from rooms and from the residential facility are unobstructed.

Exits must be unobstructed and operable at all times. Licensed psychiatric hospitals, designated psychiatric units in hospitals, and county/city prisons may have exits that are locked for security purposes.

(ii) Maintain a minimum of two exits on every floor, including the basement, that are separated by a minimum distance of 15 feet.

Basements and attics not having two exits cannot be used for any reason and must be locked at all times.

Exterior exits above the first floor must be permanently affixed to the structure. For example, a fire ladder used as an exit must be permanently affixed to the facility, at both the top and the bottom.

A secondary exit that crosses a roof needs to have a catwalk with a secure railing.

(iii) Maintain each ramp, interior stairway and outside steps exceeding two steps with a well-secured handrail and maintain each porch that has over an 18-inch drop with a well-secured railing.

(iv) Clearly indicate exits by the use of signs.

(v) Light interior exits and stairs at all times.

Facilities operating campus-like settings with multiple structures, e.g., gymnasium, dining hall, or counseling building are not required to have lighted interior stairs in the nonresidential buildings when secured during hours of non-use.

(2) Portable ladders and rope escapes are not considered exits, but may be used in addition to standard exits.

(b) *Smoke detectors and fire alarms*. The residential facility shall:

(1) Maintain a minimum of one operable, automatic smoke detector on each floor, including the basement and attic.

In buildings with multiple occupants or multiple activities provided by the same legal entity, automatic smoke detectors are only required for the space occupied or utilized by the drug and alcohol facility.

(2) On floors with resident bedrooms, maintain a smoke detector which shall be located within 15 feet of each bedroom door. On floors with no resident bedrooms, the smoke detection device shall be located in a common area or hallway. All detection devices shall be interconnected.

These detection devices need to be installed so that all devices sound an alarm when one device is activated.

(3) Repair inoperable smoke detectors or fire alarms within 48 hours of the time the detector or alarm is found to be inoperative.

Documentation may include maintenance orders, repair logs, billing invoices, etc. This documentation needs to be consistent with the findings included in the fire drill documentation required at § 705.10(d)(4).

(4) Maintain a manual fire alarm system that is audible throughout the facility in a residential facility where four or more residents reside.

A manual fire alarm system is a system that consists of manual pull stations, signaling devices, power source, control panel and other related components, which are designed to provide notification to all building occupants.

The manual fire alarm system must be accessible to both staff and patients. This precludes the use of coded touch pads and/or key operated systems accessible only by staff.

In multiple use buildings, § 705.10(b)(4) only requires a manual fire alarm system for the space occupied by the facility. Please note that the Department of Labor and Industry may require a more extensive manual fire alarm system as stated in Pa. Code Title 34 Labor and Industry.

(5) Maintain automatic smoke detectors and fire alarms of a type approved by the Department of Labor and Industry or by the Underwriters Laboratories.

(6) Maintain all smoke detectors and fire alarms so that each person with a hearing impairment will be alerted in the event of a fire, if one or more residents or staff persons are not able to hear the smoke detector or fire alarm system.

The facility should equip a designated hearing-impaired resident bedroom(s) with a detection device designed to alert the hearing impaired, e.g., visual alarm device. Minimally, facilities treating male and female patients might designate sex specific bedrooms for the hearing impaired, unless the physical layout

would permit the use of a single bedroom that may be used for either male or female patients. A facility that provides multiple levels of care, e.g., detoxification and residential rehabilitation, may need to designate hearing-impaired resident bedroom(s) per activity. In addition, the facility needs to equip the common areas, e.g., hallways of the entire facility with a fire alarm system that includes visual alarm devices, so that each person with a hearing impairment will be alerted. There should be at least one visual alarm device per floor, pursuant to § 705.10(b)(2). To further supplement the alerting of the hearing impaired, a facility may establish written procedures for the evacuation of residents, staff persons, or visitors with a hearing impairment and incorporate them into the emergency evacuation procedures found at § 705.9 (4).

(c) *Fire extinguisher*. The residential facility shall:

(1) Maintain a portable fire extinguisher with a minimum of an ABC rating, which shall be located on each floor. If there is more than 2,000 square feet of floor space on a floor, the residential facility shall maintain an additional fire extinguisher for each 2,000 square feet or fraction thereof.

All extinguishers should be wall mounted, visible and easily accessible. Basements and attics, except attic crawlspaces, require fire extinguisher(s).

(2) Maintain at least one portable fire extinguisher with a minimum of an ABC rating in each kitchen.

(i) This fire extinguisher shall meet the requirement of one portable fire extinguisher for a 2,000 square foot area.

(ii) The extinguisher shall be located near an exit and away from the cooking area.

(3) Ensure fire extinguishers are inspected and approved annually by the local fire department or fire extinguisher company. The date of the inspection shall be indicated on the extinguisher or inspection tag. If a fire extinguisher is found to be inoperable, it shall be replaced or repaired within 48 hours of the time it was found to be inoperable.

Disposable extinguishers are not rechargeable and are unable to be inspected; therefore, they may not be used to satisfy § 705.10(c)(3). Disposable extinguishers may, however, be used as complements to those required at § 705.10(c)(3).

(4) Instruct all staff in the use of the fire extinguishers upon staff employment. This instruction shall be documented by the facility.

Instruction may be included in the employee orientation, but must occur no later than seven days from the date of employment.

(d) *Fire drills*. The residential facility shall:

In buildings with multiple occupants, fire drills conducted by the building management may be accepted if compliant with § 705.10(d)(1)-(9).

(1) Conduct unannounced fire drills at least once a month.

All occupants of the drug and alcohol facility must evacuate during each drill unless the Department has approved an alternative procedure in writing.

It is recommended that facilities consult with a fire safety expert to determine an acceptable evacuation time for their building(s). This time should be specified in writing.

(2) Conduct fire drills during normal staffing conditions.

(3) Ensure that all personnel on all shifts are trained to perform assigned tasks during emergencies.

This training, as with the fire extinguisher training, may be included in the employee orientation, but must occur no later than seven days from the date of employment.

(4) Maintain a written fire drill record including the date, time, the amount of time it took for evacuation, the exit route used, the number of persons in the facility at the time of the drill, problems encountered and whether the fire alarm or smoke detector was operative.

(5) Conduct a fire drill during sleeping hours at least every 6 months.

(6) Prepare alternate exit routes to be used during fire drills.

The exit routes used need to be documented in the fire drill record.

(7) Conduct fire drills on different days of the week, at different times of the day and night and on different staffing shifts.

(8) Set off a fire alarm or smoke detector during each fire drill.

A fire alarm or smoke detector must be activated during each drill unless the Department has approved an alternative procedure in writing.

(9) Prohibit the use of elevators during a fire drill or a fire.

Signs need to be posted outside all elevators prohibiting use during a fire or fire drill.

§ 705.11. Child care.

When a residential facility admits children for services or for custodial care, the following requirements apply:

In determining compliance with this regulation, the Department has defined "children" as being under the age of 12.

(1) *Building exterior and grounds*. The residential facility shall:

(i) Fence off or have natural barriers to protect children from all areas determined to be unsafe including steep grades, cliffs, open pits, swimming pools, high voltage boosters or roads.

(ii) Provide access to outdoor recreational space and recreational equipment.

Developmentally appropriate recreational space and equipment must be provided at the facility or off site through an arrangement with another agency. Documentation of this arrangement may include letters of agreement, contracts, schedules, etc.

(2) *Interior space*. The residential facility shall:

(i) Provide an interior play area which meets the developmental and recreational needs of the children in care.

The facility must have a designated space on site, such as a gymnasium, playroom, game room, etc. that is appropriate for developmental needs of the children.

(ii) Maintain security screens or safety locks for all operable windows.

Windows need to be secured in a manner that does not restrict emergency personnel access in the event of an emergency.

(iii) Maintain protective caps over each electrical outlet.

(iv) Secure all hazardous and poisonous substances and materials with safety latches or locks.

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SUBCHAPTER B. NONRESIDENTIAL FACILITIES

§ 705.21. General requirements for nonresidential facilities.

The nonresidential facility shall:

(1) Hold a license under Chapter 709 (relating to standards for licensure of freestanding treatment facilities), a certificate under Chapter 711 (relating to standards for certification of treatment activities, which are part of a health care facility) or approval under Chapter 713 (relating to standards of prevention and intervention activities).

Administrative buildings where the administrative services complement the treatment activities and are an integral part of the licensed facility will be reviewed for compliance with Chapter 705. For example, an administrative building located across the street from a nonresidential facility, used for activities including, but not limited to, clinical team meetings and staff trainings would be inspected for compliance.

(2) Have a certificate of occupancy from the Department of Labor and Industry or its local equivalent.

The local equivalent refers to the agency responsible for the inspection and issuance of certificates in the cities of Philadelphia, Pittsburgh and Scranton.

Facilities operating campus-like settings with multiple structures will need to present either individual certificates for each structure utilized or one certificate that includes each structure utilized. This regulation does not apply to an office used solely for administrative purposes located at a different address, unless this office is an integral part of the licensed facility as discussed in § 705.21(1).

(3) Comply with applicable Federal, State and local laws and ordinances.

Includes compliance with all applicable requirements, such as local food service certifications, city/township occupancy permits, Act 10 (narcotic treatment programs only), DEP permits, etc.

§ 705.22. Building exterior and grounds.

The nonresidential facility shall:

(1) Maintain all structures, fences and playground equipment, when applicable, on the grounds of the facility so as to be free from any danger to health and safety.

Those items identified above should be structurally sound and free of broken or malfunctioning components.

(2) Keep the grounds of the facility clean, safe, sanitary and in good repair at all times for the safety and well being of clients, employees and visitors. The exterior of the building and the building grounds or yard shall be free of hazards.

(3) Keep exterior exits, stairs and walkways lighted at night if in use.

Facilities may use dusk-to-dawn lights or street lights in urban areas, provided the area is well illuminated. This requirement applies to all exterior exits, stairs and walkways.

(4) Store all trash, garbage and rubbish in noncombustible, covered containers that prevent the penetration of insects and rodents, and remove it at least once every week.

Noncombustible is defined as incapable of igniting. Therefore, this regulation precludes the use of cardboard boxes, plastic bags, etc., but would permit the use of fabricated plastic refuse containers with lids. This standard applies primarily to external garbage containers, however, the Division would expect garbage containers located in the facility's food service areas to also be covered.

§ 705.23. Counseling or activity areas and office space.

The nonresidential facility shall:

(1) Maintain space for both individual and group counseling sessions.

This space needs to be designated for counseling, and may not include bedrooms, dining rooms, kitchens, etc.

(2) Maintain counseling areas with furnishings, which are in good repair.

(3) Ensure privacy so that counseling sessions cannot be seen or heard outside the counseling room. Counseling room walls shall extend from the floor to the ceiling.

(4) Locate counseling areas so that noise does not disturb or interfere with counseling sessions.

§ 705.24. Bathrooms.

The nonresidential facility shall:

(1) Provide bathrooms to accommodate staff, clients and other users of the facility.

(2) Provide a sink, a wall mirror, an operable soap dispenser, and either individual paper towels or a mechanical dryer in each bathroom.

Communal bars of soap and towels are not permitted.

The items addressed in § 705.24(2) may be located immediately outside the bathroom.

(3) Have hot and cold water under pressure. Hot water temperature may not exceed 120°F.

Facilities serving the criminal justice population, or otherwise required to collect urine specimens may shut off the hot water in the bathroom used for specimen collection, provided there are other sinks accessible to patients that have hot water.

(4) Provide privacy in toilets by doors.

Open toilet stalls, including those with curtains, are not permitted.

(5) Ventilate bathrooms by exhaust fan or window.

Windows used for ventilation need to be operable and should have screens. Exhaust fans, including those that are part of a larger ventilation system, must be operable and create a noticeable airflow.

(6) Provide toilet paper at each toilet at all times.

(7) Maintain each bathroom in a functional, clean and sanitary manner at all times.

§ 705.25. Food service.

A nonresidential facility may provide meals to clients through onsite food preparation areas, a central food preparation area or contractual arrangements with vendors or caterers. A nonresidential facility which operates an onsite food preparation area or a central food preparation area shall:

Nonresidential facilities that do not provide meals to clients need not comply with § 705.25(1)–(8).

Facilities that are under contract with a separate entity for the provision of food services need not comply with § 705.7(b)(1), (2), (3), (4), (6), (7), and (8) if the food is prepared off site. These regulations are applicable to the central food preparation area where the facility is a part of a larger corporation that operates a central food preparation area or when a contracted food service prepares food on site.

Facilities that provide snacks or other food items in addition to contracted food services must comply with § 705.7(b)(1)–(8) pertaining to food storage.

Policies and procedures for dietary services required in Chapter 709 or 711 need to be consistent with the implementation of § 705.7(b)(1)–(8).

Facilities licensed under 28 Pa. Code Chapter 711 where the patient meals are prepared by the dietary department and served in that part of the facility licensed by the Department of Health, Division of Acute and Ambulatory Care as a hospital shall be deemed to be in compliance with § 705.7(b)(1)–(8). If the meals are prepared in this manner but served in the licensed drug and alcohol facility, the facility must demonstrate compliance with § 705.7(b)(5).

(1) Have a food preparation area with a refrigerator, a sink, a stove, an oven and cabinet space for storage.

Each cabinet should have a securely attached door.

(2) Clean and disinfect food preparation areas and appliances following each prepared meal.

(3) Clean all eating, drinking and cooking utensils and all food preparation areas after each usage and store the utensils in a clean enclosed area.

Pots and pans may be stored on open shelving units or hung from racks designed for that purpose. A "clean enclosed area" would refer to closets, cabinets, drawers, etc. Utensil trays that are covered when not in use are acceptable.

(4) Ensure that storage areas for foods are free of food particles, dust and dirt.

(5) Keep cold food at or below 40°F, hot food at or above 140°F, and frozen food at or below 0°F.

Food prepared off site and delivered to the facility for immediate consumption by the residents must be maintained in accordance with these temperatures.

The facility should utilize a mechanism to ensure these temperatures are maintained. Refrigerator and freezer temperatures should be monitored regularly (it is recommended at least twice a day). Facilities are encouraged to have appliance thermometers in refrigerators and freezers to check the temperature.

Foods held hot for service should be kept at 140°F or above.

(6) Store all food items off the floor.

(7) Prohibit pets in the food preparation area.

(8) Prohibit smoking in food preparation areas.

§ 705.26. Heating and cooling.

The nonresidential facility:

(1) Shall have a heating and cooling ventilation system that is adequate to maintain an indoor temperature of at least 65°F in the winter. When indoor temperatures exceed 90°F, mechanical ventilation such as fans or air conditioning shall be used.

(2) May not permit in the facility heaters that are not permanently mounted or installed.

Portable space heaters are prohibited, and must be removed from the facility.

§ 705.27. General safety and emergency procedures.

The nonresidential facility shall:

(1) Be free of rodent and insect infestation.

(2) Require that pets which are housed in a nonresidential facility be cared for in a safe and sanitary manner.

(3) Limit smoking to designated smoking areas.

The Pro-Children Act of 1994 (P.L. 103-227, Sections 1041-1044, 20 U.S.C. Sections 6081-6084) prohibits smoking in any portion of any indoor facility owned, leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if any of the services are funded, in whole or in part, by federal programs either directly or through state or local governments, by federal grant, contract, etc.

(4) Provide written procedures for staff and clients to follow in case of an emergency which shall include provisions for:

(i) The evacuation and transfer of clients and staff to a safe location.

(ii) Assignments of staff during emergencies.

(5) Notify the Department within 48 hours of a fire, other disaster or situation which affects the continuation of services.

It is recommended that facilities include § 705.27(5) in the procedures addressed in § 709.27(4).

§ 705.28. Fire safety.

(a) *Exits.*

(1) The nonresidential facility shall:

(i) Ensure that stairways, hallways and exits from rooms and from the nonresidential facility are unobstructed.

Exits must be unobstructed and operable at all times. Licensed psychiatric hospitals, designated psychiatric units in hospitals, and county/city prisons may have exits that are locked for security purposes.

(ii) Maintain a minimum of two exits on every floor, including the basement, that are separated by a minimum distance of 15 feet.

Basements and attics not having two exits cannot be used for any reason and must be locked at all times.

Exterior exits above the first floor must be permanently affixed to the structure. For example, a fire ladder used as an exit must be permanently affixed to the facility, at both the top and the bottom.

A secondary exit that crosses a roof needs to have a catwalk with a secure railing.

(iii) Maintain each ramp, interior stairway and outside steps exceeding two steps with a well-secured handrail and maintain each porch that has over an 18-inch drop with a well-secured railing.

(iv) Clearly indicate exits by the use of signs.

(v) Light interior exits and stairs at all times.

Facilities are required to have lighted interior exits and stairs during the hours of operation.

(2) Portable ladders and rope escapes are not considered exits, but may be used in addition to standard exits.

(b) *Smoke detectors and fire alarms*. The nonresidential facility shall:

(1) Maintain a minimum of one operable automatic smoke detector on each floor, including the basement and attic.

In buildings with multiple occupants or multiple activities provided by the same legal entity, automatic smoke detectors are only required for the space occupied or utilized by the drug and alcohol facility.

(2) Place the smoke detector in a common area or hallway. All detection devices shall be interconnected.

Facilities occupying multiple floors must have the detection devices installed so that all devices sound an alarm when one device is activated.

(3) Repair inoperable smoke detectors or fire alarms within 48 hours of the time the detector or alarm is found to be inoperative.

Documentation may include maintenance orders, repair logs, billing invoices, etc. This documentation needs to be consistent with the findings included in the fire drill documentation required at § 705.28(d)(4).

(4) Maintain a manual fire alarm system that is audible throughout the facility.

A manual fire alarm system is only required in buildings more than two stories in height with more than 5,000 square feet of floor space above the second story.

A manual fire alarm system is a system that consists of manual pull stations, signaling devices, power source, control panel and other related components, which are designed to provide notification to all building occupants.

The manual fire alarm system must be accessible to both staff and patients. This precludes the use of coded touch pads and/or key operated systems accessible only by staff.

In buildings with multiple occupants, § 705.10(b)(4) only requires a manual fire alarm system for the space occupied by the facility. Please note that the Department of Labor and Industry may require a more extensive manual fire alarm system as stated in Pa. Code Title 34 Labor and Industry.

(5) Maintain automatic smoke detectors and fire alarms of a type approved by the Department of Labor and Industry or by the Underwriters Laboratories.

(c) *Fire extinguishers*. The nonresidential facility shall:

(1) Maintain a portable fire extinguisher with a minimum of an ABC rating which shall be located on each floor. If there is more than 2,000 square feet of floor space on a floor, there shall be an additional fire extinguisher for each 2,000 square feet or fraction thereof.

All extinguishers should be wall mounted, visible and easily accessible. Basements and attics, except attic crawlspaces, require fire extinguisher(s).

(2) Maintain at least one portable fire extinguisher with a minimum of an ABC rating in each kitchen.

(i) This fire extinguisher shall meet the requirements of one portable fire extinguisher for a 2,000 square foot area.

(ii) The extinguisher shall be located near an exit and away from the cooking area.

(3) Ensure fire extinguishers are inspected and approved annually by the local fire department or fire extinguisher company. The date of the inspection shall be indicated on the extinguisher or inspection tag. If a fire extinguisher is found to be inoperable, it shall be replaced or repaired within 48 hours of the time it was found to be inoperable.

Disposable extinguishers are not rechargeable and are unable to be inspected, therefore, they may not be used to satisfy § 705.28(c)(3). Disposable extinguishers may, however, be used as complements to those required at § 705.28(c)(3).

(4) Instruct staff in the use of the fire extinguisher upon staff employment. This instruction shall be documented by the facility.

Instruction may be included in the employee orientation, but must occur no later than seven days from the date of employment.

(d) *Fire drills*. The nonresidential facility shall:

In buildings with multiple occupants, fire drills conducted by the building management may be accepted if compliant with § 705.28(d)(1)-(8).

(1) Conduct unannounced fire drills at least once a month.

All occupants of the drug and alcohol facility must evacuate during each drill unless the Department has approved an alternative procedure in writing.

It is recommended that facilities consult with a fire safety expert to determine an acceptable evacuation time for their building(s). This time should be specified in writing.

(2) Conduct fire drills during normal staffing conditions.

(3) Ensure that all personnel on all shifts are trained to perform assigned tasks during emergencies.

This training, as with the fire extinguisher training, may be included in the employee orientation, but must occur no later than seven days from the date of employment.

(4) Maintain a written fire drill record including the date, time, the amount of time it took for evacuation, the exit route used, the number of persons in the facility at the time of the drill, problems encountered and whether the fire alarm or smoke detector was operative.

(5) Prepare alternate exit routes to be used during fire drills.

The exit routes used need to be documented in the fire drill record.

(6) Conduct fire drills on different days of the week, at different times of the day and on different staffing shifts.

(7) Set off a fire alarm or smoke detector during each fire drill.

A fire alarm or smoke detector must be activated during each drill unless the Department has approved an alternative procedure in writing.

(8) Prohibit the use of elevators during a fire drill or a fire.

Signs need to be posted outside all elevators prohibiting use during a fire or fire drill.

§ 705.29. Child care.

When a nonresidential facility admits children for services or for custodial care, the following requirements apply:

In determining compliance with this regulation, the Department has defined "children" as being under the age of 12.

(1) *Building exterior and grounds*. The nonresidential facility shall:

(i) Fence off or have natural barriers to protect children from all areas determined to be unsafe including steep grades, open pits, swimming pools, high voltage boosters or roads.

(ii) Provide access to outdoor recreational space and recreational equipment.

Developmentally appropriate recreational space and equipment must be provided at the facility or off site through an arrangement with another agency. Documentation of this arrangement may include letters of agreement, contracts, schedules, etc.

(2) *Interior space*. The nonresidential facility shall:

(i) Provide an interior play area which meets the developmental and recreational needs of the children in care.

The facility must have a designated space on site, such as a gymnasium, playroom, game room, etc. that is appropriate for developmental needs of the children.

(ii) Maintain security screens or safety locks for all operable windows.

Windows need to be secured in a manner that does not restrict emergency personnel access in the event of an emergency.

(iii) Maintain protective caps over each electrical outlet.

(iv) Secure all hazardous and poisonous substances and materials with safety latches or locks.