

## INSPECTIONS AND APPEALS DEPARTMENT[481]

### Notice of Intended Action

#### **Proposing rule making related to minimum physical standards for residential care facilities and providing an opportunity for public comment**

The Inspections and Appeals Department hereby proposes to rescind Chapter 60, “Minimum Physical Standards for Residential Care Facilities,” Iowa Administrative Code, and to adopt a new Chapter 60 with the same title.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 10A.104 and 135C.2.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 10A.104, 17A.7 and 135C.2.

#### *Purpose and Summary*

The Department completed a comprehensive review of Chapter 60 in accordance with the requirement in Iowa Code section 17A.7(2). This proposed rule making rescinds and adopts a new Chapter 60, which incorporates by reference generally accepted design and construction standards for the construction and renovation of health care facilities.

The Department requested the assistance of the Building Code Bureau of the State Fire Marshal’s office to review the rules pertaining to minimum physical standards for residential care facilities. During the review process, the Building Code Bureau compared the provisions of existing Chapter 60 against other applicable building codes and standards and determined that many of the provisions of the current chapter were outdated, unenforceable, or irrelevant. The new Chapter 60 aligns more closely with the requirements for other health care facilities licensed pursuant to Iowa Code chapter 135C and incorporates the following pertinent standards:

- 661—Chapter 205, Fire Safety Requirements for Hospitals and Health Care Facilities;
- 661—Chapter 301, State Building Code—General Provisions, and State Building Code for I-1 Condition 2 occupancies;
- 641—Chapter 25, State Plumbing Code; and
- 661—Chapter 302, State Building Code—Accessibility of Buildings and Facilities Available to the Public.

Consideration is given to existing residential care facilities, which are deemed to comply if the facilities followed prior versions of Chapter 60 at the time of their construction or renovation. Essentially, this rule making omits from new Chapter 60 design and construction standards contained within the administrative rules of the Department of Public Safety, State Building Code Bureau. The new Chapter 60, therefore, focuses on those physical standards directly related to the care of residential care facility residents, including the maintenance of specialized units or rooms.

The Department does not believe that the proposed amendment poses a financial hardship on any regulated entity or individual. Rather, adoption of the amendment will eliminate redundant language from the Iowa Administrative Code.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6 .

### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on March 14, 2023. Comments should be directed to:

Ashleigh Hackel  
Iowa Department of Inspections and Appeals  
Lucas State Office Building  
321 East 12th Street  
Des Moines, Iowa 50319  
Email: [ashleigh.hackel@dia.iowa.gov](mailto:ashleigh.hackel@dia.iowa.gov)

### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Rescind 481—Chapter 60 and adopt the following **new** chapter in lieu thereof:

#### CHAPTER 60

#### MINIMUM PHYSICAL STANDARDS FOR RESIDENTIAL CARE FACILITIES

**481—60.1(135C) Definitions.** Definitions in rules 481—57.1(135C) and 481—63.1(135C) are incorporated by reference as part of this chapter. In addition, the following definition shall apply:

“*Responsible design professional*” means a registered architect or licensed professional engineer who signs the documents submitted pursuant to rule 481—60.3(135C).

**481—60.2(135C) General requirements.** Residential care facilities licensed under this chapter shall be built in accordance with the following construction standards:

**60.2(1)** Construction shall be in conformance with 661—Chapter 201.

**60.2(2)** Construction shall be in conformance with 661—Chapter 301. Projects meeting the local building code shall be deemed to be in compliance with the state building code provided that the local jurisdiction has established a building department, has adopted a building code by ordinance and enforces the local code through a system that includes both plan review and inspection.

**60.2(3)** Nothing in these rules shall relieve a residential care facility from compliance with fire and building codes, ordinances and regulations that are enforced by a city, county, state or federal jurisdiction.

**60.2(4)** Any alteration or installation of new equipment shall be accomplished as nearly as practical in conformance with all applicable codes, ordinances, regulations and standards required for new construction. Alteration or installation of new equipment shall not diminish the level of compliance with any codes, ordinances, regulations or standards below that existed prior to the alteration. Any feature that does not meet the requirement for new buildings but exceeds the requirement for existing buildings shall not be further diminished. Features that exceed requirements for new construction need not be maintained. In no case shall any feature be less than that required for existing buildings. (III)

**60.2(5)** Existing residential care facilities built in compliance with prior versions of this chapter will be deemed in compliance, with the exception of any renovations, additions, functional alterations, changes of space utilization, or conversions to existing facilities for which construction documents are submitted pursuant to rule 481—60.3(135C) on or after July 1, 2023, which shall meet the standards specified in this chapter. Conversion of a building or any of the parts not currently licensed as a nursing facility must meet the rules governing construction of new facilities.

**60.2(6)** Final plan approval and final occupancy shall be given by the state fire marshal's office.

**481—60.3(135C) Submission of construction documents.**

**60.3(1)** Submissions of architectural technical documents, engineering documents, and plans and specifications to the state fire marshal's office shall be as required by rule 661—300.4(103A) and are the responsibility of the owner of the building or facility, although the actual submission may be completed by an authorized agent of the owner or the responsible design professional.

**60.3(2)** Plans, specifications and other supporting information shall be sufficiently clear and complete to show in detail that the proposed work will comply with the construction standards required by rule 481—60.2(135C).

**60.3(3)** Submittals to the state fire marshal's office shall be certified or stamped and signed as required by Iowa Code chapters 542B and 544A, unless the applicant has certified on the submittal to the applicability of a specific exception under Iowa Code section 544A.18 and the submittal does not constitute the practice of engineering as defined by Iowa Code section 542B.2.

**60.3(4)** The responsible design professional shall certify that the building plans meet the requirements specified in this chapter, unless a waiver has been granted pursuant to rule 481—60.4(135C).

**481—60.4(135C) Waivers.**

**60.4(1)** Procedures in rule 481—57.2(135C) for requesting a waiver are incorporated by reference as part of this chapter.

**60.4(2)** Waivers are limited to the specific project under consideration and do not establish a precedent for similar acceptance in other cases. The type of license, occupancy, and function of the building will be considered with respect to a request for waiver. In specific cases, waivers may be granted by the director after the following conditions are met:

- a.* The design and planning for the specific property offer improved or compensating features that provide equivalent desirability and utility;
- b.* Alternate or special construction methods, techniques, and mechanical equipment offer equivalent durability, utility, safety, structural strength and rigidity, sanitation, and odor control; protection from corrosion, decay and insect attack; and quality of workmanship; and
- c.* The health, safety or welfare of any resident is not endangered.

**481—60.5(135C) Additional notification requirements.**

**60.5(1)** When new construction or renovation, addition, functional alteration, change of space utilization, or conversion of an existing building is contemplated, the licensee or applicant for a license shall:

- a.* File a detailed and comprehensive program of care, as set forth in rule 481—57.3(135C), which includes a description of the specific needs of the residents to be served, and any other information the department may require. (III)

b. Receive written approval from the state fire marshal's office before starting construction. The applicant is responsible for ensuring that construction proceeds according to approved plans and specifications.

c. Meet requirements for new construction if the project includes changes to structural and life safety components of the building or changes for accessibility of persons with disabilities. Only that portion of the building that is part of the project must meet requirements for new construction.

**60.5(2)** For new construction or renovations, additions, functional alterations, change of space utilization or conversion of an existing building, it is the responsibility of the owner or an agent to notify the state fire marshal's office at all of the following intervals and wait for inspection before proceeding. Inspections shall be conducted in accordance with the following schedule:

- a. Two days prior to the beginning of any construction or demolition.
- b. After installation of any under-slab plumbing and before covering is installed.
- c. After installation of electrical, mechanical and plumbing and prior to covering.
- d. Five days prior to a final occupancy inspection.

**60.5(3)** The following must approve the project before final occupancy: the state fire inspector; the state building inspector; and, in jurisdictions without electrical code enforcement, the state electrical inspector. Approval of local or county jurisdictions is as required by those jurisdictions.

#### **481—60.6(135C) Construction requirements.**

##### **60.6(1) General provisions.**

a. Projects shall be constructed in compliance with 661—Chapter 201. Projects required to meet the provisions of the state building code shall be deemed to be in compliance with the fire safety requirements of the state building code if the residential care facility is in compliance with the provisions of 661—Chapter 205.

b. Projects shall be constructed in compliance with 661—Chapter 301. Projects meeting the local building code shall be deemed to be in compliance with the state building code provided that the local jurisdiction has established a building department, has adopted a building code by ordinance and enforces the local code through a system that includes both plan review and inspection.

c. Final plan approval and final occupancy shall be given by the state fire marshal's office.

##### **60.6(2) Mechanical requirements.**

a. Projects shall be constructed in compliance with 661—Chapter 201.

b. Projects shall be constructed in compliance with the state mechanical code as provided in 661—Chapter 201. Projects meeting the local mechanical code shall be deemed to be in compliance with the state mechanical code provided that the local jurisdiction has established a building department, has adopted a building code by ordinance and enforces the local code through a system that includes both plan review and inspection.

c. Final plan approval and final occupancy shall be given by the state fire marshal's office.

##### **60.6(3) Electrical requirements.**

a. Projects shall be constructed in compliance with standards referenced in 661—Chapter 205.

b. Projects shall be constructed in compliance with the state electrical code as provided in 661—Chapter 504.

**60.6(4) Plumbing requirements.** Projects shall be constructed in compliance with 641—Chapter 25.

**60.6(5) Accessibility requirements.** Projects shall be constructed in compliance with 661—Chapter 302.

#### **481—60.7(135C) Typical construction.**

**60.7(1)** Details and finishes shall be designed to provide a high degree of safety for the occupants by minimizing the opportunity for accidents. Hazards such as sharp corners shall be avoided. (III)

**60.7(2)** No door shall swing into the exit corridor except doors to spaces such as small closets that are not subject to occupancy. Each resident bedroom shall have a door that is a swing type and swings in, unless the door is fully recessed.

**60.7(3)** All doors opening into corridors shall be swing-type doors, except elevator doors. (III)

**60.7(4)** All sinks shall have towel dispensers that hold non-reusable towels. (III)

**60.7(5)** Partition, floor, and ceiling construction in resident areas shall comply with noise reduction criteria in the following table. The requirements set forth in this table assume installation methods that will not appreciably reduce the efficiency of the assembly as tested. Location of electrical receptacles, grills, ductwork, and other mechanical items, and blocking and sealing of partitions at floors and ceilings shall not compromise the sound isolation required. (III)

Table 1

Airborne Sound Transmission Class (STC)\*

	<u>Partitions</u>	<u>Floors</u>
Resident's room to resident's room	35	35
Corridor to resident's room	35	35
Public space to resident's room**	40	40
Service areas to resident's room***	50	50

\*STC shall be determined by tests in accordance with methods set forth in ASTM Standard E 90 and ASTM Standard E 413.

\*\*Public space includes lobbies, dining rooms, recreation rooms, treatment rooms, and similar places.

\*\*\*Service areas include kitchens, elevators, elevator machine rooms, laundries, garages, maintenance rooms, boiler and mechanical equipment rooms, and similar spaces of high noise. Mechanical equipment located on the same floor or above residents' rooms, offices, nurses stations, and similar occupied spaces shall be effectively isolated from the floor.

**60.7(6)** Doors, sidelights, borrowed lights, and windows in which the glazing extends below 31 inches from the floor shall have a horizontal mullion or railing at 31 to 34 inches above the finished floor and be glazed with safety glass, plastic glazing material, or wire glass where required by the state fire marshal. All replacement glass shall meet this code with no exception.

**481—60.8(135C) Sleeping, bathing, and medication rooms.**

**60.8(1)** *Facilities shall have a medication room that is well-lighted and has the following: (III)*

- a. A drug cabinet;
- b. A work counter;
- c. Refrigerator storage;
- d. A chest or compartment with a lock for storage of Schedule II drugs as defined by Iowa Code chapter 124; and
- e. A sink.

**60.8(2)** Facilities licensed for 15 beds or fewer need not have a medication room, but shall have space for the appropriate preparation and storage of medication, including locked medication storage as required in subrule 60.8(1).

**60.8(3)** Resident rooms shall meet the following minimum requirements:

- a. Bedrooms shall open directly into a corridor or common living area and shall not be used as a thoroughfare. (III)
- b. The minimum room area, exclusive of closets, toilet rooms, lockers, wardrobes, vestibules, and corridor door swings, shall be 100 square feet in one-bed rooms and 80 square feet per bed in multibed rooms. Usable floor space of a room shall be no less than 8 feet in any major dimension.
- c. Each resident room shall be provided with light by means of a window or windows with a net glass area equal to 10 percent of the total floor area. The window sill shall not be higher than 3 feet above the floor.
- d. There shall be a wardrobe, closet, or chest of drawers in each resident's room to provide sufficient storage for clothing and personal belongings. Where a closet is shared, segregated portions shall be established. Each wardrobe and closet in each resident room shall have a door. (III)
- e. No bedroom shall be located so that its floor will be more than 30 inches below the adjacent grade level. (III)
- f. Fixtures or storage shall be provided to hold individual towels and washcloths. (III)

*g.* No part of any room shall be enclosed, subdivided, or partitioned unless such part is separately lighted and ventilated and meets other requirements its usage and occupancy dictate, except closets used for the storage of resident's clothing. (III)

*h.* Rooms in which beds are erected shall not be used for purposes other than bedrooms. (III)

*i.* Each resident bedroom shall have a door. The door shall be the swing type and shall swing in, unless fully recessed. (III)

*j.* Multibed rooms shall be designed to permit no more than two beds, side-by-side, parallel to the window wall. (III)

*k.* Each resident bedroom shall be so designed that the head of the bed shall not be in front of a window or a heat register or radiator. (III)

*l.* One sink shall be provided in each resident room. The sink may be omitted from a room when a sink is located in an adjoining toilet room which serves that room. (III)

*m.* Multibed rooms shall provide full visual privacy for each resident. (III)

**60.8(4)** Each resident toilet room shall be adjacent to the resident rooms. Jack and Jill-style toilet rooms are not permitted in new constructions or renovations.

**60.8(5)** Central bathing.

*a.* Minimum numbers of toilets in bathing facilities shall be one sink and one toilet for each 10 residents, and one tub or shower for each 15 residents or fraction thereof. For facilities licensed for 15 beds or fewer, one bathing unit shall be provided for each five residents.

*b.* There shall be a minimum of one bathroom with tub or shower, toilet, and sink on each floor that has resident bedrooms in multistory buildings. (III)

*c.* Separate toilets for genders shall be provided. (III)

*d.* Privacy for dressing and bathing shall be provided in central bathrooms. (III)

*e.* All bathrooms shall have mechanical ventilation. (III)

*f.* Each bathroom shall have a toilet and a sink. (III)

*g.* Toilet and bathing facilities shall not open directly into food preparation areas. (III)

*h.* Central bathing areas shall have a swinging door that swings into the bathroom. (III)

*i.* Soap holders shall be provided in showers and bathtubs. (III)

*j.* Raised toilet seats shall be available for residents as needed. (III)

*k.* In facilities where the total occupancy of family, employees, and residents is more than five, separate bathing and toilet facilities shall be required for the family or employees distinct from such areas provided for residents. (III)

*l.* Bathtubs or showers shall be equipped with screwdriver stop valves in the water supply system. (III)

*m.* The temperature of the hot water to the resident sinks, bath, and showers shall range between 110° Fahrenheit and 120° Fahrenheit.

**60.8(6)** A soiled workroom, work counter, waste and soiled linen receptacles, and a two-compartment sink shall be provided. (III) One compartment of the double sink shall be a minimum of 10 inches deep for cleaning and sanitizing equipment. (III)

**60.8(7)** Enclosed clean linen storage, separate from the clean workroom. (III)

#### **481—60.9(135C) Dining, activity, and storage rooms.**

**60.9(1)** Where space is provided for multipurpose dining, activities, or recreational purposes, the area shall total at least 30 square feet per licensed bed for the first 100 beds and 27 feet per licensed bed for all beds in excess of 100. An open area of sufficient size shall be provided to permit group activities, such as religious meetings or presentation of demonstrations or entertainment. (III)

**60.9(2)** Where space is provided to be used only for activities and recreational purposes, the area shall be at least 15 square feet per licensed bed. At least 50 percent of the required area must be in one room. (III)

**60.9(3)** Where the dining and the lounge recreation areas are separated, each area shall provide a minimum of 180 square feet of usable floor space and be not less than 10 feet in any one dimension.

Where space is provided to be used only for dining, the area shall total at least 15 square feet per licensed bed. (III)

**60.9(4)** An equipment storage room shall be provided. (III)

**60.9(5)** Enclosed clothing storage of at least 2 linear feet per bed for storage of off-season clothing shall be provided.

**481—60.10(135C) Service area.**

**60.10(1)** *Definition of a service area.* The size of a service area shall depend upon the number and types of beds within the supervised unit. A service area shall contain the following rooms or areas: (III)

- a. Dietetic service area,
- b. Janitor's closet,
- c. Laundry area,
- d. General storage area,
- e. Mechanical room,
- f. Maintenance shop,
- g. Yard equipment storage area.

**60.10(2)** *Dietetic service area.*

a. Detailed layout plans and specifications of equipment shall be submitted to the department for review and approval before the new construction, alterations, or additions to existing kitchens begin. (III)

b. The construction and installation of equipment of the dietetic service area shall comply with or exceed the minimum standards set forth in the "Food Service Manual" (DHEW Publication No. (FDA) 78-2081, 1976 Edition). (III)

c. The dietetic service area shall provide food serving facilities for residents and staff outside the food preparation area. (III)

d. The dishwashing area shall be provided with mechanical dishwashing equipment. Either conventional or chemical dishwashing equipment may be used. (III)

(1) Where conventional dishwashing equipment is used, the hot water system shall be designed to supply hot water at 110° Fahrenheit to 120° Fahrenheit. (III)

(2) A three-compartment pot and pan sink shall be provided for ware washing that provides and maintains hot water at 110° Fahrenheit to 115° Fahrenheit for washing and 170° Fahrenheit to 180° Fahrenheit for sanitizing, or a two-compartment sink shall be provided for soaking and washing utensils, with easy access to a dish machine that must be large enough for sanitizing all sizes of utensils used. (III)

(3) Machines (single-tank stationary rack, door-type machines and spray-type glass washers) using chemicals for sanitation may be used, provided that:

1. The temperature of the wash water shall not be less than 120° Fahrenheit. (III)
2. Chemicals added for sanitation purposes shall be automatically dispensed. (III)
3. The wash water shall be kept clean. (III)
4. Utensils and equipment shall be exposed to the final chemical sanitizing rinse in accordance with manufacturers' specifications for time and concentration. (III)
5. The chemical sanitizing rinse water temperature shall be not less than 75° Fahrenheit nor less than the temperature specified by the machine's manufacturer. (III)
6. Chemical sanitizers used shall meet the requirements of 21 CFR 178.1010. (III)
7. A test kit or other device that accurately measures the parts per million concentration of the solution shall be available and used. (III)

e. The dietetic service area shall be designed to provide a separation of the clean and dirty areas and to eliminate intermingling of the two types of activities. Food preparation and service areas are regarded as clean areas. (III)

f. A hand-washing sink shall be provided in the dietetic service area. In facilities licensed for eight beds or fewer, the sink shall be adjacent or convenient to the dietetic service area. (III)

g. There shall be refrigerated storage for at least a three-day supply of perishable food. (III)

h. There shall be available storage for at least a seven-day supply of staple food. (III)

i. Provisions for maintaining sanitary waste disposal and storage shall be provided on the premises. (III)

j. Where meals are provided by a health care facility or by a commercial food service, the preparation, storing and serving of the food and the utensil sanitizing procedures shall meet the requirements of these rules. (III)

k. Mechanical ventilation shall be provided in food storerooms to maintain temperatures and humidity at a level appropriate for the type of food being stored. (III)

**60.10(3) Janitor's closet.**

a. A janitor's closet shall be provided for storage of housekeeping supplies and equipment, including a floor receptor or service sink. (III)

b. The door to the janitor's closet shall be equipped with a lock. (III)

c. Locked storage shall be provided for chemicals. (III)

**60.10(4) Laundry area.**

a. In the laundry area, a work flow pattern shall be established in which soiled linen is not transported through the clean area to the soiled area. Two distinct areas physically separated, not necessarily by a wall, are required. (III)

b. A hand-washing sink shall be located in the laundry area. In facilities licensed for 15 beds or fewer, a hand-washing sink located adjacent to the laundry area may meet this requirement. (III)

c. Where linen is processed onsite, the following shall be provided (III):

(1) A clean, dry, well-lighted laundry processing room with equipment sufficient to process seven days' needs within the workweek.

(2) A soiled linen holding area.

(3) A clean linen area.

(4) Linen cart storage.

(5) Lockable storage for laundry supplies.

(6) One janitor's closet or alcove in the immediate vicinity of the laundry.

d. The laundry room in any facility not using off-site processing but serving more than 20 residents shall contain no less than 125 square feet of available floor space. (III)

e. Where linen is processed off the site, the following shall be provided (III):

(1) Soiled linen holding room.

(2) Clean linen receiving, holding, inspection, and storage area.

**60.10(5) General storage areas.**

a. General storage areas totaling not less than 10 square feet per bed shall be provided. Storage areas are not required to be located in the same area. (III)

b. The equipment storage room space may be included in this general area, but is not required to be located in the same area. (III)

c. Storage areas for linens, janitor's supplies, sterile nursing supplies, activity supplies, library books, office supplies, kitchen supplies, and mechanical plant accessories shall not be included as part of the general storage area and are not required to be located in the same area. (III)

d. Thirty percent of the general storage area may be provided in a building outside the facility, readily and easily accessible by the personnel. (III)

**60.10(6) Mechanical, electrical, and maintenance areas.** The following areas shall be provided (III):

a. Boiler room or mechanical room and electrical equipment room. (III)

(1) These rooms may be used for noncombustible material storage.

(2) Any noncombustible material shall not be stored close to or hinder access to any fuel-fired equipment or electrical panels.

(3) These areas shall not be included in calculating the 10 square feet per bed for general storage areas, as required under paragraph 60.10(5) "a."

b. Yard equipment storage may be provided in a separate room or building for yard maintenance equipment and supplies. This shall not be included in the general storage area.

c. No portable fuel-operated equipment shall be housed inside a facility unless it is separated by at least a two-hour fire separation approved by the state fire marshal's office.



- d. Rooms containing heating or cooling equipment shall be locked.

**481—60.11(135C) Administration and staff area.** The size of an administration and staff area depend upon the needs of the facility. An administration and staff area shall contain the following rooms or areas (III):

1. An administration office.
2. An area containing storage for office equipment and supplies. This area shall be secure and contain work space for charting and record storage and may contain medication storage.
3. A lounge shall be provided for staff. Toilet rooms with sink and toilet shall be provided for staff.
4. Closets or compartments for the safekeeping of coats and personal effects of staff.

**481—60.12(135C) Public area.** A public area shall contain a public telephone accessible to the residents within the facility to make personal calls. It shall also contain a separate bathroom for the public, including a toilet and sink. (III)

**481—60.13(135C) Specialized unit or facility for persons with chronic confusion or a dementing illness (memory care unit or facility).** A memory care unit or facility shall be designed in accordance with the standards set forth in 661—Chapter 201. The following provisions shall also apply (III):

**60.13(1)** A memory unit or facility shall be designed so that residents, staff, and visitors will not pass through the unit in order to reach exits or other areas of the facility unless in an emergency.

**60.13(2)** If the unit or facility is to be a locked unit or facility, all locking devices shall meet the requirements of the state fire marshal. If the unit or facility is to be unlocked, a system of security monitoring is required.

**60.13(3)** The outdoor activity area for the unit or facility shall be secure. Nontoxic plants shall be used in the secured outdoor activity area.

**60.13(4)** There shall be no steps inside the memory care unit or facility.

**60.13(5)** Dining and activity areas for the unit or facility shall be located within the unit or facility and shall not be used as the primary dining or activity area by other facility residents.

**481—60.14(135C) Elevator requirements.** All residential care facilities where resident facilities are located on other than the first floor shall have one or more electric or electrohydraulic elevators, as required. For purposes of this requirement, resident facilities include, but are not limited to, diagnostic, recreation, activity, resident dining, and therapy rooms or additional resident bedrooms. The first floor is that floor first reached from the main front entrance. Elevators, where installed, shall comply with the division of labor rules as promulgated in Iowa Code chapter 89A and 875—Chapters 71 to 73. (III)

These rules are intended to implement Iowa Code section 135C.14.