

481—63.3(135C) Application for licensure.

63.3(1) Initial application and licensing. In order to obtain an initial residential care facility for the mentally retarded license, for a residential care facility for the mentally retarded which is currently licensed, the applicant must:

- a.* Meet all of the rules, regulations, and standards contained in 481—Chapters 60 and 63;
- b.* Submit a letter of intent and a written résumé of the resident care program and other services provided which reflect the services indicated in individualized programs of care for each resident for departmental review and approval;
- c.* Make application at least 30 days prior to the change of ownership of the facility on forms provided by the department;
- d.* Submit a floor plan of each floor of the facility drawn on 8½- × 11-inch paper showing room areas in proportion, room dimensions, room numbers for all rooms, including bathrooms, and designation of the use to which each room will be put and window and door location;
- e.* Submit a photograph of the front and side elevation of the facility;
- f.* Submit the statutory fee for a residential care facility for the mentally retarded for which licensure application is made;
- g.* Comply with all other local statutes and ordinances in existence at the time of licensure;
- h.* Have a certificate signed by the state fire marshal or deputy state fire marshal as to compliance with fire safety rules and regulations.

63.3(2) In order to obtain an initial residential care facility for the mentally retarded license for a facility not currently licensed as a residential care facility for the mentally retarded, the applicant must:

- a.* Meet all of the rules, regulations, and standards contained in 481—Chapters 60 and 63 (exceptions noted in 60.3(2) shall not apply);
- b.* Submit a letter of intent and a written résumé of the resident care program and other services provided for departmental review and approval;
- c.* Make application at least 30 days prior to the proposed opening date of the facility on forms provided by the department;
- d.* Submit a floor plan of each floor of the residential care facility for the mentally retarded, drawn on 8½- × 11-inch paper showing room areas in proportion, room dimensions, room numbers for all rooms, including bathrooms, and designation of the use to which the room will be put and window and door locations;
- e.* Submit a photograph of the front and side elevation of the residential care facility for the mentally retarded;
- f.* Submit the statutory fee for a residential care facility for the mentally retarded;
- g.* Comply with all other local statutes and ordinances in existence at the time of licensure;
- h.* Have a certificate signed by the state fire marshal or deputy state fire marshal as to compliance with fire safety rules and regulations.

63.3(3) Renewal application. In order to obtain a renewal of the residential care facility for the mentally retarded license, the applicant must:

- a.* Submit the completed application form 30 days prior to annual license renewal date of residential care facility for the mentally retarded license;
- b.* Submit the statutory license fee for a residential care facility for the mentally retarded with the application for renewal;
- c.* Have an approved current certificate signed by the state fire marshal or deputy state fire marshal as to compliance with fire safety rules and regulations;
- d.* Submit appropriate changes in the résumé to reflect any changes in the resident care program and other services.

63.3(4) Deemed status.

- a.* The department shall recognize, in lieu of its own inspection, the comparable inspection and inspection findings of the Accreditation Council for Service for Mentally Retarded and Other Developmentally Disabled Persons (AC—MR/DD), if the department is given copies of all requested materials relating to the comparable inspection process, is notified of the scheduled comparable

inspection not less than 30 days in advance of the inspection, and is given the opportunity to monitor the comparable inspection. The department may verify the findings of 10 percent of the comparable inspections, selected annually on a random basis, in order to ensure compliance with minimum residential care standards established pursuant to this chapter.

b. The above accreditation will be accepted in lieu of the department's yearly licensure inspection for each year of the AC—MR/DD accreditation period up to two years.

63.3(5) Licenses are issued to the person or governmental unit which has responsibility for the operation of the facility and authority to comply with all applicable statutes, rules or regulations.

The person or governmental unit must be the owner of the facility or, if the facility is leased, the lessee.

This rule is intended to implement Iowa Code sections 135C.6(1) and 135C.9.