

**WAC 388-110-140 Assisted living services facility physical requirements.** (1) Licensed assisted living facilities with an assisted living services contract are required to:

(a) Meet the physical requirements that were in effect at the time of initial contracting; or

(b) If there is a break in contract, meet the requirements in effect at the time of the new contract.

(2) The contractor must ensure each resident has a private apartment-like unit. Each unit must have at least the following:

(a) A minimum area of two hundred twenty square feet. The minimum area may include counters, closets and built-ins, but must exclude the bathroom;

(b) A private bathroom. The private bathroom must be equipped with a sink, a toilet, and a shower or bathtub. At least one wheelchair accessible bathroom with a roll-in shower that is at least forty-eight inches by thirty-six inches must be provided for every two residents whose care is partially or fully funded through the assisted living contract;

(c) A lockable entry door;

(d) A kitchen area. The kitchen area must be equipped with:

(i) A refrigerator;

(ii) A microwave oven, range or cooktop;

(iii) A counter mounted kitchen sink, with inside dimensions of at least twenty-one inches by fifteen inches, and a minimum depth of seven inches;

(iv) A storage space for utensils and supplies; and [a]

(v) A work counter surface, with a minimum usable surface area of thirty inches in length by twenty-four inches deep, a maximum height of thirty-four inches, and having a clear knee space beneath at least twenty-seven inches in height and thirty inches in length; and

(e) A living area wired for telephone and, where available in the geographic location, wired for television service.

(3) Married couples may share an apartment-like unit under an assisted living contract if:

(a) Both residents understand they are each entitled to live in a separate private unit; and

(b) Both residents mutually request to share a single apartment-like unit.

(4) The contractor must provide a private accessible mailbox for each resident whose care is partially or fully funded through the assisted living contract.

(5) The contractor must provide homelike smoke-free common areas with sufficient space for socialization designed to meet resident needs. Common areas must be available for resident use at any time provided such use does not disturb the health or safety of other residents. The contractor must make access to outdoor areas available to all residents.

(6) The contractor must provide a space for residents to meet with family and friends outside the resident's living unit.

(7) The department may grant an exemption to the requirements of this section in accordance with WAC 388-78A-2820.

[Statutory Authority: Chapter 18.20 RCW. WSR 14-07-021, § 388-110-140, filed 3/7/14, effective 4/7/14. Statutory Authority: Chapters 74.39A and 18.20 RCW. WSR 09-19-042, § 388-110-140, filed 9/10/09, effective 10/11/09. Statutory Authority: RCW 74.39A.010, 74.39A.020, 74.39A.060, 74.39A.070, and chapter 74.39A RCW. WSR 04-16-063 and 04-18-001, §

388-110-140, filed 7/30/04 and 8/19/04, effective 9/19/04. Statutory Authority: RCW 74.39A.010, 74.39A.020, 74.39A.060, 74.39A.080, 74.39A.170, 18.88A.210-[18.88A.]240 and 70.129.040. WSR 96-11-045 (Order 3979), § 388-110-140, filed 5/8/96, effective 6/8/96.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.