

**661—5.510(231D) Adult day services.**

**5.510(1) Definitions.** The following definitions apply to rule 661—5.510(231D).

*“Existing adult day services program”* means an adult day services program certified or seeking certification from the department of inspections and appeals pursuant to the provisions of Iowa Code Supplement chapter 231D and which has been in continuous operation in the same facility since May 31, 2004, or before and which has operated continuously since May 31, 2004, in a facility which has not undergone major renovation or remodeling since May 31, 2004.

*“New adult day services program”* means an adult day services program certified or seeking certification from the department of inspections and appeals pursuant to the provisions of Iowa Code Supplement chapter 231D which has not been in continuous operation since May 31, 2004, or which operates in a facility which has undergone major renovation or remodeling since June 1, 2004.

*“NFPA”* means the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269. References to the form “NFPA xx,” where “xx” is a number, refer to the NFPA standard or pamphlet of the corresponding number.

**5.510(2) Fire safety requirements for existing adult day services programs.** NFPA 101, Life Safety Code, 2003 edition, Chapter 17, “Existing Day Care Occupancies,” is adopted by reference as the rules establishing fire safety requirements for existing adult day services programs. Any existing adult day services program shall comply with the provisions of NFPA 101, Life Safety Code, 2003 edition, Chapter 17, “Existing Day Care Occupancies,” by June 1, 2005.

EXCEPTION: If the fire marshal finds that a violation of any provision of NFPA 101, Life Safety Code, 2003 edition, Chapter 17, “Existing Day Care Occupancies,” presents an imminent threat to the safety of clients or staff, the fire marshal may require correction of the condition or conditions which are in violation as a condition of approval of the facility for use by an adult day services program.

**5.510(3) Fire safety requirements for new adult day services programs.** NFPA 101, Life Safety Code, 2003 edition, Chapter 16, “New Day Care Occupancies,” is adopted by reference as the rules establishing fire safety requirements for new adult day services programs.

This rule is intended to implement Iowa Code Supplement section 231D.15.