



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEVPUTTA SANGVAI • Secretary


MARK PAYNE • Director, Division of Health Service Regulation

March 24, 2025

Memo #P0042

MEMORANDUM

TO: N.C. Licensed Adult Care Home Providers

FROM: Megan Lamphere, Chief 
DHSR Adult Care Licensure Section

RE: Rule Changes Effective April 1, 2025
10A NCAC 13G. 0206 Capacity
10A NCAC 13G .0301 Application of Physical Plant Requirements
10A NCAC 13G .0302 Design and Construction
10A NCAC 13G .0305 Living Room
10A NCAC 13G .0306 Dining Room or Dining Area
10A NCAC 13G .0307 Kitchen
10A NCAC 13G .0308 Bedrooms
10A NCAC 13G .0309 Bathrooms
10A NCAC 13G .0312 Outside Entrance and Exits
10A NCAC 13G .0313 Laundry Room
10A NCAC 13G .0315 Housekeeping and Furnishings
10A NCAC 13G .0317 Building Service Equipment
10A NCAC 13G .0318 Outside Premises

As you are aware, the N.C. Medical Care Commission, in partnership with the Division of Health Service Regulation Adult Care Licensure Section, are re-adopting various adult care home and family care home rules in accordance with the "Periodic Review of Existing Rules" process required in N.C. Gen. Stat. 150B. According to the law, rules identified during the initial review as being "necessary with substantive interest" must be re-adopted. The re-adoption process includes review by a rule re-adoption workgroup made up of representatives who are members of the two industry associations, resident advocacy groups, county departments of social services, the Ombudsman program, and relevant state agencies. The goal of the workgroup and re-adoption of rules is to ensure that rules are clear and unambiguous, are in line with current practices and laws, and protect the health, safety and rights of residents.

The following rules were approved for readoption by the N.C. Rules Review Commission on November 22, 2024 and the changes are effective April 1, 2025:

10A NCAC 13G. 0206 Capacity (Readopt)
10A NCAC 13G .0301 Application of Physical Plant Requirements (Readopt)
10A NCAC 13G .0302 Design and Construction (Readopt)
10A NCAC 13G .0305 Living Room (Amend)
10A NCAC 13G .0306 Dining Room or Dining Area (Readopt)
10A NCAC 13G .0307 Kitchen (Readopt)
10A NCAC 13G .0308 Bedrooms (Amend)
10A NCAC 13G .0309 Bathrooms (Readopt)

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10A NCAC 13G .0312 Outside Entrance and Exits (Readopt)

10A NCAC 13G .0313 Laundry Room (Amend)

10A NCAC 13G .0315 Housekeeping and Furnishings (Readopt)

10A NCAC 13G .0317 Building Service Equipment (Readopt)

10A NCAC 13G .0318 Outside Premises (Readopt)

Important rule changes to note effective April 1, 2025, include:

- Updates to capacity requirements to include clarification for how to respond when a resident's ambulatory status temporarily changes while residing at the facility (13G .0206)
- Definitions added for "capacity", "ambulatory", and "non-ambulatory" for clarity and reference to license capacity requirements. (13G. 0206)
- Changes to the physical plant equivalency requirements to reflect current procedures of the DHSR Construction Section. (13G .0301)
- Updates to clarify access to the North Carolina State Building Codes and current rules for Sanitation of Residential Care Facilities. (13G .0302).
- Updates to requirements for the physical environment of rooms, spaces and areas in family care homes to reflect current procedures of the Construction Section. (13G .0305-.0314)
- Updates and clarification to calling system requirements for licensed facilities. (13G .0317)

Please be sure to update your staff and colleagues, as well as your records, with these changes. Additionally, to ensure you have the most current set of rules for adult care homes, download copies of 10A NCAC 13G from the Adult Care Licensure Section website at <https://info.ncdhhs.gov/dhsr/acls/rules.html>.

Courtesy copies of the new revised rules and of the rules showing the changes made are enclosed with this memorandum for your convenience.

Please direct any questions you may have about this memorandum to DHSR.AdultCare.Questions@dhhs.nc.gov.

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RULES FOR THE LICENSING OF FAMILY CARE HOMES OF 2-6 BEDS

10A NCAC 13G

Rules effective April 1, 2025:

10A NCAC 13G .0206 CAPACITY

(a) Pursuant to G.S. ~~131D-2(a)(5)~~, 131D-2.1(9), family care homes shall have a capacity of two to six residents. For the purposes of this Rule, "capacity" means the maximum number of residents permitted to live in a licensed family care home in accordance with the North Carolina Building Code and the evacuation capability of each resident.

(b) The total number of residents shall not exceed the number shown on the license. The license shall indicate the facility's capacity for ambulatory and non-ambulatory individuals permitted to live in the facility. For the purposes of this Rule, "ambulatory" means the individual is able to respond and evacuate from the facility without verbal or physical assistance from others in the event of an emergency. "Non-ambulatory" means the individual is not able to respond and evacuate from the facility without verbal or physical assistance from others in the event of an emergency.

(c) A request for an increase in capacity by adding rooms, ~~remodeling~~ remodeling, or without ~~any~~ building modifications shall be made to the county department of social services and submitted to the Division of Health Service ~~Regulation~~, Regulation Construction Section and shall include ~~accompanied by~~ two copies of blueprints or floor plans. One plan shall show ~~showing~~ the existing building with the current use of ~~rooms~~ rooms, and the second plan indicating ~~showing~~ the addition, ~~remodeling~~ remodeling, or change in use of ~~spaces~~ spaces, and showing the use of ~~each~~ every room. If new construction, plans the second plan shall show how the addition will be tied into the existing building and all proposed changes in the structure.

(d) When licensed ~~homes~~ facilities increase their designed capacity by the addition to or remodeling of the existing physical plant, the entire ~~home~~ facility shall meet all current fire safety ~~regulations~~, regulations required by city ordinances or county building inspectors.

(e) The licensee or the licensee's designee shall notify the Division of Health Service Regulation Adult Care Licensure Section if the ~~overall~~ evacuation capability ~~capabilities~~ of the residents changes ~~from~~ and the facility no longer complies with the ~~evacuation capability~~ facility's licensed capacity as listed on the homes facility's license, ~~license~~ or of the addition of any non-resident ~~that who~~ will be residing living within the home. facility. ~~This information shall be submitted through the county department of social services and forwarded to the Construction Section of the Division of Health Service Regulation for review of any possible changes that may be required to the building.~~

(f) If there is a temporary change in the capacity of the facility due to a resident's short term illness or condition that renders the resident temporarily non-ambulatory, such as end of life condition, the licensee or the licensee's designee shall immediately notify the Division of Health Service Regulation Construction Section upon the knowledge of the change in the resident's ambulatory status.

History Note: Authority G.S. 131D-2.4; 131D-2.16; 143B-165;

Eff. January 1, 1977;

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Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984; January 1, ~~1983~~. 1983,

Readopted Eff. April 1, 2025.

10A NCAC 13G .0301 APPLICATION OF PHYSICAL PLANT REQUIREMENTS

~~The physical plant requirements for each A family care home shall be applied as follows~~ meet the following physical plant requirements:

- (1) New construction and existing buildings proposed for use as a Family Care Home shall comply with the requirements of this ~~Section; Section.~~
- (2) Except where otherwise specified, existing licensed facilities or portions of existing licensed facilities shall meet the licensure and code requirements in effect at the time of licensure, construction, change in ~~service or service~~, change in bed capacity, addition, modification, ~~renovation or alteration~~; renovation, or alteration. ~~however, in no case shall the requirements for any licensed home, where no addition or renovation has been made, be less than those requirements found in the 1971 "Minimum and Desired Standards and Regulations" for "Family Care Homes", copies of which are available at the Division of Health Service Regulation, 701 Barbour Drive, Raleigh, North Carolina 27603 at no cost;~~
- ~~(3)~~ ~~In no case shall the physical plant requirements for a licensed [home,] facility, where no addition or renovation has been made, be less than those physical plant requirements found in the 1971 "Minimum and Desired Standards and Regulations" for "Family Care Homes", Section III, C, [copies of which are available at no cost at the Division of Health Service Regulation, 1800 Umstead Drive, Raleigh, North Carolina 27603.] which are hereby incorporated by reference and are available on the Construction Section website at <https://info.ncdhhs.gov/dhsr/const/pastrules.html> at no cost.~~
- ~~(3) [(4)]~~ New additions, alterations, ~~modifications~~ modifications, and repairs shall meet the requirements of this ~~Section; Section.~~
- ~~(4)~~ Rules contained in this Section are ~~minimum requirements and are not intended to prohibit buildings, systems or operational conditions that exceed minimum requirements;~~
- ~~[(5)] [(4)]~~ Equivalency: Alternate methods, procedures, design criteria and functional variations from the physical plant requirements shall be approved by the Division when the home can effectively demonstrate to the Division's satisfaction, that the intent of the physical plant requirements are met and that the variation does not reduce the safety or operational effectiveness of the home; and The Division may grant an equivalency to allow alternate methods, procedures, design criteria, or functional variation from the requirements of this Rule and the rules contained in this Section. The equivalency may be granted by the Division when the owner or his appointed representative submits a written equivalency request to the Division that states the following:
 - (a) the rule citation and the rule requirement that will not be met because strict conformance with current requirements would be:
 - (i) impractical;

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- (ii) unable to be met due to extraordinary circumstances. For the purpose of this rule, “extraordinary circumstances” means situations that are unexpected and beyond the control of the facility; or
 - (iii) unable to be met due to new programs.
 - (b) the justification for the equivalency; and
 - (c) how the proposed equivalency meets the intent of the corresponding rule requirement.
- ~~[(6)](5) Where rules, codes or standards have any conflict, the most stringent requirement shall apply. In determining whether to grant an equivalency request, the Division shall consider whether the request will reduce the safety and operational effectiveness of the facility. The facility shall maintain a copy of the approved equivalency issued by the Division, and~~
- ~~[(7)](6) Where rules, codes or standards have any conflict, the more stringent requirement shall apply.~~

History Note: Authority G.S. 131D-2.16; 143B –165;

Eff. July 1, 2005–2005;

Readopted Eff. April 1, 2025.

10A NCAC 13G .0302 DESIGN AND CONSTRUCTION

- (a) ~~Any~~ A building licensed for the first time as a family care home, or a licensed family care home relicensed after the license is terminated for more than 60 days, shall meet the applicable requirements of the North Carolina State Building Code. All new construction, additions and renovations to existing buildings shall meet the requirements of the North Carolina State Building Code for One and Two Family Dwellings and Residential Care Facilities if applicable. All applicable volumes of The North Carolina State Building Codes, which is incorporated by reference, including all subsequent amendments, may be purchased from the Department of Insurance Engineering Division located at 322 Chapanoke Road, Suite 200, Raleigh, North Carolina 27603 at a cost of three hundred eighty dollars (\$380.00). Code: Residential Code in effect at the time of licensure or relicensure. Additionally, facilities requesting licensure or relicensure for four to six residents shall meet the North Carolina State Building Code: Building Code, Licensed Residential Care Facilities Section in effect at the time of licensure or relicensure. The North Carolina State Building Codes, which are hereby incorporated by reference, including all subsequent amendments and editions, may be purchased from the International Code Council online at <https://shop.iccsafe.org/> at a cost of eight hundred fifty-eight dollars (\$858.00) or accessed electronically free of charge at <https://codes.iccsafe.org/codes/north-carolina>.
- (b) New construction, additions, alterations, modifications, and renovations to buildings shall meet the requirements of the North Carolina State Building Code: Residential Code, and Licensed Residential Care Facilities, if applicable, Code, and the North Carolina State Building Code: Building Code, Licensed Residential Care Facilities Section [if applicable,] at the time of construction, alteration, modifications, and renovations.
- ~~(b) Each home shall be planned, constructed, equipped and maintained to provide the services offered in the home.~~
- (c) A family care home shall not offer services for which the facility was not planned, constructed, equipped, or maintained.
- ~~(e)(d) Any~~ An existing building converted from another use to a family care home shall meet all the requirements of a new facility. Paragraph (a) of this Rule.

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~~(d) Any existing licensed home when the license is terminated for more than 60 days shall meet all requirements of a new home prior to being relicensed.~~

(e) ~~Any~~ An existing licensed home facility that plans to have new construction, remodeling or physical changes done to the facility shall have drawings submitted by the owner or his appointed representative to the Division of Health Service Regulation for review and approval prior to commencement of the work to ensure compliance with the rules established in this Section.

(f) If the building is two stories in height, it shall meet the following requirements:

- (1) ~~Each each~~ floor shall be less than 2500 square feet in area if existing construction or, if new construction, shall not exceed the allowable area for Group R-4 occupancy in the North Carolina State Building Code; Codes;
- (2) ~~Aged elderly~~ or disabled persons are not to be housed on any floor above or below grade ~~level; level.~~ For the purpose of this rule, "elderly" persons mean any person who meets the term as defined in G.S. 131D-2.1. For the purpose of this rule, "disabled" persons mean any person who meets the term "person with a disability" as defined in G.S. 168A-3;
- (3) ~~Required required~~ resident facilities are not to be located on any floor above or below grade level; and
- (4) ~~A a~~ complete fire alarm ~~system with pull system~~ meeting the requirements of the National Fire Protection Association 72, NFPA 72: National Fire Alarm and Signaling Code, which is hereby incorporated by reference, including all subsequent amendments and editions. Copies of this code may be obtained from the National Fire Protection Association online at <http://www.nfpa.org/catalog/> or accessed electronically free of charge at <https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=72>. For the purpose of this Rule, a "complete fire alarm system" is a system that consists of components and circuits arranged to monitor and annunciate the status of fire alarm and supervisory signal-initiating devices and to initiate the appropriate response to those signals. Pull stations shall be installed on each floor at each exit, and sounding Sounding devices which that are audible throughout the building shall be ~~provided. provided on each floor.~~ The fire alarm system shall be able to transmit an automatic signal to the local emergency fire department dispatch ~~center, either directly or through a central station monitoring company connection.~~ center that is legally committed to serving the area in which the facility is located. The alarm shall be transmitted either directly to a fire department or through a third-party service that shall transmit the alarm to the fire department. The method used to transmit the alarm shall be in accordance with local ordinances.

(g) The basement and the attic shall not ~~to~~ be used for storage or sleeping.

(h) The ceiling height throughout the family care home shall be at least seven and one-half feet from the floor.

(i) In facilities licensed on or after April 1, 1984, all required resident areas shall be on the same floor level. Steps and ramps between levels are not permitted.

(j) The following shall have door width widths shall be a minimum of two feet and six ~~inches in the kitchen, dining room, living rooms, bedrooms and bathrooms.~~ inches:

- (1) the kitchen;
- (2) dining rooms;
- (3) living rooms;

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(4) bedrooms; and

(5) bathrooms.

(k) All windows that are designed to be operable shall be maintained operable.

(l) The local code enforcement official shall be consulted before starting any construction or renovations for information on required permits and construction requirements.

(m) The building shall meet sanitation requirements set forth in 15A NCAC 18A .1600, Rules Governing the Sanitation of Residential Care Facilities, which are hereby incorporated by reference, including subsequent amendments and editions. Copies of these rules may be accessed online free of charge at <https://www.oah.nc.gov/>.

(n) The facility shall maintain and have available for review current sanitation and fire and building safety inspection reports which shall be maintained in the home and available for review. reports.

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 1990; April 1, 1984; January 1, 1983;

Temporary Amendment Eff. September 1, 2003;

Amended Eff. July 1, 2005; June 1, ~~2004~~, 2004;

Readopted Eff. April 1, 2025.

10A NCAC 13G .0305 LIVING ROOM

(a) Family care homes licensed on or after April 1, 1984 shall have a living room ~~or area of at least a minimum of 200 square feet. For the purposes of this Rule, a “living room” is a space enclosed by walls used for social activities, such as reading, talking or watching television. For the purpose of this Rule, a “living area” is a space within the facility that may be opened to adjacent spaces and is designated to be used for social activities, such as reading, talking or watching television.~~

(b) All living rooms or areas shall have at least one operable windows window to meet meeting the North Carolina State Building Code Code: Residential Code to view outdoors, and be lighted to provide 30 ~~foot-candles~~ foot-candles of light at floor level.

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;

Recodified from 10A NCAC 13G .0304 Eff. July 1, 2005;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, ~~2019~~, 2019;

Amended Eff. April 1, 2025.

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10A NCAC 13G .0306 ~~DINING ROOM~~ DINING ROOM OR DINING AREA

(a) Family care homes licensed on or after April 1, 1984 shall have a dining room or dining area of at least a minimum of 120 square feet. For the purpose of this Rule, a “dining room” is a space enclosed by walls used for eating meals. For the purpose of this Rule, a “dining area” is a space within the facility that may be opened to adjacent spaces and is designated to be used for eating meals. The dining room or dining area may be used for other activities during the day.

(b) When the dining area is ~~used in combination~~ combined with a kitchen to form an eat-in kitchen, an area five feet wide in front of sinks, kitchen appliances, and any kitchen islands used for food preparation, shall be ~~allowed as work space for the kitchen. in front of the kitchen work areas.~~ The work space shall not be included as part of the square footage for the dining area.

(c) The dining room or dining area shall have at least one operable windows window meeting the North Carolina State Building Code: Residential Code to view the outdoors, or a door unit with a vision panel directly to the outside. The dining room or dining area shall and be lighted to provide 30 foot-candles-foot-candles of light at floor level.

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;

Recodified from 10A NCAC 13G .0305 Eff. July 1, ~~2005~~-2005;

Readopted Eff. April 1, 2025.

10A NCAC 13G .0307 KITCHEN

(a) The kitchen in a family care home shall ~~be large enough to provide~~ have space for the preparation and preservation of food and the washing of dishes.

(b) The cooking unit shall be mechanically ventilated to the ~~outside~~ outside. If the cooking unit is unvented, a recirculating fan shall be provided with any special filter per a filter required by manufacturers' instructions for ventless use.

(c) The kitchen ~~floor shall have a non-slippery water resistant covering.~~ shall have floors that are water-resistant and slip-resistant.

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Amended Eff. April 22, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; April 1, 1984;

Recodified from 10A NCAC 13G .0306 Eff. July 1, ~~2005~~-2005;

Readopted Eff. April 1, 2025.

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10A NCAC 13G .0308 BEDROOMS

(a) There shall be bedrooms ~~sufficient~~ in number and size to meet the individual needs according to age and sex of the residents, the administrator or supervisor-in-charge, other live-in ~~staff~~ staff, and ~~any~~ other persons living in a family care home. Residents ~~are~~ shall not ~~to~~ share bedrooms with staff or other live-in non-residents.

(b) Only rooms authorized by the Division of Health Service Regulation as bedrooms shall be used for bedrooms.

(c) A room where access is through a bathroom, ~~kitchen~~ kitchen, or another bedroom shall not be approved for a resident's bedroom.

~~(d) There shall be a minimum area of 100 square feet, excluding vestibule, closet or wardrobe space, in rooms occupied by one person and a minimum area of 80 square feet per bed, excluding vestibule, closet or wardrobe space, in rooms occupied by two persons. Private resident bedrooms shall provide not less than 100 square feet of occupiable floor area, excluding accessory areas such as vestibules, closets, wardrobes, or bathrooms. For the purpose of this rule, a "private resident bedroom" is a resident bedroom occupied by one resident.~~

~~(e)~~ (e) Semi-private resident bedrooms shall provide not less than 80 square feet of occupiable floor area per bed, excluding accessory areas such as vestibules, closets, wardrobes, or bathrooms. For the purpose of this rule, a "semi-private resident bedroom" is a resident bedroom occupied by two residents.

~~(f)~~ (f) The total number of residents assigned to a bedroom shall not exceed the number authorized by the Division of Health Service Regulation for that particular bedroom.

~~(g)~~ (g) A bedroom shall not be occupied by more than two residents.

~~(h)~~ (h) Each A resident bedroom ~~must~~ shall have one or more operable windows meeting the requirements of the North Carolina State Building Code: Residential Code for emergency egress, and be lighted to provide 30 ~~foot-candles~~ foot-candles of light at floor level. The window area shall ~~be equivalent to at least~~ not be less than eight percent of the floor ~~space~~ space, and be equipped with insect-proof screens. ~~The windows~~ Windows in resident bedrooms shall have a maximum of 44 inch sill height.

~~(i)~~ (i) ~~Bedroom closets or wardrobes shall be large enough to provide each resident with a minimum of 48 cubic feet of clothing storage space (approximately two feet deep by three feet wide by eight feet high) of which at least one half shall be for hanging clothes with an adjustable height hanging bar. A resident bedroom shall provide one closet or wardrobe per resident. Closets or wardrobes shall have clothing storage space of not less than 48 cubic feet per bed, approximately two feet deep by three feet wide by eight feet high, of which one-half of this space shall be for hanging with an adjustable height hanging bar.~~

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;

Recodified from 10A NCAC 13G .0307 Eff. July 1, 2005;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019-2019;

Amended Eff. April 1, 2025.

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10A NCAC 13G .0309 BATHROOM

- (a) ~~Adult~~ Family care homes licensed on or after April 1, 1984, shall have one full bathroom for ~~each~~ five or fewer ~~persons~~ persons, including live-in ~~staff and family~~ staff. For the purpose of this rule, a "full bathroom" is a room containing a sink, ~~water closet (commode)~~ toilet, and a bathtub, shower, spa tub, or similar bathing fixture.
- (b) ~~The bathrooms shall be designed to provide privacy. A bathroom~~ Bathrooms with two or more ~~water closets (commodes)~~ toilets shall have privacy partitions or curtains for each ~~water closet~~ toilet. ~~Each tub or shower~~ Bathtubs, showers, spas, or similar bathing fixtures shall have privacy partitions or curtains. Notwithstanding the requirements of Rule .0301, the requirements of this Paragraph shall apply to new and existing facilities.
- (c) ~~Entrance~~ Entrances to the ~~bathroom~~ bathrooms shall not be through a kitchen, another person's bedroom, or another bathroom.
- (d) ~~The required~~ residents' bathrooms shall be located so that there is no more than 40 feet from ~~any residents'~~ a resident's bedroom door to a resident use bathroom door.
- (e) ~~Hand grips shall be installed at all commodes, tubs and showers used by the residents. Water closets (commodes)~~ Toilets, bathtubs, showers, spas, and similar bathing fixtures shall have hand grips meeting the following requirements:
- (1) be mechanically fastened or anchored to the walls;
 - (2) be located to help residents in entering and exiting bathtubs, showers, spas, or similar bathing fixtures; and
 - (3) be on the wall adjacent to ~~water closets (commodes); toilets.~~
- (f) Nonskid surfacing or strips must be installed in ~~showers and bath areas;~~ bathtubs, showers, spas, and similar bathing fixtures.
- (g) ~~The bathrooms~~ Bathrooms shall meet the following requirements:
- (1) be lighted to provide 30 ~~foot-candles~~ foot-candles of light at floor level ~~and have level;~~
 - (2) have ~~mechanical ventilation at the rate of two cubic feet per minute for each square foot of floor area. an exhaust system per the North Carolina State Building Code: Residential Code. These Exhaust~~ vents shall vent directly to the ~~outdoors;~~ outdoors; and
 - (3) have floors that are water-resistant and slip-resistant.
- (h) ~~The bathroom floor shall have a non-slippery water-resistant covering.~~

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;

Recodified from 10A NCAC 13G .0308 Eff. July 1, 2005-2005;

Readopted Eff. April 1, 2025.

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ADULT CARE LICENSURE SECTION

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10A NCAC 13G .0312 OUTSIDE ENTRANCE AND EXITS

- (a) In family care homes, ~~all~~ floor levels shall have at least two exits. ~~If there are only two, the exit or exit access doors shall be so located and constructed to minimize the possibility that both may be blocked by any one fire or other emergency condition. outside entrances/exits that are so located and constructed to minimize the possibility that both outside entrances/exits from the facility may be blocked by a fire or other emergency condition. Exiting through another resident's bedroom is not permitted.~~
- (b) At least one outside entrance/exit door shall be a minimum width of three feet and another shall be a minimum width of two feet and eight inches.
- (c) At least one principal outside entrance/exit for the residents' use shall be at grade level or accessible by ramp with a one inch rise for each 12 inches of length of the ramp. For the purposes of this Rule, a principal outside entrance/exit is one that is most often used by residents for vehicular access. If the facility has ~~any~~ a resident that must have physical assistance with evacuation, the facility shall have two outside entrances/exits at grade level or accessible by a ramp.
- (d) All ~~exit~~ outside entrance/exit door locks shall be ~~easily operable,~~ operable by a single hand ~~motion,~~ motion from the inside at all times without ~~keys.~~ keys, tools, or special knowledge. Existing ~~deadbolts or~~ deadbolts and turn buttons on the inside of ~~exit doors~~ outside entrances/exit doors, including screen and storm doors, shall be removed or disabled.
- (e) All outside entrances/exits shall be free of all obstructions or impediments to allow for full instant use in case of fire or other emergency.
- (f) All ~~steps,~~ steps, porches, ~~stoops~~ stoops, and ramps shall ~~be provided with~~ have handrails and ~~guardrails,~~ guards. Handrails shall be on both sides of steps and ramps, including sides bordered by the facility wall. Handrails shall extend the full length of steps and ramps. Guards shall be on open sides of steps, porches, stoops, and ramps. For the purposes of this Rule, "guards" are rails or barriers located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from a walking surface to an adjacent change in elevation.
- (g) In facilities with at least one resident who is determined by a physician or is otherwise ~~known~~ observed by staff to be ~~disoriented or a wanderer,~~ each exit door for resident use disoriented or exhibiting wandering behavior, all outside entrance/exit doors shall ~~be equipped with~~ have a continuously sounding device that is activated when the door is opened. The sound shall be ~~of sufficient volume that it can be heard by staff~~ audible throughout the facility. If a central system of remote sounding devices is provided, the control panel for the system shall be powered by the facility's electrical system, and be located in the bedroom of the person on call, the office area or in a location an area accessible only to staff authorized by the administrator to operate the control panel. to staff. Notwithstanding the requirements of Rule .0301, the requirements of this Paragraph shall apply to new and existing facilities.

History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; April 1, 1987; July 1, 1984; April 1, 1984;
Recodified from 10A NCAC 13G .0311 Eff. July 1, ~~2005-~~ 2005;
Readopted Eff. April 1, 2025.

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10A NCAC 13G .0313 LAUNDRY ROOM

~~The laundry equipment in a family care home shall be located out of the living, dining, and bedroom areas.~~

- (a) Laundry equipment shall be inside family care homes. For the purpose of this Rule, “laundry equipment” means at least one residential washing machine and at least one residential dryer.
- (b) Laundry equipment shall be in a dedicated room or enclosure, and shall be located out of living rooms, dining rooms, dining areas, bathrooms, and bedrooms.
- (c) Laundry equipment shall be on the same floor level as required residents’ facilities.
- (d) Laundry equipment shall be accessible to all residents, and shall be maintained operable.

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 2005; April 1, 1984;

Recodified from 10A NCAC 13G .0312 Eff. July 1, 2005;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, ~~2019~~. 2019;

Amended Eff. April 1, 2025.

10A NCAC 13G .0315 HOUSEKEEPING AND FURNISHINGS

(a) ~~Each~~ A family care home shall:

- (1) have walls, ceilings, and floors or floor coverings ~~kept clean and in good repair;~~ that are clean, safe, and functional;
- (2) have no ~~chronic unpleasant odors;~~ persistent and recurring odors that are considered by the residents to be unpleasant;
- (3) have furniture ~~clean and in good repair;~~ that is clean, safe, and functional.
- (4) have a North Carolina ~~Division of Environmental Health~~ Department of Health and Human Services, Division of Public Health, Environmental Health Section approved sanitation classification at all ~~times;~~ times, pursuant to the “Rules Governing the Sanitation of Residential Care Facilities”, 15A NCAC 18A .1600, which is incorporated by reference including all subsequent amendments and can be accessed electronically free of charge at <http://ehs.dph.ncddhs.gov/rules.htm>;
- (5) be maintained in an uncluttered, ~~clean~~ clean, and orderly manner, free of all obstructions and hazards;
- (6) have a supply available in the facility at all times of bath soap, clean towels, washcloths, sheets, pillowcases, blankets, and additional ~~coverings~~ adequate covers such as a bedspread, comforter, or quilt for each resident to use on hand at all times; use;
- (7) make available the following items as needed ~~through any means other than~~ at no additional charge to the personal funds of recipients of State-County Special Assistance:
 - (A) protective ~~sheets~~ mattress covers, and clean, absorbent, ~~soft~~ soft, and smooth mattress pads;
 - (B) ~~bedpans, urinals, hot water bottles, and ice caps;~~ bedpans and urinals; and
 - (C) bedside commodes, walkers, and wheelchairs.

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- (8) have one television and one radio ~~radio, each~~ in good working order;
 - (9) have curtains, ~~draperies~~ draperies, or blinds at windows in resident use areas to provide for resident privacy;
 - (10) have recreational equipment, supplies for games, books, ~~magazines~~ magazines, and a ~~current~~ weekly newspaper available for residents;
 - (11) have a clock that has numbers at least 1½ inches tall in ~~an area commonly used by the residents;~~ the living [room] room, the dining room, or dining area; and
 - (12) have at least one telephone that does not ~~depend on~~ require electricity or cellular service to operate.
- (b) Each bedroom shall have the following furnishings in good repair and clean for each resident:
- (1) A bed equipped with a box springs spring and mattress or a bed frame with solid link springs ~~and~~ with a foam mattress or a mattress designed to prevent sagging. no sag innerspring or foam mattress. ~~A hospital~~ Hospital bed ~~appropriately~~ equipped with all accessories required for use shall be arranged for as needed. A water bed is allowed if requested by a resident and permitted by the ~~home.~~ facility. Each bed is to have the following:
 - (A) at least one pillow with a clean pillow case;
 - (B) a clean top and bottom ~~sheets~~ sheet on the bed, with bed changed ~~as often as necessary but~~ at least once a week; and week and when soiled; and
 - (C) a clean bedspread and other clean coverings as needed.
 - (2) a bedside type table;
 - (3) chest of drawers or bureau when not provided as built-ins, or a double chest of drawers or double dresser for two residents;
 - (4) a wall or dresser mirror that ~~can~~ may be used by each ~~resident;~~ resident in each bedroom;
 - (5) a minimum of one ~~comfortable chair (rocker or straight, arm or without arms, as preferred by resident), high enough from floor for easy rising;~~ chair that is comfortable as preferred by the resident, which may include a rocking or straight chair, with or without arms, that is high enough for the resident to easily rise without discomfort;
 - (6) additional chairs available, as needed, for use by visitors;
 - (7) individual clean towel, wash cloth, and towel bar within bedroom or adjoining bathroom; and
 - (8) a light overhead of bed with a switch ~~within reach of~~ that may be reached by a person lying on the bed; or a lamp.
The light shall provide a minimum of 30 foot-candle power of illumination for reading.
- (c) The living room shall have ~~functional~~ living room furnishings for the comfort of aged and disabled persons, that are in good working order and provide comfort as preferred by residents with coverings that are easily cleanable.
- (d) The dining room shall have the following furnishings:
- (1) tables and chairs to seat all residents eating in the dining room; and
 - (2) chairs that are sturdy, non-folding, without rollers unless retractable or on front legs only, and designed to minimize tilting.
- (e) Notwithstanding the requirements of Rule .0301, this Rule shall apply to new and existing ~~homes.~~ facilities.

History Note: Authority G.S. 131D-2.16; 143B-165;

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Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

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Recodified from 10A NCAC 13G .0314 Eff. July 1, ~~2005~~ 2005;

Readopted Eff. April 1, 2025.

10A NCAC 13G .0317 BUILDING SERVICE EQUIPMENT

(a) The building and all fire safety, electrical, mechanical, and plumbing equipment in a family care home shall be maintained in a safe and operating condition.

(b) ~~There shall be a central heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions.~~ Built-in electric heaters, if used, shall be installed or protected so as to avoid burn hazards to residents and room furnishings. Unvented fuel burning room heaters and portable electric heaters are prohibited.

(c) ~~Air conditioning or at least one fan per resident bedroom and living room and dining areas shall be provided when the temperature in the main center corridor exceeds 80 degrees F (26.7 degrees C).~~ The facility shall have heating and cooling systems such that environmental temperature controls are capable of maintaining temperatures in the home at 75 degrees F minimum in the heating season, and not exceed 80 degrees F during the non-heating season.

(d) ~~The hot Hot water tank shall be of such size to provide an adequate supply of hot water supplied to the kitchen, bathrooms, and laundry. The hot water temperature at all fixtures used by residents shall be maintained at maintain a minimum of 100 degrees F (38 degrees C) and shall not exceed 116 degrees F (46.7 degrees C).~~ degrees F at all fixtures used by or accessible to residents. Notwithstanding the requirements of Rule .0301, the requirements of this Paragraph shall apply to new and existing facilities.

(e) All resident areas shall be well lighted for the safety and comfort of the residents. The minimum lighting required is:

- (1) ~~30 foot candle power~~ foot-candles for reading; reading; and
- (2) ~~10 foot candle power~~ foot-candles for general lighting; and lighting.
- (3) ~~1 foot candle power at the floor for corridors at night.~~

(f) ~~Where the bedroom of the live-in staff is located in a separate area from residents' bedrooms, an electrically operated call system shall be provided connecting each resident bedroom to the live-in staff bedroom. The resident call system activator shall be such that it can be activated with a single action and remain on until deactivated by staff. The call system activator shall be within reach of resident lying on his bed.~~

Where there is live-in staff in a family care home, a hard-wired, electrically operated call system meeting the following requirements shall be provided:

- (1) the call system shall connect residents' bedrooms to the live-in staff bedroom;
- (2) when activated, the resident call shall activate a visual and audible signal in the live-in staff bedroom;
- (3) a resident call system activator shall be in residents' bedrooms at the resident's bed;
- (4) the resident call system activator shall be within reach of a resident lying on the bed; and

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(5) the resident call system activator shall be such that it can be activated with a single action and remain on until deactivated by staff at point of origin.

(g) Fireplaces, fireplace ~~inserts~~ inserts, and wood stoves shall be designed ~~or~~ and installed so as to avoid a burn hazard to residents. Fireplace inserts and wood stoves must be U.L. listed.

(h) Gas logs may be installed if they are of the vented type, installed according to the manufacturers' installation instructions, approved through the local building ~~department~~ department, and protected by a guard or screen to prevent residents and furnishings from burns.

~~(i) Alternate methods, procedures, design criteria and functional variations from the requirements of this Rule or other rules in this Section because of extraordinary circumstances, new programs or unusual conditions, shall be approved by the Division when the facility can effectively demonstrate to the Division's satisfaction that the intent of the requirements are met and that the variation does not reduce the safety or operational effectiveness of the facility.~~

~~(j) This Rule shall apply to new and existing family care homes.~~

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. April 1, 1987; April 1, 1984; July 1, 1982;

Temporary Amendment Eff. December 1, 1999;

Amended Eff. July 1, 2005; July 1, 2000;

Recodified from 10A NCAC 13G .0316 Eff. July 1, ~~2005~~-2005;

Readopted Eff. April 1, 2025.

10A NCAC 13G .0318 OUTSIDE PREMISES

(a) The outside grounds of new and existing family care homes shall be maintained in a clean and safe condition. For the purpose of this rule, "clean and safe condition" means free from debris, trash, uneven surfaces, and similar conditions as not to attract rodents and vermin, and provide for safe movement throughout facility grounds. Creeks, ditches, ponds, pools, and other similar areas shall have safety protection. For the purpose of this rule, "safety protection" means preventive measures, such as barriers, to block access to such areas.

(b) If the ~~home~~ facility has a fence around the premises, the fence shall not prevent residents from exiting or entering ~~freely~~ freely, or ~~be hazardous~~ have sharp edges, rusting posts, or other similar conditions that may cause injury.

(c) Outdoor stairways and ramps shall be illuminated by no less than five ~~foot-candles~~ foot-candles of light at grade level.

(d) Notwithstanding the requirements of Rule .0301, the requirements of Paragraphs (a) and (b) shall apply to new and existing facilities.

History Note: Authority G.S. 131D-2.16; 143B-165;

Eff. April 1, 1984;

Amended Eff. July 1, 2005; July 1, 1990;

Recodified from 10A NCAC 13G .0317 Eff. July 1, ~~2005~~-2005;

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Readopted Eff. April 1, 2025.

10A NCAC 13G .0206 CAPACITY

- (a) Pursuant to G.S. 131D-2.1(9), family care homes shall have a capacity of two to six residents. For the purposes of this Rule, "capacity" means the maximum number of residents permitted to live in a licensed family care home in accordance with the North Carolina Building Code and the evacuation capability of each resident.
- (b) The total number of residents shall not exceed the number shown on the license. The license shall indicate the facility's capacity for ambulatory and non-ambulatory individuals permitted to live in the facility. For the purposes of this Rule, "ambulatory" means the individual is able to respond and evacuate from the facility without verbal or physical assistance from others in the event of an emergency. "Non-ambulatory" means the individual is not able to respond and evacuate from the facility without verbal or physical assistance from others in the event of an emergency.
- (c) A request for an increase in capacity by adding rooms, remodeling, or without building modifications shall be made to the county department of social services and submitted to the Division of Health Service Regulation Construction Section and shall include two copies of blueprints or floor plans. One plan shall show the existing building with the current use of rooms, and the second plan showing the addition, remodeling, or change in use of spaces, and showing the use of every room. If new construction, the second plan shall show how the addition will be tied into the existing building and all proposed changes in the structure.
- (d) When licensed facilities increase their designed capacity by the addition to or remodeling of the existing physical plant, the entire facility shall meet all current fire safety regulations required by city ordinances or county building inspectors.
- (e) The licensee or the licensee's designee shall notify the Division of Health Service Regulation Adult Care Licensure Section if the evacuation capabilities of the residents changes and the facility no longer complies with the facility's licensed capacity as listed on the facility's license, or of the addition of any non-resident who will be living within the facility.
- (f) If there is a temporary change in the capacity of the facility due to a resident's short term illness or condition that renders the resident temporarily non-ambulatory, such as end of life condition, the licensee or the licensee's designee shall immediately notify the Division of Health Service Regulation Construction Section upon the knowledge of the change in the resident's ambulatory status.

*History Note: Authority G.S. 131D-2.4; 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984; January 1, 1983;
Readopted Eff. April 1, 2025.*

10A NCAC 13G .0301 APPLICATION OF PHYSICAL PLANT REQUIREMENTS

A family care home shall meet the following physical plant requirements:

- (1) New construction and existing buildings proposed for use as a Family Care Home shall comply with the requirements of this Section.
- (2) Except where otherwise specified, existing licensed facilities or portions of existing licensed facilities shall meet the licensure and code requirements in effect at the time of licensure, construction, change in service, change in bed capacity, addition, modification, renovation, or alteration.
- (3) New additions, alterations, modifications, and repairs shall meet the requirements of this Section.
- (4) The Division may grant an equivalency to allow alternate methods, procedures, design criteria, or functional variation from the requirements of this Rule and the rules contained in this Section. The equivalency may be granted by the Division when the owner or his appointed representative submits a written equivalency request to the Division that states the following:
 - (a) the rule citation and the rule requirement that will not be met because strict conformance with current requirements would be:
 - (i) impractical;
 - (ii) unable to be met due to extraordinary circumstances. For the purpose of this Rule, "extraordinary circumstances" means situations that are unexpected and beyond the control of the facility; or
 - (iii) unable to be met due to new programs.
 - (b) the justification for the equivalency; and
 - (c) how the proposed equivalency meets the intent of the corresponding rule requirement.

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- (5) In determining whether to grant an equivalency request, the Division shall consider whether the request will reduce the safety and operational effectiveness of the facility. The facility shall maintain a copy of the approved equivalency issued by the Division.
- (6) Where rules, codes or standards have any conflict, the more stringent requirement shall apply.

*History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. July 1, 2005;
Readopted Eff. April 1, 2025.*

10A NCAC 13G .0302 DESIGN AND CONSTRUCTION

(a) A building licensed for the first time as a family care home, or a licensed family care home relicensed after the license is terminated for more than 60 days, shall meet the requirements of the North Carolina State Building Code: Residential Code in effect at the time of licensure or relicensure. Additionally, facilities requesting licensure or relicensure for four to six residents shall meet the North Carolina State Building Code: Building Code, Licensed Residential Care Facilities Section in effect at the time of licensure or relicensure. The North Carolina State Building Codes, which are hereby incorporated by reference, including all subsequent amendments and editions, may be purchased from the International Code Council online at <https://shop.iccsafe.org/> at a cost of eight hundred fifty-eight dollars (\$858.00) or accessed electronically free of charge at <https://codes.iccsafe.org/codes/north-carolina>.

(b) New construction, additions, alterations, modifications, and renovations to buildings shall meet the requirements of the North Carolina State Building Code: Residential Code, and the North Carolina State Building Code: Building Code, Licensed Residential Care Facilities Section at the time of construction, alteration, modifications, and renovations.

(c) A family care home shall not offer services for which the facility was not planned, constructed, equipped, or maintained.

(d) An existing building converted from another use to a family care home shall meet all the requirements of Paragraph (a) of this Rule.

(e) An existing licensed facility that plans to have new construction, remodeling or physical changes done to the facility shall have drawings submitted by the owner or his appointed representative to the Division of Health Service Regulation for review and approval prior to commencement of the work to ensure compliance with the rules established in this Section.

(f) If the building is two stories in height, it shall meet the following requirements:

- (1) each floor shall be less than 2500 square feet in area if existing construction or, if new construction, shall not exceed the allowable area for Group R-4 occupancy in the North Carolina State Building Codes;
- (2) elderly or disabled persons are not to be housed on any floor above or below grade level. For the purpose of this rule, "elderly" persons mean any person who meets the term as defined in G.S. 131D-2.1. For the purpose of this rule, "disabled" persons mean any person who meets the term "person with a disability" as defined in G.S. 168A-3;
- (3) required resident facilities are not to be located on any floor above or below grade level; and
- (4) a complete fire alarm system meeting the requirements of the National Fire Protection Association 72, NFPA 72: National Fire Alarm and Signaling Code, which is hereby incorporated by reference, including all subsequent amendments and editions. Copies of this code may be obtained from the National Fire Protection Association online at <http://www.nfpa.org/catalog/> or accessed electronically free of charge at <https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=72>. For the purpose of this Rule, a "complete fire alarm system" is a system that consists of components and circuits arranged to monitor and annunciate the status of fire alarm and supervisory signal-initiating devices and to initiate the appropriate response to those signals. Pull stations shall be installed on each floor at each exit. Sounding devices that are audible throughout the building shall be provided on each floor. The fire alarm system shall be able to transmit an automatic signal to the local emergency fire department dispatch center that is legally committed to serving the area in which the facility is located. The alarm shall be transmitted either directly to a fire department or through a third-party service that shall transmit the alarm to the fire department. The method used to transmit the alarm shall be in accordance with local ordinances.

(g) The basement and the attic shall not be used for storage or sleeping.

(h) The ceiling height throughout the family care home shall be at least seven and one-half feet from the floor.

(i) In facilities licensed on or after April 1, 1984, all required resident areas shall be on the same floor level. Steps and ramps between levels are not permitted.

(j) The following shall have door widths a minimum of two feet and six inches:

- (1) the kitchen;
- (2) dining rooms;

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- (3) living rooms;
- (4) bedrooms; and
- (5) bathrooms.

(k) All windows that are designed to be operable shall be maintained operable.

(l) The local code enforcement official shall be consulted before starting any construction or renovations for information on required permits and construction requirements.

(m) The building shall meet sanitation requirements set forth in 15A NCAC 18A .1600, Rules Governing the Sanitation of Residential Care Facilities, which are hereby incorporated by reference, including subsequent amendments and editions. Copies of these Rules may be accessed online free of charge at <https://www.oah.nc.gov/>.

(n) The facility shall maintain and have available for review current sanitation and fire safety inspection reports.

History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1984; January 1, 1983;
Temporary Amendment Eff. September 1, 2003;
Amended Eff. July 1, 2005; June 1, 2004;
Readopted Eff. April 1, 2025.

10A NCAC 13G .0305 LIVING ROOM

(a) Family care homes licensed on or after April 1, 1984 shall have a living room or area a minimum of 200 square feet. For the purposes of this Rule, a "living room" is a space enclosed by walls used for social activities, such as reading, talking or watching television. For the purpose of this Rule, a "living area" is a space within the facility that may be opened to adjacent spaces and is designated to be used for social activities, such as reading, talking or watching television.

(b) All living rooms or areas shall have at least one operable window meeting the North Carolina State Building Code: Residential Code to view outdoors, and be lighted to provide 30 foot-candles of light at floor level.

History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;
Recodified from 10A NCAC 13G .0304 Eff. July 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019;
Amended Eff. April 1, 2025.

10A NCAC 13G .0306 DINING ROOM OR DINING AREA

(a) Family care homes licensed on or after April 1, 1984 shall have a dining room or dining area a minimum of 120 square feet. For the purpose of this Rule, a "dining room" is a space enclosed by walls used for eating meals. For the purpose of this Rule, a "dining area" is a space within the facility that may be opened to adjacent spaces and is designated to be used for eating meals. The dining room or dining area may be used for other activities during the day.

(b) When the dining area is combined with a kitchen to form an eat-in kitchen, an area five feet wide in front of sinks, kitchen appliances, and any kitchen islands used for food preparation, shall be work space for the kitchen. The work space shall not be included as part of the square footage for the dining area.

(c) The dining room or dining area shall have at least one operable window meeting the North Carolina State Building Code: Residential Code to view the outdoors, or a door unit with a vision panel directly to the outside. The dining room or dining area shall be lighted to provide 30 foot-candles of light at floor level.

History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;

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*Recodified from 10A NCAC 13G .0305 Eff. July 1, 2005;
Readopted Eff. April 1, 2025.*

10A NCAC 13G .0307 KITCHEN

- (a) The kitchen in a family care home shall have space for the preparation and preservation of food and the washing of dishes.
- (b) The cooking unit shall be mechanically ventilated to the outside. If the cooking unit is unvented, a recirculating fan shall be provided with a filter required by manufacturers' instructions for ventless use.
- (c) The kitchen shall have floors that are water-resistant and slip-resistant.

*History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Amended Eff. April 22, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; April 1, 1984;
Recodified from 10A NCAC 13G .0306 Eff. July 1, 2005;
Readopted Eff. April 1, 2025.*

10A NCAC 13G .0308 BEDROOMS

- (a) There shall be bedrooms in number and size to meet the individual needs according to age and sex of the residents, the administrator or supervisor-in-charge, other live-in staff, and other persons living in a family care home. Residents shall not share bedrooms with staff or other live-in non-residents.
- (b) Only rooms authorized by the Division of Health Service Regulation as bedrooms shall be used for bedrooms.
- (c) A room where access is through a bathroom, kitchen, or another bedroom shall not be approved for a resident's bedroom.
- (d) Private resident bedrooms shall provide not less than 100 square feet of occupiable floor area, excluding accessory areas such as vestibules, closets, wardrobes, or bathrooms. For the purpose of this Rule, a "private resident bedroom" is a resident bedroom occupied by one resident.
- (e) Semi-private resident bedrooms shall provide not less than 80 square feet of occupiable floor area per bed, excluding accessory areas such as vestibules, closets, wardrobes, or bathrooms. For the purpose of this Rule, a "semi-private resident bedroom" is a resident bedroom occupied by two residents.
- (f) The total number of residents assigned to a bedroom shall not exceed the number authorized by the Division of Health Service Regulation for that particular bedroom.
- (g) A bedroom shall not be occupied by more than two residents.
- (h) A resident bedroom shall have one or more operable windows meeting the requirements of the North Carolina State Building Code: Residential Code for emergency egress, and be lighted to provide 30 foot-candles of light at floor level. The window area shall not be less than eight percent of the floor space, and be equipped with insect-proof screens. Windows in resident bedrooms shall have a maximum of 44 inch sill height.
- (i) A resident bedroom shall provide one closet or wardrobe per resident. Closets or wardrobes shall have clothing storage space of not less than 48 cubic feet per bed, approximately two feet deep by three feet wide by eight feet high, of which one-half of this space shall be for hanging with an adjustable height hanging bar.

*History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;
Recodified from 10A NCAC 13G .0307 Eff. July 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019;
Amended Eff. April 1, 2025.*

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ADULT CARE LICENSURE SECTION

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10A NCAC 13G .0309 BATHROOM

- (a) Family care homes licensed on or after April 1, 1984, shall have one full bathroom for five or fewer persons, including live-in staff. For the purpose of this Rule, a "full bathroom" is a room containing a sink, toilet, and a bathtub, shower, spa tub, or similar bathing fixture.
- (b) Bathrooms with two or more toilets shall have privacy partitions or curtains for each toilet. Bathtubs, showers, spas, or similar bathing fixtures shall have privacy partitions or curtains. Notwithstanding the requirements of Rule .0301 of this Section, the requirements of this Paragraph shall apply to new and existing facilities.
- (c) Entrances to bathrooms shall not be through a kitchen, another person's bedroom, or another bathroom.
- (d) Residents' bathrooms shall be located so that there is no more than 40 feet from a resident's bedroom door to a resident use bathroom door.
- (e) Toilets, bathtubs, showers, spas, and similar bathing fixtures shall have hand grips meeting the following requirements:
- (1) be mechanically fastened or anchored to the walls;
 - (2) be located to help residents in entering and exiting bathtubs, showers, spas, or similar bathing fixtures; and
 - (3) be on the wall adjacent to toilets.
- (f) Nonskid surfacing or strips must be installed in bathtubs, showers, spas, and similar bathing fixtures.
- (g) Bathrooms shall meet the following requirements:
- (1) be lighted to provide 30 foot-candles of light at floor level;
 - (2) have an exhaust system per the North Carolina State Building Code: Residential Code. Exhaust vents shall vent directly to the outdoors; and
 - (3) have floors that are water-resistant and slip-resistant.

History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; July 1, 1990; April 1, 1984;
Recodified from 10A NCAC 13G .0308 Eff. July 1, 2005;
Readopted Eff. April 1, 2025.

10A NCAC 13G .0312 OUTSIDE ENTRANCE AND EXITS

- (a) In family care homes, floor levels shall have at least two outside entrances/exits that are so located and constructed to minimize the possibility that both outside entrances/exits from the facility may be blocked by a fire or other emergency condition. Exiting through another resident's bedroom is not permitted.
- (b) At least one outside entrance/exit door shall be a minimum width of three feet and another shall be a minimum width of two feet and eight inches.
- (c) At least one principal outside entrance/exit for the residents' use shall be at grade level or accessible by ramp with a one inch rise for each 12 inches of length of the ramp. For the purposes of this Rule, a principal outside entrance/exit is one that is most often used by residents for vehicular access. If the facility has a resident that must have physical assistance with evacuation, the facility shall have two outside entrances/exits at grade level or accessible by a ramp.
- (d) All outside entrance/exit door locks shall be operable by a single hand motion from the inside at all times without keys, tools, or special knowledge. Existing deadbolts and turn buttons on the inside of outside entrances/exit doors, including screen and storm doors, shall be removed or disabled.
- (e) All outside entrances/exits shall be free of all obstructions or impediments to allow for full instant use in case of fire or other emergency.
- (f) All steps, porches, stoops, and ramps shall have handrails and guards. Handrails shall be on both sides of steps and ramps, including sides bordered by the facility wall. Handrails shall extend the full length of steps and ramps. Guards shall be on open sides of steps, porches, stoops, and ramps. For the purposes of this Rule, "guards" are rails or barriers located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from a walking surface to an adjacent change in elevation.
- (g) In facilities with at least one resident who is determined by a physician or is otherwise observed by staff to be disoriented or exhibiting wandering behavior, all outside entrance/exit doors shall have a continuously sounding device that is activated when the door is opened. The sound shall be audible throughout the facility. If a central system of remote sounding devices is provided, the control panel for the system shall be powered by the facility's electrical system, and be located in an area accessible to staff. Notwithstanding the requirements of Rule .0301 of this Section, the requirements of this Paragraph shall apply to new and existing facilities.

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Recodified from 10A NCAC 13G .0311 Eff. July 1, 2005;
Readopted Eff. April 1, 2025.*

10A NCAC 13G .0313 LAUNDRY ROOM

- (a) Laundry equipment shall be inside family care homes. For the purpose of this Rule, "laundry equipment" means at least one residential washing machine and at least one residential dryer.
- (b) Laundry equipment shall be in a dedicated room or enclosure, and shall be located out of living rooms, dining rooms, dining areas, bathrooms, and bedrooms.
- (c) Laundry equipment shall be on the same floor level as required residents' facilities.
- (d) Laundry equipment shall be accessible to all residents, and shall be maintained operable.

*History Note: Authority G.S. 131D-2.16; 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 2005; April 1, 1984;
Recodified from 10A NCAC 13G .0312 Eff. July 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019;
Amended Eff. April 1, 2025.*

10A NCAC 13G .0315 HOUSEKEEPING AND FURNISHINGS

- (a) A family care home shall:
 - (1) have walls, ceilings, and floors or floor coverings that are clean, safe, and functional;
 - (2) have no persistent and recurring odors that are considered by the residents to be unpleasant;
 - (3) have furniture that is clean, safe, and functional;
 - (4) have a North Carolina Department of Health and Human Services, Division of Public Health, Environmental Health Section approved sanitation classification at all times, pursuant to the "Rules Governing the Sanitation of Residential Care Facilities", 15A NCAC 18A .1600, which is incorporated by reference including all subsequent amendments and can be accessed electronically free of charge at <http://ehs.dph.ncddhs.gov/rules.htm>;
 - (5) be maintained in an uncluttered, clean, and orderly manner, free of all obstructions and hazards;
 - (6) have a supply available in the facility at all times of bath soap, clean towels, washcloths, sheets, pillowcases, blankets, and additional covers such as a bedspread, comforter, or quilt for each resident to use;
 - (7) make available the following items as needed at no additional charge to the personal funds of recipients of State-County Special Assistance:
 - (A) protective mattress covers, and clean, absorbent, soft, and smooth mattress pads;
 - (B) bedpans and urinals; and
 - (C) bedside commodes, walkers, and wheelchairs.
 - (8) have one television and one radio in good working order;
 - (9) have curtains, draperies, or blinds at windows in resident use areas to provide for resident privacy;
 - (10) have recreational equipment, supplies for games, books, magazines, and a weekly newspaper available for residents;
 - (11) have a clock that has numbers at least 1½ inches tall in the living room, the dining room, or dining area; and
 - (12) have at least one telephone that does not require electricity or cellular service to operate.
- (b) Each bedroom shall have the following furnishings in good repair and clean for each resident:
 - (1) A bed equipped with a box spring and mattress or a bed frame with solid link springs with a foam mattress or a mattress designed to prevent sagging. A hospital bed equipped with all accessories required for use shall be arranged for as needed. A water bed is allowed if requested by a resident and permitted by the facility. Each bed is to have the following:
 - (A) at least one pillow with a clean pillow case;

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- (B) a clean top and bottom sheet on the bed, with bed changed at least once a week and when soiled; and
 - (C) a clean bedspread and other clean coverings as needed.
 - (2) a bedside type table;
 - (3) chest of drawers or bureau when not provided as built-ins, or a double chest of drawers or double dresser for two residents;
 - (4) a wall or dresser mirror that may be used by each resident in each bedroom;
 - (5) a minimum of one chair that is comfortable as preferred by the resident, which may include a rocking or straight chair, with or without arms, that is high enough for the resident to easily rise without discomfort;
 - (6) additional chairs available, as needed, for use by visitors;
 - (7) individual clean towel, wash cloth, and towel bar within bedroom or adjoining bathroom; and
 - (8) a light overhead of bed with a switch that may be reached by a person lying on the bed; or a lamp. The light shall provide a minimum of 30 foot-candle power of illumination for reading.
- (c) The living room shall have living room furnishings that are in good working order and provide comfort as preferred by residents with coverings that are easily cleanable.
- (d) The dining room shall have the following furnishings:
- (1) tables and chairs to seat all residents eating in the dining room; and
 - (2) chairs that are sturdy, non-folding, without rollers unless retractable or on front legs only, and designed to minimize tilting.
- (e) Notwithstanding the requirements of Rule .0301 of this Section, this Rule shall apply to new and existing facilities.

*History Note: Authority G.S. 131D-2.16; 143B-165;
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Amended Eff. July 1, 2005; September 1, 1987; April 1, 1987; April 1, 1984;
Recodified from 10A NCAC 13G .0314 Eff. July 1, 2005;
Readopted Eff. April 1, 2025.*

10A NCAC 13G .0317 BUILDING SERVICE EQUIPMENT

- (a) The building and all fire safety, electrical, mechanical, and plumbing equipment in a family care home shall be maintained in a safe and operating condition.
- (b) Built-in electric heaters, if used, shall be installed or protected so as to avoid burn hazards to residents and room furnishings. Unvented fuel burning room heaters and portable electric heaters are prohibited.
- (c) The facility shall have heating and cooling systems such that environmental temperature controls are capable of maintaining temperatures in the home at 75 degrees F minimum in the heating season, and not exceed 80 degrees F during the non-heating season.
- (d) Hot water shall be supplied to the kitchen, bathrooms, and laundry. The hot water temperature shall be maintained at a minimum of 100 degrees F and shall not exceed 116 degrees F at all fixtures used by or accessible to residents. Notwithstanding the requirements of Rule .0301 of this Section, the requirements of this Paragraph shall apply to new and existing facilities.
- (e) All resident areas shall be well lighted for the safety and comfort of the residents. The minimum lighting required is:
 - (1) 30 foot-candles for reading; and
 - (2) 10 foot-candles for general lighting.
- (f) Where there is live-in staff in a family care home, a hard-wired, electrically operated call system meeting the following requirements shall be provided:
 - (1) the call system shall connect residents' bedrooms to the live-in staff bedroom;
 - (2) when activated, the resident call shall activate a visual and audible signal in the live-in staff bedroom;
 - (3) a resident call system activator shall be in residents' bedrooms at the resident's bed;
 - (4) the resident call system activator shall be within reach of a resident lying on the bed; and
 - (5) the resident call system activator shall be such that it can be activated with a single action and remain on until deactivated by staff at point of origin.
- (g) Fireplaces, fireplace inserts, and wood stoves shall be designed and installed so as to avoid a burn hazard to residents. Fireplace inserts and wood stoves must be U.L. listed.
- (h) Gas logs may be installed if they are of the vented type, installed according to the manufacturers' installation instructions, approved through the local building department, and protected by a guard or screen to prevent residents and furnishings from burns.

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Amended Eff. April 1, 1987; April 1, 1984; July 1, 1982;
Temporary Amendment Eff. December 1, 1999;
Amended Eff. July 1, 2005; July 1, 2000;
Recodified from 10A NCAC 13G .0316 Eff. July 1, 2005;
Readopted Eff. April 1, 2025.

10A NCAC 13G .0318 OUTSIDE PREMISES

(a) The outside grounds of new and existing family care homes shall be maintained in a clean and safe condition. For the purpose of this Rule, "clean and safe condition" means free from debris, trash, uneven surfaces, and similar conditions as not to attract rodents and vermin, and provide for safe movement throughout facility grounds. Creeks, ditches, ponds, pools, and other similar areas shall have safety protection. For the purpose of this Rule, "safety protection" means preventive measures, such as barriers, to block access to such areas.

(b) If the facility has a fence around the premises, the fence shall not prevent residents from exiting or entering freely, or have sharp edges, rusting posts, or other similar conditions that may cause injury.

(c) Outdoor stairways and ramps shall be illuminated by no less than five foot-candles of light at grade level.

(d) Notwithstanding the requirements of Rule .0301 of this Section, the requirements of Paragraphs (a) and (b) of this Rule shall apply to new and existing facilities.

History Note: Authority G.S. 131D-2.16; 143B-165;
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