

WAC 388-78A-2381 General design requirements for memory care.

(1) When planning for new construction, renovations or change of service to include memory care services, the facility must document design considerations appropriate to residents with dementia, mental health issues, or cognitive and developmental disabilities within its functional program consistent with WAC 388-78A-2380.

(2) The facility must provide common areas, including at least one resident accessible common area outdoors. Such common areas should accommodate and offer the opportunity of social interaction, stimulate activity, contain areas with activity supplies and props to encourage engagement, and have safe outdoor paths to encourage exercise and movement.

(a) These areas must have a residential atmosphere and must accommodate and offer opportunities for individual or group activity including:

(i) Giving residents opportunities for privacy, socialization, and common spaces that account for wandering behaviors;

(ii) Ensuring any public address system in the area of specialized dementia care services is used only for emergencies;

(iii) Encouraging residents' individualized spaces to be furnished and decorated with personal items based on resident needs and preferences; and

(iv) Ensuring residents have access to their own rooms at all times without staff assistance.

(b) Unless an alternative viewing area is provided as described in (c) of this subsection and written policies and procedures are created as described in (e) of this subsection, the facility must provide an outdoor area for residents that:

(i) Is located on the floor on which the resident resides;

(ii) Is designed with a minimum of twenty-five square feet of space per resident served;

(iii) Has areas protected from direct sunshine and rain throughout the day;

(iv) Has walking surfaces that are firm, slip-resistant and free from abrupt changes, and suitable for individuals using wheelchairs and walkers;

(v) Has outdoor furniture;

(vi) Has plants that are not poisonous or toxic to humans; and

(vii) Has areas appropriate for outdoor activities of interest to residents, such as walking paths, raised garden, flowerbeds, or bird feeders.

(c) If a facility does not provide an outdoor area located on the floor on which the resident resides in compliance with subsection (b)(i) of this subsection, then a facility must provide an alternative viewing area that:

(i) Is not obstructed by indoor furniture, storage areas, cleaning equipment, trash receptacles, snack food/drink tables, and other such encumbrances that would minimize access to the viewing area;

(ii) Must not serve as a hallway, or an additionally required community space such as a dining area, activity room, mobile health-care services (such as home health, podiatrist, and dental services), or other purposes;

(iii) Must be a community space, not within the residents' room; and

(iv) Has windows that have an unobstructed and viewable height accessible by wheelchair.

(d) The required outdoor area must be accessible to residents with minimal staff assistance in a manner consistent with the residents' individual negotiated service agreement, except where pursuant to a facility policy, and consistent with WAC 388-78A-2600, the facility administrator or other appropriate staff reasonably believe that the health or safety may be at risk, including, but not limited to, instances of:

- (i) Inclement weather;
- (ii) Dangerous construction or maintenance activities; or
- (iii) Other temporary environmental factors that create an unsafe environment.

(e) If a facility does not provide an outdoor area located on the floor on which the resident resides in compliance with subsection (b)(i) of this subsection, a facility must put in place and maintain a written policy and procedure that documents how the facility provides residents with access to an outdoor area on a floor other than the floor on which the resident resides. Upon request the facility shall present that plan to the department for review. Such a plan must include:

- (i) The location of the outdoor space;
- (ii) A description of any assistance necessary for the resident to reach the outdoor space at any time, and documented in the negotiated service agreement plan per WAC 388-78A-2140(2);

- (iii) The facility's plan for providing any necessary staff assistance described in (e)(ii) of this subsection;

- (iv) A plan to maintain safety and security to prevent wandering or exit seeking while the resident is using the outdoor space; and

- (f) Facilities licensed prior to date of implementation of this rule that have an outdoor area on each floor, may not eliminate the required outdoor space.

[Statutory Authority: Chapters 18.20 and 74.39A RCW. WSR 20-02-104, § 388-78A-2381, filed 12/31/19, effective 1/31/20.]