

## ELDER GROUP HOMES

### Footnotes

Legislative findings; see 93 Acts, ch 72, § 1

#### **231B.1 Definitions.**

1. "*Ambulatory*" means the condition of a person who immediately and without aid of another is physically and mentally capable of traveling a normal path to safety, including the ascent and descent of stairs.
2. "*Department*" means the department of elder affairs or the department's designee.
3. "*Elder*" means a person sixty years of age or older.
4. "*Elder group home*" means a single-family residence that is operated by a person who is providing room, board, and personal care to three through five elders who are not related to the person providing the service within the third degree of consanguinity or affinity.
5. "*Personal care*" means assistance with the essential activities of daily living which the recipient can perform personally only with difficulty. "*Personal care*" may include bathing, personal hygiene, dressing, grooming, and the supervision of self-administered medications, but does not include the administration of medications.

93 Acts, ch 72, § 2; 2003 Acts, ch 166, §3

#### **231B.2 Certification of elder group homes.**

1. The department shall establish by rule in accordance with chapter 17A a special classification for elder group homes. An elder group home established pursuant to this subsection is exempt from the requirements of section 135.63.
2. The department shall adopt rules to establish requirements for certification of elder group homes. The requirements shall include but are not limited to all of the following:
  - a. Certification shall be for three years, unless revoked for good cause by the department.
  - b. An elder group home shall be inspected at the time of certification and subsequently upon receipt of a complaint.
  - c. An elder group home shall be staffed by an on-site manager twenty-four hours per day, seven days per week.
  - d. An elder group home shall be located in an area zoned for single-family or multiple-family housing or in an unincorporated area and shall be constructed in compliance with applicable local housing codes and the rules adopted for the special classification by the state fire marshal. In the absence of local building codes, the facility shall comply with the state plumbing code established pursuant to section 135.11 and the state building code established pursuant to chapter 103A.
  - e. A minimum private space shall be required for each resident sufficient for sleeping and dressing.
  - f. A minimum level of training shall be required for persons providing personal care.

*g.* The commission of elder affairs shall adopt by rule procedures for appointing members of resident advocate committees for elder group homes.

*h.* Notwithstanding any other requirements relating to performance of visitations or meetings of a resident advocate committee, a resident advocate committee appointed for an elder group home shall perform no more than four visitations, annually, to fulfill the duties of the resident advocate committee in relation to the elder group home.

*i.* Elder group home tenants shall have reasonable access to community resources and shall have opportunities for integrated interaction with the community.

3. An elder group home established pursuant to this chapter shall be certified by the department of inspections and appeals.

4. A provider under the special classification shall comply with the rules adopted by the department for an elder group home.

5. Inspections and certification services shall be provided by the department of inspections and appeals.

93 Acts, ch 72, § 3; 99 Acts, ch 129, §16; 2003 Acts, ch 166, §4, 5

### **231B.3 Referral to uncertified elder group home prohibited.**

1. A person shall not place, refer, or recommend the placement of another person in an elder group home that is not certified pursuant to this chapter.

2. A person who has knowledge that an elder group home is operating without certification shall report the name and address of the home to the department of inspections and appeals. The department of inspections and appeals shall investigate a report made pursuant to this section.

93 Acts, ch 72, §4; 2003 Acts, ch 166, §6

### **231B.4 Applicability.**

This chapter shall not be construed to require that a facility, currently licensed or licensed as a different type of facility and serving persons sixty years of age or older, also comply with the requirements of this chapter.

93 Acts, ch 72, § 5