

WAC 388-78A-2851 Applicability requirements for physical plant.

(1) The purpose of physical environment requirements is to provide for a safe and effective resident care environment in the buildings or portions of buildings licensed as assisted living facilities and used to provide assisted living services. This section applies to new construction which includes:

- (a) New buildings to be licensed;
- (b) Conversion of an existing building or portion of an existing building;
- (c) Additions;
- (d) Alterations; and
- (e) Excludes buildings used exclusively for administration functions.

(2) Standards for design and construction:

(a) The physical environment requirements of this chapter that are in effect at the time the application and fee is submitted to construction review services, and the project number is assigned by construction review services, apply for the duration of the construction project;

(b) Newly licensed assisted living facilities and new construction in existing assisted living facilities must meet the requirements of all current state and local building and zoning codes and applicable sections of this chapter; and

(c) Where permitted by the state building code, in resident rooms, spaces, and areas, including sleeping, treatment, diagnosis, and therapeutic uses, the design and installation of an NFPA 72 private operating mode fire alarm shall be permitted.

(3) Existing licensed assisted living facilities must continue to meet the applicable codes in force at the time of construction, the fire code adopted by the Washington state building code council and the following sections:

- (a) WAC 388-78A-2700 Emergency and disaster preparedness;
- (b) WAC 388-78A-2880 Changing use of rooms;
- (c) WAC 388-78A-2950 Water supply;
- (d) WAC 388-78A-2960 Sewage and liquid waste disposal; and
- (e) WAC 388-78A-2970 Garbage and refuse disposal.

(4) Where applicable, existing facilities may choose to meet either the requirements of chapter 388-78A WAC in effect at the time a project number is assigned by construction review services consistent with subsection (2)(a) of this section or the following standards:

- (a) WAC 388-78A-2381 General design requirements for memory care;
- (b) WAC 388-78A-2880(3) Freedom of movement;
- (c) WAC 388-78A-2990(5) Heating and cooling—Temperature; and
- (d) WAC 388-78A-2920 Area for nursing supplies and equipment.

(5) The department may require a facility to meet requirements if building components or systems are deemed by the department to jeopardize the health or safety of residents.

(6) The assisted living facility must ensure that construction is completed in compliance with the final construction review services approved documents. Compliance with these standards and regulations does not relieve the assisted living facility of the need to comply with applicable state and local building and zoning codes.

[Statutory Authority: Chapters 18.20 and 74.39A RCW. WSR 20-03-122 and WSR 20-02-104, § 388-78A-2851, filed 1/17/20 and 12/31/19, effective 2/17/20 and 1/31/20.]