



Construction Section Mission Statement

To ensure that the construction and operation of buildings regulated by the Division provide a safe, healthy and suitable environment for residents, and patients using those facilities.



Overview MHL Physical Plant Presentation

The purpose of this presentation is to provide general information about the review and inspection process once your application is received in the Construction Section. In this presentation we will provide information on:

1. Construction Section fees and project assignments
2. What to submit with your application
3. Minimum physical plant requirements
4. Frequently asked questions (FAQ)



Construction Section

Fees and project assignments



Construction Section Fees and Project Assignments

- MHL applications must be sent to DHSR MHL Licensure and Certification. For facility licensure information, please see DHSR MHL Licensure and Certification website at <https://info.ncdhhs.gov/dhsr/mhlcs/establish.html#apply>
- DHSR MHL Licensure and Certification will forward your application and other documentation to the Construction Section for review and approval
- Once your application and documentation is received in the Construction Section, a project review fee will be assessed, and an application acknowledgement letter and invoice will be sent to the contact person listed on the application



Construction Section Fees and Project Assignments

- It is **very important** to have accurate, complete contact information to ensure all correspondences are sent to the correct person. Be sure the application is provided with an email address and working phone number. Not having correct information could delay the review and approval of your project.
- Once the review fee has been received, your project will be assigned to an architect and/or engineer for review.
- The Construction Section **will not** review a project or make any site visits until the **construction fee is paid.**



Construction Section Fees and Project Assignments

- Once the project has been assigned, the assigned architect and/or engineer will contact you either via review letter or phone call.
- The architect and/or engineer assigned to the project is your contact **until the completion and recommendation for licensure** to Mental Health Licensure and Certification. Once the project is assigned, all project questions should be directed to the assigned architect and/or engineer.



WHAT TO SUBMIT WITH YOUR APPLICATION





What To Submit With Your Application

- A floor plan that specifies the following:
 - a. All levels including basements and upstairs
 - b. Identification of the use of all rooms/spaces
 - c. Dimensions of all bedrooms, excluding any toilets and bathing areas. Clarify whether bedroom will be single or double or single occupancy. Also show the location of any live-in person's bedroom
 - d. Location of all doors and the dimensions of all exterior doors
 - e. Location of all windows including the dimensions of bedroom windows
 - f. Location of all smoke detectors noting whether they are battery operated, wired into the house current with battery backup, and if they are interconnected (one sound they all sound)
 - g. Floor plan must be legible AND accurately reflect the floor plan of the house.**



What To Submit With Your Application

- Exterior photos of each side of the building
- Interior photos of the kitchen, living areas, bedrooms, and any other rooms
- Directions from Raleigh or a map from the nearest major highway, street or intersection clearly showing the location of the facility
- **Local Zoning Department** approval for the proposed use
- Letter of Support from LME/MCO

Providing the correct, accurate information will make it easier for you project to be reviewed!



Construction Section

Minimum physical plant requirements



MINIMUM PHYSICAL PLANT REQUIREMENTS

Important definitions to know and understand:

Ambulatory Client – a client who is able to respond and evacuate the facility (home) without verbal or physical assistance

Non-Ambulatory Client – a client who is not able to respond and evacuate the facility (home) without verbal or physical assistance

****These definitions are very important at the initial licensing of the facility (home) and as the clients age in place. Due to changes in client's needs, the facility (home) may have to change ambulation status over time.****



MINIMUM PHYSICAL PLANT REQUIREMENTS

PLEASE READ THE RULES



North Carolina
Division of Health Service Regulation



[What We Do](#) | [Citizens](#) | [Providers](#) | [A-Z Index](#) | [The Point](#)

GET THE LATEST INFORMATION on Coronavirus. [COVID-19 in North Carolina](#)



The Division of Health Service Regulation oversees medical, mental health and adult care facilities, emergency medical services, and local jails. We check to see that people receiving care in these facilities are safe and receive appropriate care. We make certain that medical buildings are built only when there is a need for them.

The MHL Licensure Rules can be found on the DHSR Website

What's New?

[Declaratory Rulings](#)
[Legislative Actions](#)
[Public Notices](#)
[Reports](#)
[Rule Actions](#)

Quick Links

[File a Complaint | Presente una Queja](#)
[Adult Care Facility Inspections, Ratings and Penalties](#)
[Adult Care Home Violations and Penalties](#)
[Adult Care Star Rating Program](#)
[Adult Care Training Resources](#)
[Certificate of Public Advantage](#)

[Customer Service Surveys](#)
[Forms and Applications](#)
[Home Care Licensure Information](#)
[How to Start a Facility](#)
[Licensed Facilities](#)
[Mental Health Public Records](#)
[NC Automated Background Check Management System \(ABCMS\)](#)

[NC State Medical Facilities Plan](#)
[Provider Allegation](#)
[Rules and Regulations](#)
[Volunteer Health Services Act](#)

Sections

[Complaint Intake and Health Care Personnel Investigations](#)
[Construction - Jails and Detention](#)
[Health Care Personnel Education and Credentialing](#)

[Healthcare Planning and Certificate of Need](#)
[Office of Emergency Medical Services](#)
[Radiation Protection](#)

Licensure and Certification

[Acute and Home Care](#)
[Adult Care](#)
[Mental Health](#)
[Nursing Home](#)

Commissions/Council

[NC Medical Care Commission](#)
[NC Radiation Protection Commission](#)
[NC State Health Coordinating Council](#)



Contact us or send questions and comments to:
DHSR Webmaster, 2701 Mail Service Center, Raleigh, NC 27699-2701



[Contact Us](#) | [Rules and Regulations](#) | [Glossary](#) | [Jobs at NC DHSR](#) | [Directions](#) | [Disclaimer](#)

This page was last modified on 08/25/2020 10:42:00

Division of Health Service Regulation



MINIMUM PHYSICAL PLANT REQUIREMENTS

PLEASE READ THE RULES

- Once you get to this page, Select “G” to get to the Rules (10A NCAC 27G)
- The overall Physical Plant Rules are outlined under Section .0300
- Certain programs have additional Physical Plant Rules that will apply or in some cases may supersede certain aspects

	Chapter 13 Subchapter K #	Emergency Preparedness Final Rule # (PDF, 783 KB)
Hospital	10A NCAC Chapter 13 Subchapter B #	Appendix A # (PDF, 2.13 MB) Appendix V # (PDF, 392 KB) Emergency Preparedness Final Rule # (PDF, 783 KB)
Hospital - Psychiatric Units	10A NCAC Chapter 13 Subchapter B # Chapter 27 Subchapter C # D # E # F #	
Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID)	10A NCAC Chapter 26 Subchapter C # Chapter 27 Subchapter C # D # E # F # G #	Appendix J # (PDF, 432 KB) Emergency Preparedness Final Rule # (PDF, 783 KB)
Jails, Local Confinement Facilities	10A NCAC Chapter 14 Subchapter J #	
Laboratory, Pap Smear, HIV Testing, Mammogram	10A NCAC Chapter 13 Subchapter M #	Appendix C # (PDF, 3.78 MB)
Medication Aide	10A NCAC Chapter 13 Subchapter O #	
Mental Health	10A NCAC Chapter 26 Subchapter C # Chapter 27 Subchapter C # D # E # F # G #	
Nurse Aide I Registry	10A NCAC Chapter 13 Subchapter D # Subchapter O #	
Nurse Aide Training	10A NCAC Chapter 13 Subchapter D #	
Nursing Home	10A NCAC Chapter 13 Subchapter D #	Appendix PP # (PDF, 1.21 MB) Emergency Preparedness Final Rule # (PDF, 783 KB)
Nursing Pool	10A NCAC Chapter 13	



MINIMUM PHYSICAL PLANT REQUIREMENTS

**PLEASE
READ THE
RULES**

SECTION .0300 - PHYSICAL PLANT RULES

10A NCAC 27G .0301 COMPLIANCE WITH BUILDING CODES

- (a) Each new facility shall be in compliance with all applicable portions of the North Carolina State Building Code in effect at the time of licensing.
- (b) Each facility operating under a current license issued by DFS upon the effective date of this Rule shall be in compliance with all applicable portions of the North Carolina State Building Code in effect at the time the facility was constructed or last renovated.
- (c) Each facility shall maintain documented evidence of compliance with applicable fire, sanitation and building codes including an annual fire inspection.
- (d) As used in these Rules, the term "new facility" refers to a facility that has not been licensed previously and for which an initial license is sought. The term includes buildings converted from another use or containing facilities licensed for a different use than the facility for which an initial license is sought.

*History Note: Authority G.S. 122C-26; 143B-147;
Eff. May 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

10A NCAC 27G .0302 FACILITY CONSTRUCTION/ALTERATIONS/ADDITIONS

- (a) When construction, use, alterations or additions are planned for a new or existing facility, work shall not begin until after consultation with the DFS Construction Section and with the local building and fire officials having jurisdiction. Governing bodies are encouraged to consult with DFS prior to purchasing property intended for use as a facility.
- (b) All required permits and approvals shall be obtained from the local authorities having jurisdiction.

*History Note: Authority G.S. 122C-26; 143B-147;
Eff. May 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

10A NCAC 27G .0303 LOCATION AND EXTERIOR REQUIREMENTS

- (a) Each facility shall be located on a site where:
- (1) fire protection is available;
 - (2) water supply, sewage and solid waste disposal services have been approved by the local health department;
 - (3) occupants are not exposed to hazards and pollutants that may constitute a threat to their health, safety, and welfare; and
 - (4) local ordinances and zoning laws are met.
- (b) The site at which a 24-hour facility is located shall have sufficient outdoor area to permit clients to exercise their right to outdoor activity in accordance with the provisions of G.S. 122C-62.
- (c) Each facility and its grounds shall be maintained in a safe, clean, attractive and orderly manner and shall be kept free from offensive odor.
- (d) Buildings shall be kept free from insects and rodents.

*History Note: Authority G.S. 122C-26; 143B-147;
Eff. May 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

10A NCAC 27G .0304 FACILITY DESIGN AND EQUIPMENT

- (a) Privacy: Facilities shall be designed and constructed in a manner that will provide clients privacy while bathing, dressing or using toilet facilities.
- (b) Safety: Each facility shall be designed, constructed and equipped in a manner that ensures the physical safety of clients, staff and visitors.
- (1) All hallways, doorways, entrances, ramps, steps and corridors shall be kept clear and unobstructed at all times.
 - (2) All mattresses purchased for existing or new facilities shall be fire retardant.
 - (3) Electrical, mechanical and water systems shall be maintained in operating condition.
 - (4) In areas of the facility where clients are exposed to hot water, the temperature of the water shall be maintained between 100-116 degrees Fahrenheit.
 - (5) All indoor areas to which clients have routine access shall be well-lighted. Lighting shall be adequate to permit occupants to comfortably engage in normal and appropriate daily activities such as reading, writing, working, sewing and grooming.
- (c) Comfort Zone: Each 24-hour facility shall provide heating and air-cooling equipment to maintain a comfort range between 68 and 80 degrees Fahrenheit.
- (1) This requirement shall not apply to therapeutic (habilitative) camps and other 24-hour facilities for six or fewer clients.
 - (2) Facilities licensed prior to October 1, 1988 shall not be required to add or install cooling equipment if not already installed.
- (d) Indoor space requirements: Facilities licensed prior to October 1, 1988 shall satisfy the minimum square footage requirements in effect at that time. Unless otherwise provided in these Rules, residential facilities licensed after October 1, 1988 shall meet the following indoor space requirements:

We urge you to
contact us at
919-855-3893 with
any questions
concerning Physical
Plant Rules



MINIMUM PHYSICAL PLANT REQUIREMENTS

Bedrooms [27G .0304(d)]

- a) **Single occupancy** bedrooms a minimum of **100 square feet**
- b) **Double occupancy** bedrooms a minimum of **160 square feet**

*No more than two (2) clients may share an individual bedroom regardless of bedroom size.

*Closets should not be added to get in this calculation to achieve the minimum room sizes.

- c) **Separate** bedroom for overnight accommodations for persons other than clients
- d) **No client** is permitted to sleep in an unfinished basement or in an attic
- e) **In a residential facility licensed under residential building code standards and without elevators****, bedrooms above or below the ground level shall be used only for individuals who are capable of moving up and down the steps independently (**ambulatory**).

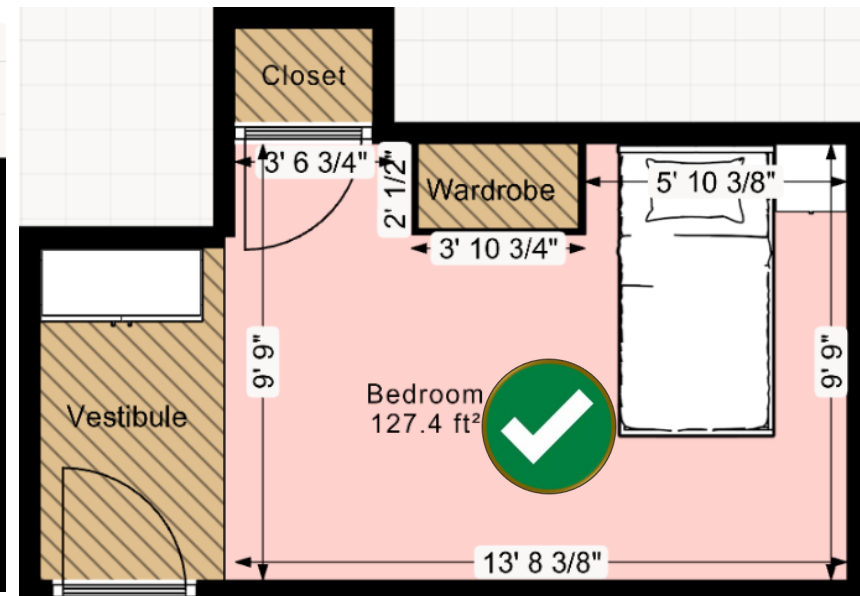
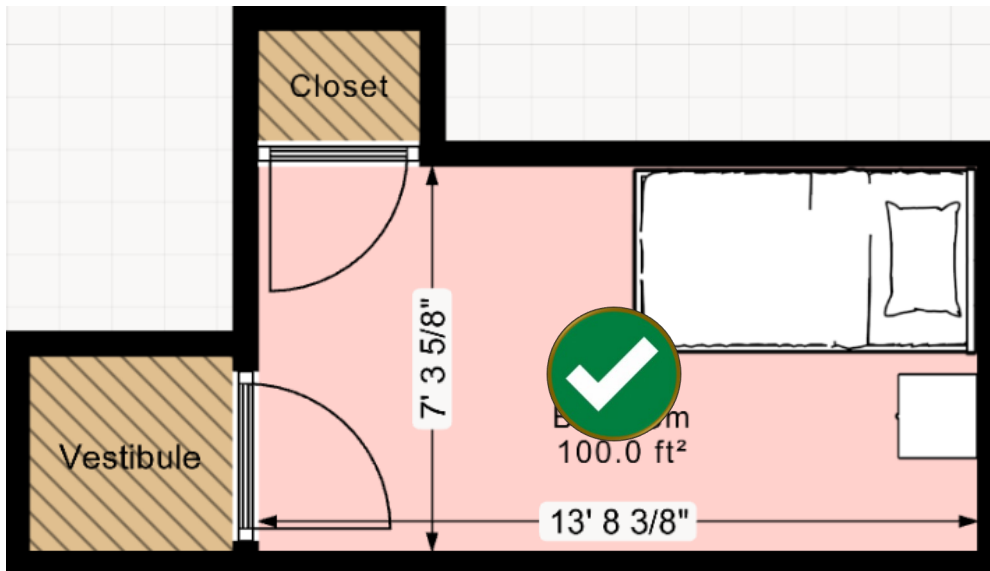
**If the Licensure application has a request for non-ambulatory clients, these non-ambulatory clients' bedroom must be on the main ground floor.



MINIMUM PHYSICAL PLANT REQUIREMENTS

Bedrooms – Examples of Sufficient Square Footage:

Single occupancy bedrooms a minimum of 100 square feet

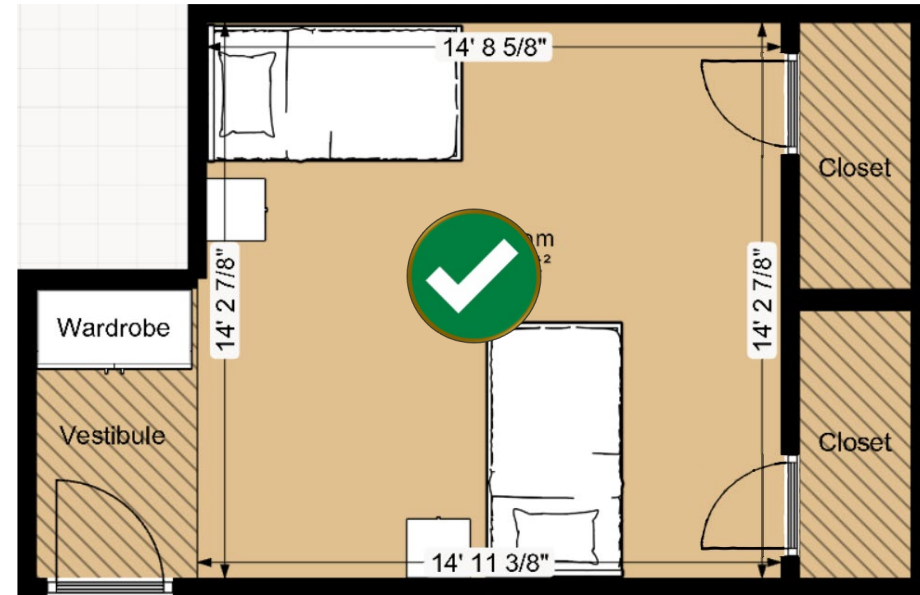
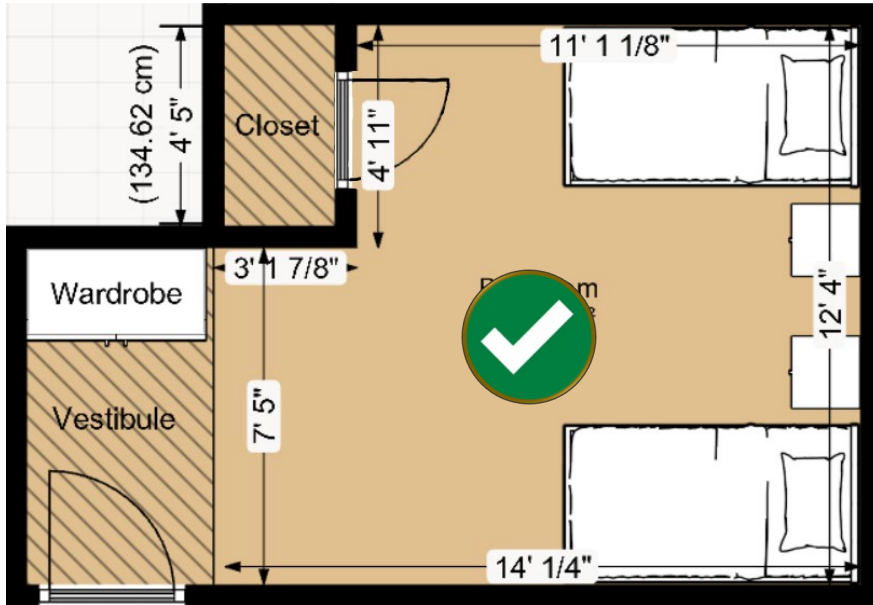




MINIMUM PHYSICAL PLANT REQUIREMENTS

Bedrooms – Examples of Sufficient Square Footage:

Double occupancy bedrooms a minimum of 160 square feet

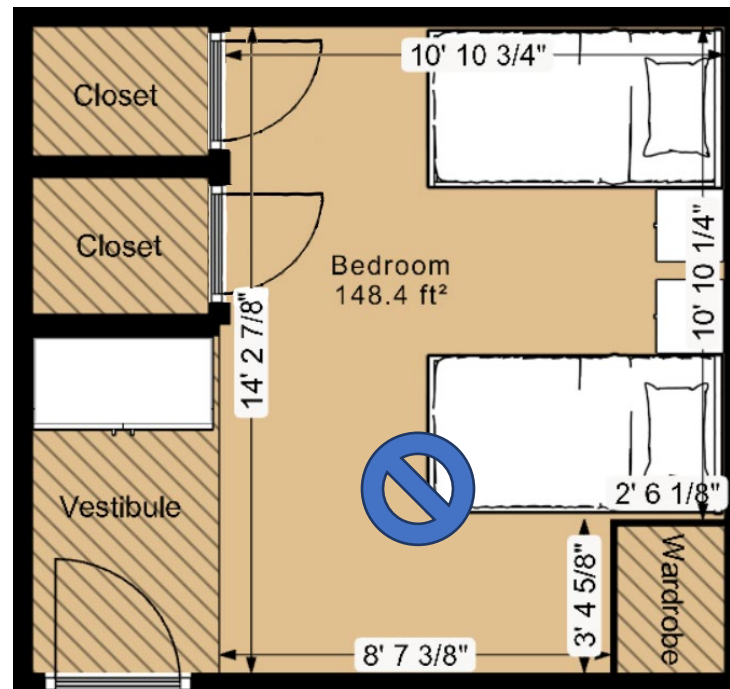




MINIMUM PHYSICAL PLANT REQUIREMENTS

Bedrooms – Example of Insufficient Square Footage:

Double occupancy bedrooms a minimum of 160 square feet





MINIMUM PHYSICAL PLANT REQUIREMENTS



Bathrooms [27G .0304(d)(10)]

At least one full bathroom for each five or fewer persons, including staff of the facility and their family.



MINIMUM PHYSICAL PLANT REQUIREMENTS

Water Temperature [27G .0304(b)(4)]

Between **100** degrees
(minimum) and **116** degrees
(maximum)





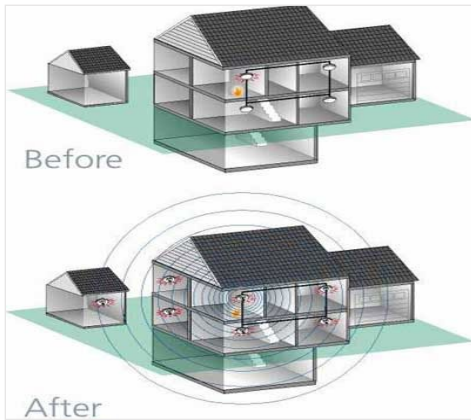
MINIMUM PHYSICAL PLANT REQUIREMENTS

****The following slides are additional requirements from the 2018 North Carolina State Building Codes which are applicable to all Licensed Residential Care Facilities. These slides do not contain all the requirements of the 2018 North Carolina State Building Codes. Please consult with the local authority having jurisdiction in your town or county.****



MINIMUM PHYSICAL PLANT REQUIREMENTS

(Applicable Building Code Requirements)



Smoke Detectors

- 120 volt smoke detectors permanently connected to the house current and battery backed-up.
- Smoke detector installed in each bedroom.
- Smoke detector installed outside of any bedroom or cluster of bedrooms.
- Smoke detector installed on each story of the home including the basement (if habitable).
- All smoke detectors interconnected such that when one detector is activated, all smoke detectors activate.

Ground Fault Interrupter Protection

Along kitchen countertops, in garages, outdoor outlets, crawl spaces, within 6 feet from sinks, laundry areas, and bathrooms



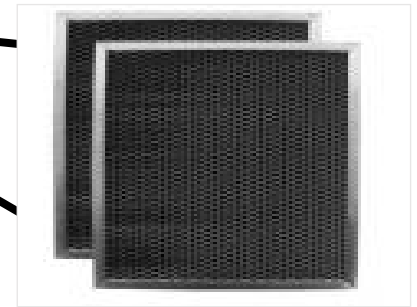


MINIMUM PHYSICAL PLANT REQUIREMENTS

(Applicable Building Code Requirements)

Kitchen Range Hood

Vented to the outdoors or if its an unvented hood with an approved charcoal filter



Bathroom Ventilation

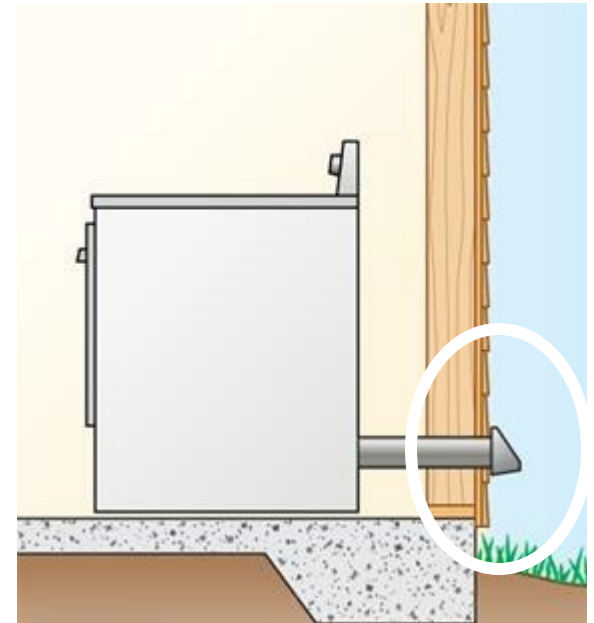
Not required unless there is no window. If installed it must be vented to the outside of the home not into the attic



MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)

Clothes Dryer

Non-combustible metallic flex duct connecting the dryer to the transition duct. The transition duct to the **OUTSIDE** of the home must be smooth lined metal duct. Dryer duct must be connected to a backdraft with a damper





MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)

Fire Extinguishers

Fire extinguishers shall be installed in Licensed Residential Care Facilities in accordance with the North Carolina Fire Code.

***Required for facilities with 4 to 6 clients under 2018 North Carolina State Building Code, 428.1.1**





MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)

Interior Finish

Any wood paneling must be treated with an approved fire retardant paint and must meet a minimum Class 'C' or greater flame spread. If mill lumber with Varnish is present in the home it must also be treated.

(Does not include knotty pine or cabinets).

***Required for facilities with 4 to 6 clients under 2018 North Carolina State Building Codes, 428.2.3.**

****DHSR also requires this protection in any licensed facility with this type of wood paneling. Treating wood paneling is added protection for the clients in the event of a fire.**





MINIMUM PHYSICAL PLANT REQUIREMENTS

(Applicable Building Code Requirements)

The listed paints or additives may be purchased from your local paint dealer, hardware store, or you may search online to locate a dealer who sells the product. After your purchase maintain copies of your receipts as verification of your purchase.



Flame Control - Fire Retardant Paint
Contact: **Flame Control Coatings, LLC**
Phone: **716-282-1399**



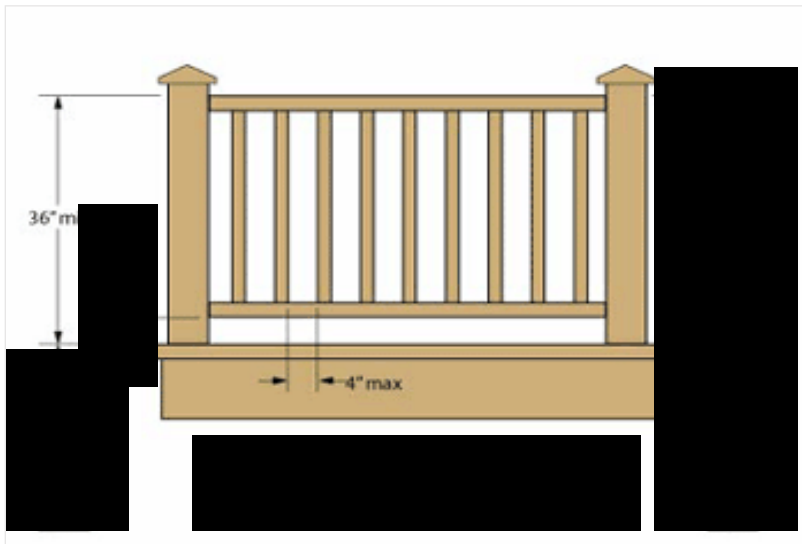
FR-1 - Fire Retardant Paint Additive for Water Based Latex Paints
Contact: **Project Fire Safety, Inc.**
Phone: **800-468-2876**



Flame Guard - Fire Retardant Treatment for Water Based Latex Paints
Contact: **Hy-Tech Thermal Solutions**
Phone: **321-984-9777**



MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)



Railings

Porches, balconies or raised floor surfaces that are 30” or more above grade must have guardrails not less than 36” in height.

***For the safety of clients, staff, and visitors, consideration should be to provide railings for porches, balconies, or raised floor surfaces regardless how far above grade.**



MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)



Emergency Egress

Every sleeping room must have at least one operable window OR an exterior door that is approved for emergency egress. The window size and clear opening must be in accordance with the requirements at the time the facility was built.

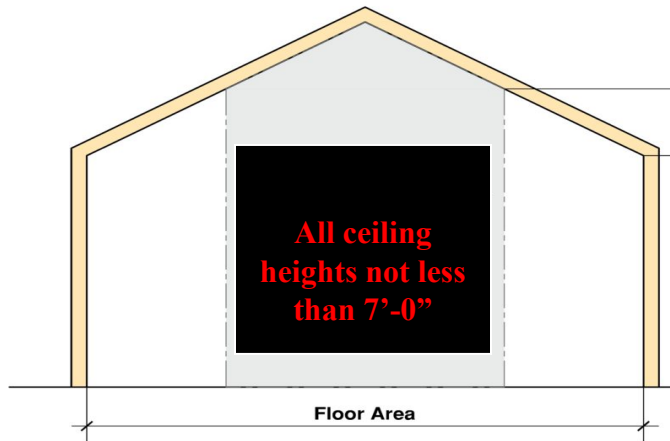


MINIMUM PHYSICAL PLANT REQUIREMENTS

(Applicable Building Code Requirements)

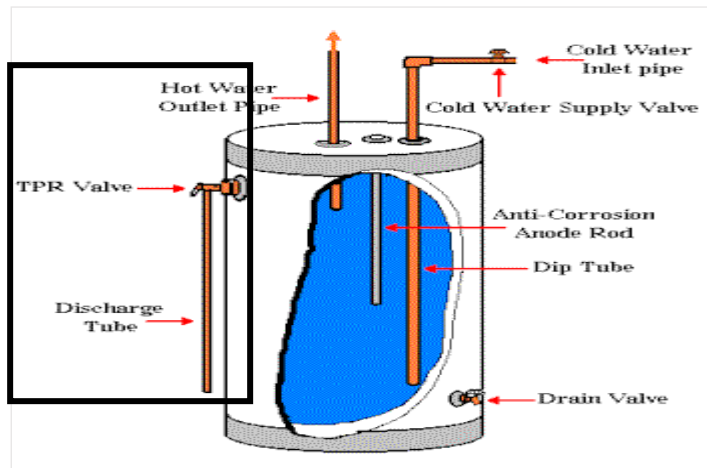
Minimum Ceiling Height

Residential ceiling heights must be no less than 7 feet for every room in the house.



Discharge Relief Valve

The discharge relief valve should terminate no less than 6" above the floor and may be piped to the outside of the home or piped to a drain pan (must not terminate under the home). For example, **CPVC** or **Copper** piping or other material acceptable by Code.





MINIMUM PHYSICAL PLANT REQUIREMENTS

(Applicable Building Code Requirements)



2-Story Homes – Remote Exit

If the home is requesting 4 to 6 clients or if the home is a two-story home, the home must meet the requirements of **2018 NC Building Code, Section 428.2.1** which requires each normally occupied story of the facility shall have two remotely located exits.



MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)

Manufactured/Mobile and Modular Home Use Within the MHL Program

- **Manufactured/Mobile Homes** may serve three or fewer residents including occupants of the facility that require care by the caregivers
- **Manufactured/Mobile Homes** may be licensed under .5600 Supervised Living or .5100 Community Respite Services programs only
- **Modular Homes** may serve any program as they are classified as Single Family Residential
- **Manufactured/Mobile Homes and Modular Homes** still require the approvals from the local jurisdiction



MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)

Manufactured/Mobile and Modular Home Use Within the MHL Program

How Manufactured/Mobile Homes are Identified

HUD Certification Label for Manufactured/Mobile Homes

This label is the manufacturer's certification that the home was manufactured in accordance with HUD's Construction and Safety Standards that were in effect at the time the home was manufactured. **The Certification Label is usually located on the outside of the home, generally on the front, left corner or on the rear, left corner.**





MINIMUM PHYSICAL PLANT REQUIREMENTS (Applicable Building Code Requirements)

Manufactured/Mobile and Modular Home Use Within the MHL Program

How Modular Homes are Identified

North Carolina Validation Stamp for Modular Homes

This label and the Building Manufacturer's Data Plate certifies the structure has been manufactured and inspected in accordance with the North Carolina's inspection requirements. **The Validation Stamp is usually located in the cabinet above the range hood or in a utility closet.**





Construction Section

Frequently asked questions

*If the answer to questions you have are not in this presentation, please contact the Construction Section Help Desk at (919) 855-3893



FREQUENTLY ASKED QUESTIONS

1. What are my options if my bedrooms don't have the required square footage?

The Licensure Rules are the minimum requirements that all facilities to be licensed are required to meet. It may be necessary to limit the capacity of the facility due to bedroom sizes or renovate the facility to ensure the minimum requirements are met.





FREQUENTLY ASKED QUESTIONS

2. Can a client access a bedroom through another client's bedroom?

No. Access to clients' bedrooms cannot be through another room being occupied by a client as a bedroom.

3. If I don't have built-in closets can it still be used as a bedroom?

Yes, but a wardrobe, dresser, or other means to store clothing and other personal items must be provided.





FREQUENTLY ASKED QUESTIONS

4. I received notice from the Construction Section that my application has been received. When will I get an inspection?

- *Once your application is received, the construction invoice outlining the appropriate fee will be emailed to you.*
- *The construction fee must be returned and paid before a review and/or an initial inspection can be done.*
- *If an initial inspection is warranted in lieu of a review, an inspection will be scheduled 3-4 weeks after payment is received. If your application is for 4 or more ambulatory or non-ambulatory clients, a project plan review must be sent out prior to any inspections being scheduled and performed.*
- *The individual listed on the application as the contact person will be notified to schedule the inspection, so accurate information must be provided.*



FREQUENTLY ASKED QUESTIONS

5. Can Construction inspect my facility before I submit my application?

No. You will be invoiced by Construction. Once that fee has been paid Construction will make an onsite inspection visit to your facility (if warranted).

6. Are my clients allowed to smoke in my facility?

House Bill 1294 Section 3, Article 1 of Chapter 122C of the General Statutes prohibits smoking inside licensed facilities by any person living or employed at such location.





FREQUENTLY ASKED QUESTIONS

7. If I have a second story will I be required to install an exterior exit at that location?

Yes. If you have 4 or more residents, even if the upstairs will be used as office space for staff.

8. Will a handicap ramp be required?

Depends. If you provide services for a non-ambulatory client and those non-ambulatory clients have a physical impairment that requires a handicap ramp; i.e. wheelchair, walker, etc., then a ramp(s) will be required.



FREQUENTLY ASKED QUESTIONS

9. Am I required to have a fire retardant on my interior walls?

If the walls have wood paneling, they must be treated with an approved fire retardant paint unless documentation is provided that verifies the finish is a Class C or higher. Knotty Pine, mill lumber with no varnish finish is acceptable. If mill lumber has varnish it must be treated.*

**Please see Slides #28 and #29 for more information on this.*