

N.J.
" State of New Jersey
Department of Institutions and Agencies
Bureau of Community Institutions,
Trenton, New Jersey

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MANUAL OF STANDARDS
FOR NEW
BOARDING HOMES FOR SHELTERED CARE

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REGULATION SHELF

Adopted
October 27, 1965

F O R E W O R D

The boarding home for sheltered care provides a vital community service. Substituting as it does for the actual home of the person who requires personal care and services, it fills a specific need and renders a public service of great importance.

To provide for the orderly development of boarding homes and to insure adherence to reasonable standards looking toward safe and adequate care of residents, the State Legislature has delegated to the Department of Institutions and Agencies the responsibility for the establishment and enforcement of the basic standards in this manual.

The prospective applicant and approved boarding home operator shall be thoroughly familiar with all such requirements and shall be able to give assurance that the standards in this manual and in any revisions thereof can and will be maintained at all times.

When an Approval Certificate is issued by the State of New Jersey, Department of Institutions and Agencies, for a new Boarding Home for Sheltered Care, it shall be the responsibility of the operator (the individual, partnership, corporation, society or association, to whom the Certificate has been issued) to comply fully with all the rules, regulations and standards of this Manual at all times.

The rules, regulations and standards of this Manual shall be applicable to all new applications for a Boarding Home for Sheltered Care, effective October 27, 1965, the date this Manual was adopted by the Department.

In accordance with the authority granted by R.S. 30:11A-1, et seq., this Manual having been filed with the Secretary of State has the effect of law. Violators of the Manual, therefore, shall be subject to the penalties provided for under the New Jersey statute.

The Department, upon the recommendation of the Hospital Licensing Board and with the approval of the State Board of Control, has the authority under legislation to change or modify the requirements in this Manual of Standards as may be necessary from time to time in order to protect the public interest.

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CHAPTER I
INTRODUCTION

I. DEFINITIONS

A. BOARDING HOME

A boarding home, rest home or other home for the sheltered care of adult persons is any establishment which furnishes food and shelter to four (4) or more adult persons unrelated to the proprietor and which provides any personal care or service beyond food, shelter and laundry, to any one or more such persons. It serves as a substitute for the residents' own homes, furnishing facilities and comforts normally found in a home but providing in addition such services, equipment and safety features required for safe and adequate care of residents at all times. An adult person is anyone 21 years of age or over.

B. RESIDENT

A resident is an adult person who is ambulant, who is reasonably oriented mentally, and who has been certified by a licensed physician to be free from communicable disease and not in need of nursing care, and who shall not be given nursing care while such resident. This definition shall not be construed to prevent care of residents in emergencies or during temporary illness for a period of one week or less.

C. PATIENT

A patient is any person who is chairfast, bedfast, unable to walk up and down stairs without assistance, or who is not well-oriented, and who has been certified by a licensed physician to be free from communicable disease and is in need of nursing and medical care on a continuing basis. (Further reference on this is made under "Admission Policy" in Chapter IV).

D. DEPARTMENT

The words "the Department" or "this Department" shall indicate the DEPARTMENT OF INSTITUTIONS AND AGENCIES.

E. APPROVAL CERTIFICATE

The approval certificate issued by the Department for the operation of a boarding home for sheltered care shall be posted so that it is conspicuously displayed to the public in a public area. A public area is a lobby, entrance hall, or public lounge, in contrast to the administrator's office, admitting office, or other areas which are not visited by the public in general.

F. APPLICANT

An applicant is any individual, partnership, corporation, society or association, whether for profit or non-profit, who applies to the Department on prescribed application forms for the purpose of requesting an approval certificate to operate a boarding home for sheltered care.

G. BOARDING HOME OPERATOR

The words "boarding home operator" or "operator" shall indicate the person, partnership or corporation to whom the Department has issued an approval certificate for the purpose of maintaining a boarding home for sheltered care under the provisions of this manual.

H. BOARDING HOME LAW

The words "boarding home law" shall mean R.S. 30:11A-1, et seq.

Note: A copy of this statute appears in Appendix I of this manual.

I. NURSING HOME LAW

The words "nursing home law" shall mean R.S. 30:11-1, et seq.

J. EXPLANATION OF WORDS SHALL AND SHOULD

1. Where the word "shall" is used, it means compliance is mandatory.
2. Where the word "should" is used, it means a suggestion or recognition.

K. EMPLOYEE

An employee may be a member of the operator's family or a person who is gainfully employed in the boarding home on a full or part-time basis and for whom a record of hours worked and wages paid are maintained and who meets the health, age and other requirements of this manual. Reimbursement for such employment may include salaries, wages, room and board, or any combination thereof. A person placed in the boarding home under a purchase of care or service agreement shall not be considered an employee.

II. OBJECTIVES OF BOARDING HOME

Good residential care in a boarding home for sheltered care is dependent upon the provision of various services and facilities. A sincere interest in people and in their health and comfort, efficient and responsible employees, essential equipment and safe buildings all contribute to the total welfare of the resident. But since the institution becomes the resident's

actual home, it is equally important that the atmosphere be home-like and that the resident is recognized as an individual whose personal interests are maintained and developed, and whose personal dignity is respected and safeguarded. Each boarding home shall provide for all residents:

- A. A substitute home with continuous supervision.
- B. Required personal care and services for residents. Services include: (a) supervision and assistance in dressing, bathing, and in the maintenance of good personal hygiene; (b) care in emergencies or during temporary illness for a period of one week or less; (c) supervision in the taking of medications; and (d) other services conducive to the residents' welfare.
- C. The preservation of the dignity, individual rights, and privacy of residents.
- D. Good and nutritious food, clean, comfortable and attractive living and sleeping accommodations, and personal laundry services.

III. QUALIFICATIONS OF OPERATOR, APPLICANT OR ADMINISTRATOR

A. PERSONAL

1. The person responsible for the operation of the home shall be emotionally stable, in good physical and mental health, a person of integrity and good character, and have an understanding approach toward residents and concern for their welfare. He or she should have a background of institutional administration or experience.

B. FINANCIAL

1. The operator or administrator should be familiar with methods of efficient management and other functions normally assigned to such a person. He should be familiar with the broad policies affecting modern programs for sheltered care living, capable of over-all planning and supervision, and competent to interpret the needs, progress and goals of the home.
2. The operator should be in a financial position to underwrite the cost of operating in accordance with the standards of this manual.

C. HEALTH

1. The individual applicant and the person assigned responsibility for administration of the home shall submit a medical certificate from a licensed practicing physician in New Jersey that he or she is in good physical and mental health and able to operate or administer the home.

2. If requested by the Department, the individual granted an approval certificate and the person responsible for administration of the home shall have an annual medical examination (including a chest x-ray or tuberculin skin test) and a statement from a licensed practicing physician in New Jersey that he or she is in good mental health and able to operate or administer the home. Any such written statement by the physician shall be maintained on the premises and be available for review by representatives of the Department.
3. In the event that an approved operator or administrator is unable to provide a medical certificate as required above, the approved operator shall immediately appoint a substitute person or administrator who shall be required to furnish such medical certificate prior to entering into his or her duties as such.
4. If at any time the operator holding the approval certificate or the person assigned responsibility for administration of the home is for any reason unable to assume active charge, a substitute person or administrator shall be appointed and such substitute person shall be required to furnish a medical certificate such as that referred to above.

D. PARTNERSHIP OR CORPORATION

In the case of a boarding home owned by a corporation, partnership, society or association, the foregoing is applicable to the individual who has responsibility for management. In such cases, the Department is to be immediately notified in writing of the change in managers.

IV. APPLICATION PROCEDURE

- A. As a first step, the prospective applicant shall study all sections of this manual to secure a basic understanding of the boarding home standards and shall study also Part I of the application form to become familiar with the application procedure. The applicant shall then secure the necessary local approvals.
- B. When such local approvals are secured, an appointment shall be made with representatives of the Bureau of Community Institutions for a preliminary conference so that the proposed operation can be fully discussed and any questionable points clarified.
- C. At this conference the prospective operator will be advised of further steps to be taken and will be given Part II of the application form which should be filled out in duplicate and one returned to the Department for processing. It should be noted that the issuance of an application form is in no way a guarantee that the application will be approved.

- D. If the application filed is in proper form, the Department will proceed with its complete processing, including checking of references.
- E. A preliminary inspection of the premises will be made to determine whether it is in compliance with this manual and if it is not, the applicant will be furnished with a bill of particulars as to the improvements which must be met.
- F. Upon completion of any such needed improvements, a re-inspection will be made to determine the final suitability of the structure and no approval certificate will be issued until the structure meets all physical requirements of this manual.
- G. An approval certificate will be issued when the following conditions are met:
 - 1. When the application form is completed satisfactorily and approved by the Department.
 - 2. When the physical plant has been found to comply with all standards of this manual.

V. DENIAL OF APPLICATION

- A. A prospective applicant who fails to file a completely satisfactory application form and to provide a structure meeting all standards of this manual will be denied an approval certificate.
- B.
 - 1. An application made by an existing boarding home operator to expand his present facility or to secure an approval for an additional boarding home facility may be denied if it appears that the operator-applicant has not demonstrated ability to operate the existing facility satisfactorily and in compliance with established standards for at least one year last past.
 - 2. This policy shall not be construed to prevent replacement of an approved structure by a physical facility which would be deemed by the Department to be more satisfactory than that already approved.

VI. NAME OF BOARDING HOME

The Department shall reserve the right to approve the name of any boarding home proposed by any new applicant and to reject any designation or name which is deemed to be unsuitable or misleading to the public or is similar to other approved or licensed facilities. Specifically, the name of a boarding home shall in no way imply facilities and services offered that are not part of the home's program or that it is sponsored and supported by the community in which it is located.

CHAPTER II
BUILDING REQUIREMENTS

I. LOCATION OR SITE

- A. The location of the proposed home is important. Preferably, it should not be in a congested area but, on the other hand, it should be easily accessible from centers of population.
- B. Any property proposed for approval shall be a detached single purpose building with an open separation of at least 4 feet on all sides and at least 15 feet from the curb line. No addition or other structure shall be built which would lessen the distances set forth above.
- C. The availability of a public water supply and public sewage disposal system is important. Non-public systems must be individually approved for each home.

II. STRUCTURE

- A. A suitable structure is essential to safe and efficient operation of a boarding home. Real care should be exercised in selecting a structure which is readily adaptable to the requirements of this manual and which provides such resident capacity as to insure sound financial operation.
- B. The prospective applicant should make an evaluation of the proposed building giving special attention to the following factors:
 - 1. The suitability of the structure for good resident care. In this connection, appraisal should be made of the adequacy of space available for resident housing and recreation, plumbing, facilities for proper food preparation, and other details essential to efficient operation.
 - 2. The fire protection measures required for safe housing of residents.
 - 3. The extent of renovations necessary to provide adequate facilities and fire protection.
 - 4. The potential resident capacity. (The applicant will be notified of the tentative capacity at the time of the first inspection of the physical plant and final capacity will be established when all physical requirements of the building have been met and approval given).

- C. Under no circumstances should any building proposed as a sheltered care facility be constructed, purchased or leased until plans have been reviewed by the Department and the applicant advised either that the structure is suitable or can be made suitable.

III. LOCAL APPROVALS AND FLOOR PLANS

If, in the opinion of the applicant, the building proposed for use is satisfactory (or could be made satisfactory) the following local approvals and floor plans shall be secured by the applicant and filed with the Department.

A. LOCAL APPROVALS

1. Zoning Authority - A written statement attesting that the proposed use of the structure is not in conflict with zoning regulations.
2. Building Inspector - A written statement attesting to the structural safety of the building.
3. Fire Department - A written statement from local fire authorities to the effect that, in their opinion, the building is satisfactory for the proposed occupancy. (The Department reserves the right to require fire protection measures which may exceed the requirements of municipalities).
4. Health Department
 - a. A written statement attesting that the building and its facilities meet local health requirements.
 - b. If the building is not serviced by a public water supply and public sewage disposal system, the local or district health officer shall inspect these services and submit a written statement of approval.
 - c. If local inspection and approval is not available, inspection of such facilities shall be made by the proper District State Health Office of the State Department of Health. (Information regarding the location of district offices can be secured from the Bureau of Community Institutions).

B. SCALE FLOOR PLANS

1. The applicant shall secure a scale floor plan of the basement and each floor of the building. Best results will be secured when plans are drawn by a registered architect.

2. Plans shall be secured in duplicate so that a copy may be placed on file with the Department. In addition to the plans, drawings or photographs showing at least three sides of the building shall be secured.
3. When an applicant presents architectural plans or sketches for Departmental approval or when an approved operator seeks approval of plans or sketches for an addition to an existing approved facility or for renovation within an existing approved facility, such approval, when given, shall be null and void unless actual construction begins within a period of one year. In the event that such applicant or approved operator does not begin construction within the time specified and intends to do so at a later date, such plans and sketches must be resubmitted for approval.

IV. OFFICE CONFERENCE

- A. When the scale plans and local approvals have been secured, an appointment shall be made in advance with representatives of the Bureau of Community Institutions to discuss both the building under consideration and the other matters affecting proper operation of the home.
- B. At this conference, floor plans of the building will be reviewed and every possible assistance given to the prospective operator to plan the structure for efficient resident care.
- C. In the event that renovations are essential, recommendations will be outlined in writing. Such renovations should be planned and supervised by a registered architect and shall not deviate from the recommendations outlined by this Department unless written approval is secured.

V. INSPECTION OF BUILDING

- A. If necessary, an inspection of the property will be made by representatives of the Department after local approvals have been filed.
- B. Upon completion of any renovations or new construction, the applicant shall submit written notification that the work has been completed in accord with specifications of the Department. No further structural changes may be made without pre-approval of the Department.
- C. In any event, a final inspection of the premises shall be made and if completed work appears satisfactory, the building will be approved.

- D. The applicant should understand that approval of the structure does not, in itself, constitute permission to accept residents. Such permission will be based in part upon other factors such as adequacy of personnel, equipment, and the other requirements of this manual.

VI. BUILDING OCCUPANCY

- A. No structure approved as a boarding home should be utilized for any other purpose. This regulation shall not be construed to eliminate housing quarters of the owner or his family, the administrator, or other staff members.

B. Definitions

1. A first floor is a story in which the floor level is above the curb level.
2. A basement is a story in which the floor level is below the curb level.

- C. Resident occupancy shall be limited to floors above the curb level. However, under certain conditions, basement occupancy may be permitted. No such occupancy will be allowed if more than one-half the height of the room or rooms in question is below curb level and if there are other conditions which might militate against the health, safety or welfare of the resident.

In special situations where the topography is such that certain resident areas have an entrance or exit from the outside above grade, resident occupancy will be allowed.

- D. Resident occupancy above the second floor shall be prohibited unless the building is of fire-resistant construction.
- E. If the structure is of fire-resistant construction, rooms above the second floor will be reviewed on an individual basis to determine whether they are suitable for occupancy by residents and approval of such rooms will be granted or denied after review of the individual situation.
- F. Elevator service shall be provided for resident occupancy above the second floor in fire-resistant buildings specifically approved for such occupancy.

VII. RESIDENT BEDROOMS

- A. All residents' rooms shall be located in areas providing direct natural light and ventilation.

- B. All rooms occupied by residents shall have direct access to corridors and toilet facilities without the necessity of passage through rooms of other residents, kitchen or dining areas, recreation rooms, reception rooms, etc.
- C. Only the spaces unobstructed by doors, windows, radiators, etc., shall be suitable for placement of beds.
- D. Sleeping rooms for one resident shall have a minimum of 70 square feet of floor area.
- E. In sleeping rooms occupied by more than one resident, a minimum of 50 square feet of floor space per bed should be used as a guide. However, there must be three feet between beds to insure general comfort and safety to residents, and there must be space for storage of personal possessions and additional space to provide a chair for each bed and also for unobstructed passageway.
- F. No more than four residents shall be housed in any one room regardless of its size.
- G. In no instance shall persons of opposite sex be permitted to be housed in the same room unless they are husband and wife. In the case of husband and wife, double beds may be used, but in no other instance.
- H. No room shall be approved for resident occupancy unless it meets all specifications of this manual.

VIII. TOILETS AND BATHS

On each floor utilized by residents for sleeping purposes there shall be toilet and bath facilities accessible from a common corridor. On other floors utilized by residents, there shall be at least a toilet and lavatory available and accessible from a common corridor.

Toilet and bath facilities shall be available in the following minimum ratios:

Toilets - one to eight residents

Wash basins - one to eight residents

Tubs or showers - one to fifteen residents

These ratios exclude family members and resident employees.

IX. LIVING AND RECREATION ROOMS

- A. A suitable living room(s), comfortably furnished, shall be provided to insure adequate seating for two-thirds of the approved capacity of the home.
- B. A living room(s) shall have ample space for appropriate socialization and other resident activity, such as letter writing, card playing, etc. In addition, it is recommended that space for such diversional activity as radio, television, reading, etc., be available to residents.
- C. Large homes (those with an approved capacity of 30 residents or more) shall provide multiple living or recreation rooms for the socialization of residents.

X. DINING ROOM

- A. A dining room or rooms of sufficient size and properly equipped to seat comfortably all the residents of the home at one sitting shall be provided.
- B. The dining room shall be a separate area and shall not be a part of any other room.
- C. Space shall be adequate to provide for flexible seating arrangements recognizing individual eating habits and preferences of residents.

XI. CORRIDORS AND STAIRWAYS

- A. All corridors, stairways and other exit facilities shall be a minimum of 36 inches wide from wall to wall.
- B. Stairways and open platforms shall be provided with suitable handrails or banisters if practicable. Such handrails and banisters shall be securely attached and of sufficient height to guard against accidents.
- C. Tread coverings of the non-skid type shall be provided on all stairways used by residents.

XII. STORAGE SPACE

Sufficient and adequately lighted storage space shall be provided in the home for the proper storage of residents' clothing, linens, drugs, food, cleaning and other supplies.

XIII. HEATING

- A. Central heating from a single heating plant shall be provided for all areas in the boarding home.

- B. The heating plant shall be adequate to maintain in all areas used by residents a temperature of 75 degrees F. during the coldest weather.
- C. The normal temperature of the home shall always be kept at 72 degrees or above.
- D. In all new installations of oil furnaces and equipment, tanks shall be located outside the building. In structures where oil burning equipment has already been installed, the vent pipe and fill pipe shall be located outside the building.
- E. An identifiable electrical emergency shut-off switch for any oil burner shall be provided on the first floor and not in the basement.
- F. Heating by an open fireplace shall be restricted in keeping with the standards on fire protection in Chapter III of this manual.

XIV. LIGHTING

- A. Artificial light shall be by electricity only.
- B. The individual rooms used for sleeping purposes by residents shall have sufficient natural and artificial light. The total glass area of such rooms shall be not less than 10 percent of the floor area.
- C. All rooms used by residents, including hallways, corridors and stairways, shall be lighted by natural or artificial light at all times.
- D. All corridors, bathrooms, and stairways shall be equipped with proper night lights.
- E. At least one permanently installed electric outlet shall be accessible for each resident bed.
- F. In addition to ceiling lights, there shall be a bedside light for each bed and such other type light fixtures as are necessary to meet the individual needs of residents for reading, writing and other purposes.
- G. Emergency lights shall be available at all times for hallways, corridors and stairways to enable residents to make their way about the home in the event of normal power failure. An automatic standby generator is preferred, but self-charging battery-type emergency lights are acceptable.

XV. VENTILATION

- A. All rooms used by residents, including bathrooms, toilets, kitchen and storage areas, shall be adequately ventilated by either natural or mechanical means.
- B. The total ventilation area of a room used by residents shall be not less than 4 percent of the floor area.

XVI. PHYSICAL MAINTENANCE

The building and grounds shall be well-maintained at all times. Both the interior and the exterior of the home shall be kept in good condition to insure an attractive appearance, to provide a pleasant atmosphere, and to safeguard against deterioration of the premises. The home shall be kept free from fire hazards and other hazards to health and safety.

CHAPTER III
FIRE PROTECTION

I. PREVENTION

Prevention is the keynote of fire protection and the boarding home operator shall make every effort to safeguard against the existence of fire hazards in the interest of protecting both lives and property. It is in these interests that the Department has adopted the fire protection measures in this manual.

II. FIRE DETECTION SYSTEM

All boarding homes shall have an automatic fire detection system of a type approved by the State Fire Marshal. No such installation shall be made without the written approval of the State Fire Marshal.

III. HORIZONTAL ZONING

- A. To provide horizontal fire zoning, all floors above the first floor of any non-fireproof building which is occupied by residents, and which exceeds 3,000 square feet in area, shall be divided into separate areas by horizontal smoke and fire partitions of at least one-hour fire-resistance rating.
- B. Specifications on materials which provide such rating may be obtained from the Fire Insurance Rating Organization of New Jersey, Newark.
- C. All doors provided in such partitions shall have the following:
1. A fire-resistance rating of at least one hour.
 2. Be equipped with a positive latch.
 3. Be equipped with a self-closing device so installed that the door will close automatically if held open.
 4. Be equipped with a fusible link if held open.
- D. All doors shall be tight-fitting.
- E. Doors shall be at least 36 inches wide.

F. Doors in fire-resistance partitions, to meet the one-hour rating requirement, shall be:

1. Hollow metal doors, or
2. Solid wood doors of the flush type not less than 1 3/4 inches thick.

G. Doors as specified above shall have panels for clear vision and all such panels shall have clear wire glass set in metal frames.

IV. STAIRWAYS AND EXITS

A. Two satisfactory and easily available means of egress, remote from each other and preferably at opposite ends of the building, shall be provided from each floor occupied or utilized by residents, owners or personnel. Such exits shall lead directly to the exterior of the building.

B. Stairways and hallways leading to the exterior shall be kept free and clear of obstructions at all times.

C. All exit doors to such stairways shall be clearly marked.

D. The two primary exits on the first floor shall open outward. Exits through kitchens will not be considered a primary means of egress but an auxiliary means only.

E. No stairway referred to as a "winder" will be accepted as satisfactory.

F. In the event that a fire escape is necessary to provide an acceptable second means of egress, it shall be constructed in conformity with standards of the Department.

V. STAIR ENCLOSURES

A. All interior stairways, except those leading to the basement, shall be properly enclosed to prevent the upward spread of smoke, flame and fumes.

B. Enclosures shall have a one-hour fire-resistance rating. They may be constructed of 3/4 inch gypsum plaster on metal lath on each side of 2 x 4 wood studs, or equivalent, or of wire glass in metal framework. All construction proposed as "equivalent" shall be approved by the Department. In enclosures there shall be no movable transoms or movable interior windows and all transoms and interior windows shall be of wire glass in metal frame.

C. Doors in enclosures shall be:

1. Hollow metal doors, or
2. Solid wood doors of the flush type not less than 1 3/4 inches thick.
3. Doors shall be at least 36 inches wide.
4. Such doors shall have transparent wire-glass vision panels which shall not exceed 100 inches in area and all such panels shall be installed in metal frames.
5. All such doors shall be self-closing and tight-fitting, shall open in the direction of egress and shall be equipped with positive latches.
6. Double doors shall be prohibited.

D. Landings adjacent to all doors in stair enclosures should be at least the width of the door.

VI. DUMBWAITER AND LAUNDRY CHUTES

A. All dumbwaiters, laundry chutes or other vertical openings which are not fireproof shall be enclosed with 3/4 inch gypsum plaster on metal lath on each side of the studs, or equivalent. The top of the shafts shall be sealed with material having a fire-resistance rating of not less than one hour.

B. All doors in shafts shall be:

1. Hollow metal doors, or
2. Solid wood doors of the flush type not less than 1 3/4 inches thick.
3. All doors shall be tight-fitting, of the self-closing type, and equipped with positive latches.
4. Vision panels in such doors and openings shall be prohibited.

VII. ELEVATORS AND ELEVATOR SHAFTS

Elevator shafts shall be of fire-resistant construction, or shall be protected in accord with regulations listed for stairway enclosures and enclosure for dumbwaiters and laundry chutes.

VIII. BASEMENTS

- A. Doors at the head of basement stairways shall be:
1. Hollow metal doors, or
 2. Solid wood doors of the flush type not less than 1 3/4 inches thick.
 3. All doors shall be tight-fitting, of the self-closing type, and equipped with positive latches.
 4. Vision panels in such doors shall be prohibited.
- B. Basement Ceilings

1. Basement ceilings shall be protected with metal lath and plaster, or equivalent construction approved by the Department, except in cases where such ceilings are already covered with plaster (on wood lath) in good condition. In all cases, hollow partitions shall be effectively fire-stopped with material of at least one-hour resistance rating. Side walls and ceilings enclosing basement stairways shall be protected in the same manner as basement ceilings.

As alternatives to the type of protection mentioned above, the following ceiling protection will be permitted:

- a. A ceiling of not less than 5/8 inch U. L. rated plasterboard, nailed to joists, cemented and taped at joints.
 - b. Coat all ceiling wood (including joists and crossbars) with approved fire retardant paint. All vertical openings shall be plugged or sealed prior to painting.
2. If there exists a wood lath or metal lath ceiling under the joists and the plaster on such ceilings is broken or deteriorated, it shall be replaced with facing, or the broken lath and plaster shall be torn down to exposed wooden joists. Proceed as per item 1 above.
 3. If compliance of the above requirements is accomplished by means of applying approved fire retardant paint, all such surfaces when being repainted in the future, must be repainted with approved fire retardant paint.

4. Approved facilities protected with a comprehensive automatic sprinkler system, shall be exempt from the protective measures required for combustible basements and basement ceilings.
5. Smoke pipes from heaters to chimneys shall not pass within 18 inches of ceilings even though the ceiling may have been protected with metal lath and plaster. (If it is not possible to place the smoke pipe 18 inches from such ceiling, other adequate protective measures will be recommended by the Department).

IX. FIRE RETARDANT PAINT

Approved fire retardant paint shall be a product meeting the minimum requirements set forth in the Department's specifications, and which product has been approved by the Office of the State Fire Marshal.

X. ELECTRICAL WIRING

- A. There shall be no temporary wiring in the home.
- B. All electrical accessories shall carry U. L. approval.
- C. All basement electrical wiring shall be in BX cable or equivalent and all outlets shall be of approved type.
- D. An approved boarding home operator shall, on or before January 1st of each year, submit a written statement by a licensed electrician that the electrical circuits and wiring in the home are satisfactory. This report should include the date of inspection and should give assurance that circuits are not overloaded, that all wiring and permanent fixtures are in good condition and that all portable electrical appliances, including lamps, are equipped with U. L. approval.

XI. KITCHENS

- A. Since kitchens constitute hazardous areas, other areas of the home shall be protected from such hazards by the sealing of all openings, except doorways, and by the protection of all horizontal openings by materials of at least one-hour fire-resistance rating.
- B. Kitchen doors shall be:
 1. Hollow metal doors, or
 2. Solid wood doors of the flush type not less than 1 3/4 inches thick.

3. Doors leading from kitchens to adjacent areas shall swing in one direction only, shall be self-closing, tight-fitting, and equipped with positive latches.
 4. Such doors shall have transparent wire-glass vision panels which shall not exceed 100 inches in area and all such panels shall be installed in metal frames.
- C. Kitchen exhaust fans and metal ducts shall be kept free of grease and dirt at all times, and metal ducts from such fans shall extend at least 2 feet beyond the building. Areas around kitchen ranges shall be kept free of grease at all times.
- D. Metal hoods and exhaust ducts over kitchen ranges are not required. However, where such facilities exist or are installed, construction standards of the National Board of Fire Underwriters shall be met.

XII. LAUNDRY EQUIPMENT

Where such equipment is limited to ordinary household types, no special protective measures are essential.

However, if commercial type equipment is utilized, it shall be installed in a separate laundry room because of the hazards involved. The remainder of the home shall be protected from the laundry room by partitions and openings of at least one-hour fire-resistance rating. Doors to such laundry rooms shall be protected in accord with the regulations affecting doors leading to kitchens. (For other regulations regarding laundry services, see "Laundry" under Chapter IV).

XIII. FIRE ESCAPE SPECIFICATIONS

- A. Plans for all fire escapes must be approved by the Department prior to any actual construction and must show in detail all buildings adjacent to fire escapes.
- B. Wood Fire Escapes
1. Outside stringers must be of the closed type, 3 inches by 12 inches, and there must not be less than 3 string pieces. Treads must be 2 inches by 10 inches, not less than 48 inches in the clear and properly supported on pieces 2 inches by 4 inches well spliced to stringers.
 2. All platforms must be supported by uprights not less than 4 inches by 4 inches, properly braced.

3. The fire escape should be directly accessible from the interior and so arranged as to make clear the direction of egress.
4. All exit doors to fire escapes shall be clearly marked.
5. Fire escape stairways should lead away from the building and not run alongside.
6. All doors leading to fire escape shall swing outward and should lead to a platform, level with the door, and the width of the platform shall not be less than 48 inches square.
7. Runways, stairs and all landings shall not be less than 48 inches in the clear and all shall be equipped with a suitable handrail braced at every third tread and with an intermediate guard rail.
8. The rise of steps must not exceed $7\frac{1}{2}$ inches. The treads of steps must not be less than $9\frac{1}{2}$ inches exclusive of nosing.
9. No run of steps shall have more than 17 risers unless an intermediate platform is provided.
10. No counter-balanced fire escape is acceptable but all shall be permanently fixed in place.
11. All fire escapes shall have concrete footings extending at least 3 feet below grade.

C. Steel Fire Escapes

1. Steel fire escapes shall provide the same characteristics of the wooden fire escapes.
2. Such escapes shall have no member less than $1/4$ inch thick. Where such escapes are fastened to the building, bolts must run clear through wall and any member passing through wall must be protected against corrosion. All stairs, platforms, landings, and balconies must be constructed to sustain a live load of at least 100 pounds per square foot with a factor of safety of 6, also a concentrated load of 200 pounds at the center of each tread.

D. Existing Fire Escapes

No fire escape will be accepted if it does not meet the presently specified regulations.

XIV. FIRE EXTINGUISHER SPECIFICATIONS

- A. There shall be an adequate number of fire extinguishers in the basement and on each floor of the building, all of which should bear the seal of the Underwriters' Laboratories.
- B. Extinguishers shall be conspicuously hung and kept easily accessible and all shall be recharged and inspected in accord with the manufacturer's specifications. Each shall be labeled to show the date of such annual inspection and refilling.
- C. The following types of extinguishers shall be provided:
 1. In kitchen areas (because of the danger of grease fires), extinguisher should be a 5-lb. CO₂ or dry chemical.
 2. In the basement area, extinguisher shall be a 5-lb. dry chemical if oil is used as a fuel. If coal is used, 2½ gallon air-pressurized water-type extinguishers shall be provided.
 3. Generally throughout the house, there shall be a sufficient number of 2½ gallon air-pressurized water-type extinguishers and these shall be located in strategic areas.

XV. OPEN FIREPLACES

- A. The use of an open fireplace shall be restricted to the living and recreation rooms on the first floor of the home.
- B. The fireplace shall be constructed of all non-combustible material and shall be kept clean and in good condition.
- C. When used, it shall be protected by metal screens.
- D. When in use, it shall be under the direct control and supervision of a responsible employee.
- E. After use, the fire shall be totally extinguished.

XVI. SMOKING BY RESIDENTS

Careless smoking by residents presents a continuing threat and danger.

- A. Residents shall never be permitted to smoke alone in their rooms and in other secluded areas.
- B. Restricted smoking areas shall be designated and rules governing such smoking promulgated and rigidly enforced.

- C. Large metal, ceramic, or non-flammable ashtrays in sufficient numbers shall be provided in permitted smoking areas so that residents will not be tempted to utilize such flammable items as paper cups, waste baskets, etc., for the disposal of ashes or "butts".

XVII. FIRE RULES AND REGULATIONS

- A. Each home for sheltered care shall develop specific fire rules and regulations.
- B. Such rules shall be formalized in writing and posted in a prominent place within the home.
- C. Such rules should outline the procedures to be followed in the event of fire, shall list the telephone number of the local fire department, and outline the procedure for notifying such department in the event of need.
- D. These regulations shall include an evacuation plan for residents, owners and personnel.
- E. Employees shall be instructed in the location and use of fire protection equipment and the procedures to be followed in the event of an emergency. Such instruction shall be reviewed at least once a month.
- F. A copy of all fire rules and regulations shall be forwarded to the State Fire Marshal who will review and record the receipt of such regulations.

XVIII. FIRE SAFE HOUSEKEEPING AND STORAGE

- A. Good housekeeping practices are of basic importance for an effective fire prevention program. All areas within the home, including basements, shall be maintained in a neat and orderly fashion.
- B. The storage of combustible materials shall not be permitted within heater rooms or within 18 feet of any heater located in an open basement.
- C. Paints, varnishes, lacquers, thinners, and all other flammable materials and liquids shall preferably be stored outside the building, but minimum supplies may be kept in basements if stored in closed metal cabinets or containers.
- D. Basements shall be kept in good order and reasonably clear of excess furniture and equipment, and shall never be used for indiscriminate storage. However, neat stocks in original containers shall be permitted in basement storerooms.

- E. All unnecessary combustibile partitions within the basement shall be removed.
- F. All ashes shall be kept in metal containers.

XIX. LOCAL FIRE DEPARTMENTS

The boarding home operator shall solicit the cooperation of the local fire departments for the following specific purposes:

- A. To request periodic fire and safety inspections. A minimum of one annual inspection is recommended.
- B. To assist in pre-planning for fire emergencies and evacuation of the home.
- C. To seek general advice as to fire protection measures which they deem important.

XX. STATE FIRE MARSHAL

Advice or interpretation of the fire protection standards of this manual shall be obtained from the State Fire Marshal, Department of Institutions and Agencies, Box 1237, Trenton, New Jersey.

CHAPTER IV
ADMINISTRATION

I. ADMISSION POLICY

A. TYPE OF RESIDENT

1. Persons suitable for admission to a boarding home shall be carefully screened by the operator or administrator to guarantee that the needed care and service is available and is in keeping with the standards of this manual. It is advisable that an effort be made to select residents who will constitute a homogeneous group.
2. A boarding home shall accept for admission and shall retain in the home only those persons who require no nursing care and those who meet the definition of a resident. This regulation shall not apply to the operator or administrator, family members or employees of the home.
3. While a boarding home may legally accept or retain one person who meets the definition of a patient, the Department strongly advises against the acceptance or retention of any such persons.

In this connection, it is pointed out that any home which accepts or retains two or more such patients shall be in violation of the Nursing Home Law and subject to money penalty.

B. USE OF HOME

1. While all boarding homes for sheltered care are required to meet the minimum standards of this manual, the programs of individual homes may vary one from the other. Therefore, individuals, relatives, and public or private agencies arranging for accommodation of residents should review the program of the individual home to determine its suitability for the type of resident to be accommodated.
2. Sponsors, public or private agencies or other interested persons visiting boarding homes should feel free to contact the Department advising of the existence of any conditions which appear unsatisfactory to them.

C. CAPACITY OF HOME

1. The approved capacity of the home as set by the Department shall not be exceeded.
2. In the event of an actual emergency where the operator deems it essential to exceed approved capacity temporarily, the operator shall notify the Department at once by telephone of the circumstances which led to excess capacity, shall advise of the steps being taken to reduce the capacity to its normal point, and shall indicate the date on which the census will return to that point.
3. If the Department decides that exceeding the approved capacity was not justifiable, the matter will be referred to the Attorney General with the recommendation that a fine be imposed.

II. RECREATION AND DIVERSION

The primary function of a boarding home is to provide residents service along with personal care. However, recreation and diversion activities also should be provided and adjusted, so far as practicable, to meet the individual needs of residents.

III. PRIVACY, PRIVILEGES AND VISITING POLICY

- A. The operator shall exercise such supervision as is necessary to insure orderly group living. However, such supervision shall be flexible to permit residents to participate in interests and activities outside the home, such as attending local movie shows, going for walks or to community affairs, and engaging in other types of social and recreational activities.
- B. The operator shall make certain that the life of residents, insofar as privacy is concerned, is respected at all times.
- C. The home shall avoid any unreasonable schedule concerning the hours at which residents shall rise in the morning or retire at night.
- D. Residents shall be permitted to rest in their rooms for such periods as may be consistent with their individual needs.
- E. Visiting by relatives and other interested persons should be encouraged and all residents should be permitted to receive visitors, including relatives, friends, clergy, and representatives of public and private agencies.

- F. Complete privacy shall be afforded for such visits when requested by the resident. A pleasant physical environment should be provided.
- G. Visiting by children shall not be prohibited. However, this shall not be construed to prevent the operator from exercising reasonable control.
- H. Visiting should be permitted daily and during those hours when residents are normally active.

IV. MAIL SERVICE

The mail received in the home shall be promptly delivered to the residents and under no circumstances is the operator or any employee to open sealed mail prior to delivery to the residents.

V. TELEPHONE SERVICE

Telephone service shall be available upon request for use by residents at all times and privacy shall be afforded for such calls. However, this shall not be construed to prevent the operator from exercising reasonable control.

VI. PERSONNEL POLICY

- A. The person who has charge of supervising the residents and activities in the boarding home shall be of good moral character, in good physical and mental health, temperamentally suited to care for elderly persons, and able to actively perform the duties required of the position at all times.
- B. There shall be at least one responsible person other than a resident on the premises at all times in each building or structure occupied by residents to provide necessary supervision.
 - 1. In homes with 24 or more approved beds, there shall be active supervision of all residents 24 hours per day on duty and awake on the premises.
 - 2. In homes with less than 24 approved beds, active supervision shall be provided except during the normal sleeping hours of residents (usually between 10 P. M. and 6 A. M.). Between such sleeping hours inactive supervision shall be accepted. Inactive supervision requires having a responsible person (other than a resident) on duty and available on the premises for care and services but not necessarily awake.

Note: The Department recommends the use of a mechanical alert system during periods of inactive supervision.

- C. In all boarding homes with more than 24 beds, there shall be a sufficient number of on-duty employees (other than residents) to provide a minimum of one hour of care and supervision for each resident during a 24-hour period.

On-duty employees may include persons engaged in the direct supervision and care of residents, and also those providing basic services, as food service, housekeeping, laundry, and general maintenance, who, by reason of their availability on the premises, are available to provide care and supervision as needed.

- D. The personnel ratios of this manual are minimum only and the boarding home should employ persons in sufficient number and with sufficient ability and training to provide the basic care and supervision required in this manual.
- E. Because the personal care and supervision of residents may at times involve serious responsibility, such as the satisfactory storage of medications, ability to make proper decisions in periods of emergency, etc., no employee responsible in any way for the care of residents shall be less than 18 years of age.
- F. Personal care and services for female residents shall preferably be provided by a female employee.
- G. The operator or administrator shall maintain a time record indicating the hours worked by all responsible persons and employees.
- H. The operator shall be responsible for the proper instruction of all employees who may be required to act in his or her capacity during periods of the operator's absence from the home.
- I. All regularly employed personnel shall have pre-employment physical examinations and it is desirable that such examinations include a chest x-ray and Wassermann. Since the health of personnel is directly related to the program of the home, it is strongly advised that regular annual physical examinations be a matter of routine practice.
- J. Personnel with any reportable communicable disease, infection or exposure thereto, shall be excluded from the boarding home until examined by a physician who shall certify to the operator that the condition will not endanger the health of residents or other employees.

VII. RECORD MAINTENANCE

- A. The maintenance of good records is a protection both to the resident and to the boarding home operator.

- B. Records and information regarding the individual resident should be considered confidential and access to them limited to responsible persons.
- C. All records shall be maintained for a period of five (5) years after the discharge of a resident from the home.
- D. The following records shall be maintained and shall be kept available on the premises for review at any time by representatives of the Department of Institutions and Agencies.

1. Register

A boarding home register which contains a current census of all residents along with other pertinent information shall be maintained by each boarding home. (This register is furnished by the Department). The following standards for maintaining the register shall apply:

- a. The operator should make all entries in the register and be responsible for its maintenance and safe-keeping.
- b. The register should be kept up-to-date at all times. Admissions, discharges and other changes should be recorded preferably within 24 hours.
- c. The register, being a permanent record, should be kept in a safe place and preferably in a fire-resistant container.
- d. All entries into the register should be made clearly and in ink.

2. Resident's Records

Each resident's record shall include an admission record, a medical certification, a record of physician's visits, and a death record when applicable. (Resident's record forms are furnished by the Department).

- a. Admission Record -- This shall include the name of the resident, last address, date of birth, name and address of sponsor or interested agency, date of admission, date of discharge or death, the name, address and telephone number of physician to be called, and the name and address of nearest relative or friend together with any other information the boarder wishes to have recorded.

- b. Medical Certification -- This shall include a statement by a physician of a person's suitability for admission to the home. The operator shall be responsible for having such a certification properly completed and signed by a physician. There shall be such a certification on every resident in the home. If question arises regarding payment for the services of a physician in examining the resident and executing the certificate, this should be resolved by the operator in conjunction with the resident or interested relative, person or agency.

The Department strongly recommends that when first contact is made regarding the placement of a resident in the home, the interested relative, person or agency should be requested to have the medical certification completed before admission.

- c. Death Record -- Whenever a resident dies in the home, the operator shall obtain a certificate from the physician giving date, time and cause of death, and such information shall be recorded in the resident's record and be readily available at all times. Bodies of deceased persons shall not be released to the undertaker until death has been pronounced by the physician.
- d. Record of Physician Visits -- A complete record of physicians' visits including dates, physician's signature, and physician's comments (if any) shall be maintained for each resident.

E. UNUSUAL INCIDENT REPORTS

Any major occurrence or incident of an unusual nature shall be reported immediately to the Bureau of Community Institutions by telephone and all such telephone reports shall be confirmed in writing to the Bureau as soon thereafter as possible.

1. Reports should be made on incidents such as a serious accident or injury to a resident, suicide or other unusual type death of a resident, a missing resident, or a fire in the home with loss of either life or property.
2. The Bureau normally can be reached by telephone Monday through Friday between 9:00 A. M. and 5:00 P. M.

F. OTHER RECORDS

Operators may be required to maintain and keep certain other type records needed by public or private agencies who either sponsor or place residents in the home or have other valid purposes for requesting such records.

VIII. MEDICATIONS AND DRUGS

- A. Each boarding home operator shall provide a medicine cabinet of sufficient size for individual prescriptions of residents and shall supervise the taking of such medications in accord with physicians' orders.
 - 1. The cabinet shall be conveniently located and adequately lighted.
 - 2. The cabinet shall be kept locked when not in use.
- B. The key to the cabinet shall be kept on the person on duty responsible for the supervision of residents.
- C. Each resident's prescribed medications shall be kept separated within the medicine cabinet.
- D. Medications which require refrigeration shall be properly maintained.
- E. All medications shall be kept in their original containers and shall be properly identified.
- F. No stock supply of medicines shall be kept other than those that can be bought without a prescription, such as aspirin, mineral oil, etc.
- G. Medications no longer in use shall be destroyed or returned to the resident's relative or interested person or agency.
- H. Upon the death of a resident, all unused portions of prescribed medications shall be destroyed.
- I. No disinfectants, insecticides, bleaches, rubbing alcohol and household poisons shall be stored with medications and food supplies.

IX. ACCIDENT PREVENTION

The operator should make periodical inspections of physical facilities, equipment, furniture, etc., to determine whether hazards exist so that proper corrective measures can be taken.

X. HOUSEKEEPING

- A. All sections of the home shall be kept in a clean and orderly condition.
- B. All corridors and stairways shall be kept free from obstructions.
- C. All materials which have no practical purpose, such as broken or discarded furniture, mattresses, etc., should be promptly removed from the premises.

XI. SANITATION

- A. An adequate and continuous supply of hot water shall be available at all times for bathing, dishwashing, laundry and general cleaning.
- B. The water supply shall be safe and suitable for drinking purposes.
- C. Every precaution shall be taken to guard against the presence of flies, insects and vermin.
- D. Screening for all windows adequate to keep the home free of insects at all times shall be provided.
- E. All floors in kitchens, bathrooms and laundry rooms shall be non-absorbent.

XII. LAUNDRY

- A. Every home shall make provision for the regular laundering of the residents' personal clothing.
- B. If laundering is done in the home, safe and workable equipment shall be provided.
- C. Soiled linen shall be collected and handled in a sanitary manner and shall be kept separate from food preparation and food storage areas.
- D. An adequate supply of linen shall be available for use at all times.

CHAPTER V
PERSONAL CARE SERVICES

I. PERSONAL HYGIENE

Each resident shall receive such daily personal care as needed.

A. BATH

Residents shall be bathed or assisted with baths as necessary.

B. ORAL HYGIENE

Residents shall be assisted with oral hygiene to keep mouth, teeth or dentures clean as necessary.

C. HAIR

Residents' hair shall be kept clean and neat.

D. MANICURE AND PEDICURE

Fingernails and toenails shall be kept clean and trimmed as necessary.

E. SHAVE

Men shall be assisted with shaving, or be shaved as necessary to keep them clean and reasonably well-groomed.

II. CLOTHING

The operator should make certain that residents have appropriate and sufficient clothing for necessary changes and that such clothing is laundered as frequently as necessary.

III. FACILITIES AND FURNISHINGS

Each resident within his or her sleeping area shall be provided with the following items which shall at all times be clean and comfortable and in good repair.

A. BEDS

1. A standard bed not less than 36 inches in width.
2. A good bedspring.
3. A mattress not less than 4 inches in thickness.

Note: Roll-away beds, day beds and cots shall not be used. Also, because of fire hazards, latex foam mattresses shall be prohibited.

B. PILLOWS

At least one standard size pillow with extra pillows available to meet the needs of the resident.

Note: Because of fire hazards, latex foam pillows shall be prohibited.

C. CHAIRS

At least one suitable chair.

D. READING LIGHT

A reading light and/or a bed light.

E. STORAGE

1. A closet in the resident's room.
2. A dresser or chest for personal possessions.
3. A night table.

F. BED LINEN

1. A moisture-proof mattress or a moisture-proof mattress cover or pad which can be removed for cleaning or laundering.
2. A pillowcase for each pillow.
3. At least two sheets or two sheet blankets or a combination thereof.
4. A washable blanket and such additional blankets as are necessary for the residents' comfort.
5. A bedspread.

Note: Sheets and pillowcases shall be changed at least weekly and more often if necessary.

G. PERSONAL LINEN

A washcloth and a bath towel which shall be changed when soiled.

H. WINDOWS

Appropriate shades, curtains or drapes shall be provided for all windows.

IV. HEALTH SERVICES

- A. At the time of admission, arrangements shall be made between the operator and the resident or other interested person or agency regarding the physician and dentist to be called in case of illness, or the person to be called for a resident who because of religious affiliation is opposed to medical treatment.
- B. A physician shall be called at the onset of illness of any resident.
- C. A resident with a temporary illness may be cared for in a boarding home for a period not to exceed one week. If a resident needs bed care for a more extended period, arrangements shall be made for his or her prompt transfer to an appropriate facility.
- D. For the protection of both operators and residents, each resident shall have an annual medical examination to determine the status of the resident's health.
- E. Residents shall be permitted free choice of a physician.
- F. The operator shall make arrangements for a physician to be available for emergencies, including injuries or accidents to residents, or when required by a resident's condition.
- G. If the physician's diagnosis indicates need for a transfer to a general or mental hospital, nursing home or other facility, such transfers shall be effected as early as possible.
- H. In the event that dental or other medical care is needed, the operator shall promptly contact the interested relative, person or agency.
- I. The operator shall supervise the use and storage of prescription medicines and drugs.

CHAPTER VI
FOOD AND FOOD SERVICE

I. DIET AND MENU

The home shall provide a nutritionally adequate diet that is of good quality food, correctly prepared, attractively served, in sufficient quantity and in a form and texture that will meet the minimum nutritional needs of the residents.

- A. The daily diet for each resident shall include the minimum servings from each of the following food groups:

("Food for Fitness - A Daily Food Guide", U. S. Department of Agriculture, Leaflet No. 424, available from Superintendent of Documents, U. S. Government Printing Office, Washington, D. C., is recommended as an additional guide in meal planning).

Milk - 1 pint or its equivalent daily:

Milk may be fresh fluid - whole or skim; evaporated, dry, or buttermilk and may be used as a beverage or in cooking.

A satisfactory substitute in proper quantities is acceptable.

Meat, Poultry, Fish and Eggs - 5 ounces or its equivalent daily at two or more servings:

2 to 3 ounces of a lean, edible portion of meat, poultry, or fish served at least once daily.

In addition, 2 or 3 ounces of a lean, edible portion of meat, poultry or fish; or 2 eggs; or a satisfactory substitute in proper quantities shall be served at the other meals.

Vegetables and Fruit - 4 or more servings daily:

1 serving of a citrus fruit or juice daily or a satisfactory vitamin C substitute in proper quantities.

3 or more servings in proper quantities of other vegetables and fruits, including potatoes. This shall include some raw fruit and vegetable.

A serving of a dark-green or deep-yellow vegetable or a satisfactory vitamin A substitute in proper quantities shall be served at least every other day.

Bread and Cereals - 4 or more servings daily:

Only whole grain, enriched, fortified or restored bread and cereal shall be used.

Other foods as needed to complete meals and to provide additional food energy and other food values shall be served, including some butter or fortified margarine at each meal.

- B. Menus shall be planned and written at least one week in advance to assure dietary adequacy and to provide a sound basis for wise food purchasing. All menu items shall be specific, such as "orange juice" and not "fruit juice".
- C. A complete record shall be kept of all foods served and such records shall be kept on file for at least six weeks following the date of service. All menu changes and substitutes shall be recorded.

II. FOOD SERVICE

- A. There shall be at least three well-balanced meals per day served on a regular schedule.
- B. There shall be a lapse of at least 10 hours between breakfast and supper.
- C. In situations where it is deemed necessary to serve the evening meal before 5:00 P. M., additional food and beverage which will contribute to the residents' daily nutritional needs shall be served routinely as an evening snack to all residents.
- D. Food served shall be adapted to meet the physical needs of the individual residents in preparation, consistency, and service. Modified diets as prescribed by the resident's physician shall be conscientiously followed.
- E. Adequate dishes, silverware, napkins, salt, pepper and sugar containers shall be provided.
- F. Every effort shall be made to serve hot food hot and cold food cold.
- G. Adequate supervision for feeding or for giving necessary assistance to residents at mealtime shall be provided.
- H. Adequate time shall be allowed for residents to eat their meals.

III. FOOD SANITATION

- A. All food shall be clean, wholesome and free from spoilage, adulteration and contamination.
- B. All milk shall be pasteurized and milk products shall be obtained from an approved source.
- C. Kitchens, pantries and all storage space shall be free from vermin and insects and maintained in a sanitary condition.
- D. Storerooms for dry storage of food shall be adequate in size, dry, clean and properly ventilated.
- E. Containers of food and equipment for cooking shall be stored above the floor on clean racks or other clean surfaces in such a manner as to be protected from splash and other contamination.
- F. Metal polish, insecticides or vermin control materials, and cleaning substances shall not be stored with food and eating and drinking utensils. All containers of poisonous and toxic materials shall be labeled for easy identification.
- G. Can openers, slicers, grinders, mixing machines and similar equipment shall be maintained in a sanitary manner.
- H. All tableware shall be thoroughly cleaned after each useage.
- I. Chipped or cracked dishes and cups and tarnished eating utensils shall not be used.
- J. Dishes and eating utensils shall be stored on clean shelves or in cupboards where they are protected from dust.

IV. KITCHEN EQUIPMENT

- A. Kitchens shall be of sufficient size to provide safe and adequate food preparation and service.
- B. Kitchens shall be adequetely equipped to serve properly prepared food.
- C. Food preparation and service areas should be separate from dishwashing facilities.
- D. There shall be adequate provision for the proper storage and refrigeration of food.

V. KITCHEN MAINTENANCE

- A. Floors shall be non-absorbent, clean, dry, smooth and in good repair.
- B. Walls and ceilings shall be clean and in good repair.
- C. All doors and windows or openings to the outside shall be screened. Doors and windows shall be tight-fitting and doors shall be self-closing.
- D. Kitchens shall be well-ventilated and mechanical exhaust fans shall be kept and maintained in a dirt and grease-free condition.
- E. Refrigerator temperature should be below 45 degrees Fahrenheit but above freezing (32 degrees Fahrenheit). Freezer temperature should be 0 degree Fahrenheit or below. Refrigerators and freezers shall be cleaned and defrosted regularly.

VI. PERSONAL HYGIENE

- A. Personnel shall wear clean clothing, practice good personal hygiene and follow sanitary food preparation practices.
- B. Hands should always be washed before preparing, handling and serving food.
- C. Employees with boils, infected wounds, and acute respiratory infections should not prepare or serve food.
- D. Fingers should be kept off the eating and drinking surfaces of dishes, glasses and eating utensils.

VII. DISHWASHING

If a mechanical dishwasher is properly used and maintained it will effectively wash, clean and rinse dishes. Otherwise, the following manual dishwashing procedures shall be followed:

- A. All food shall be scraped from eating utensils before washing.
- B. All dishes, glasses and eating utensils shall be washed in water 110 - 120 degrees Fahrenheit and an adequate amount of an effective soap or detergent shall be used.
- C. Wash water shall be changed at sufficient intervals to maintain sanitary conditions.
- D. After washing, all dishes, glasses and eating utensils shall be immersed in clean water of at least 170 degrees Fahrenheit for at least one-half minute.
- E. It is recommended that dishes, glasses, etc., be air dried after the immersion in hot water or allowed to air dry from a mechanical dishwasher and that drying towels not be used. However, if drying towels are used, they shall be clean and not used for any other purpose.

VIII. GARBAGE DISPOSAL

- A. All garbage shall be kept in non-leaking, non-absorbent and easily washable containers which shall be covered with tight-fitting lids at all times.
- B. All garbage, trash and other waste material shall be removed from the kitchen area as necessary to insure proper sanitation.
- C. All garbage containers shall be kept clean to prevent contamination and to maintain sanitary conditions.
- D. Suitable facilities shall be provided for the collection, storage and disposal of garbage and trash.

APPENDIX I
P.S. 30:11A-1, et seq.
(Adopted July 31, 1964)

STATE OF NEW JERSEY
DEPARTMENT OF INSTITUTIONS AND AGENCIES
TRENTON

AN ACT REQUIRING THE APPROVAL, INSPECTION AND REGULATION OF CERTAIN TYPES OF BOARDING HOMES, REST HOMES AND OTHER HOMES FOR THE SHELTERED CARE OF 4 OR MORE ADULT PERSONS, WHICH PROVIDE PERSONAL CARE OR SERVICE BEYOND FOOD, SHELTER AND LAUNDRY; PROVIDING FOR STANDARDS AND REGULATIONS AND PENALTIES FOR VIOLATION THEREOF, AND SUPPLEMENTING TITLE 30 OF THE REVISED STATUTES. (AMENDED JULY 31, 1964).

1. For purposes of this act, a boarding home, rest home or other home for the sheltered care of adult persons is defined as any establishment, whether in single or multiple dwellings, whether public or private, whether incorporated or unincorporated, whether for profit or nonprofit, operated at the direction of or under the management of an individual or individuals, corporation, partnership, society, or association, which furnishes food and shelter to 4 or more adult persons unrelated to the proprietor and which provides any personal care or service beyond food, shelter and laundry, to any one or more of such persons, excluding, however, any privately operated establishment licensed under chapter 11 of Title 30 of the Revised Statutes.

A "resident" of a boarding home for sheltered care or rest home is defined as an adult person who is ambulant, who is reasonably oriented mentally, and who has been certified by a licensed physician to be free from communicable disease and not in need of nursing care, and who shall not be given nursing care while such resident except as hereinafter provided. The foregoing definition shall not be construed to prevent care of residents in emergencies or during temporary illness for a period of 1 week or less.

2. Boarding homes or other homes for the sheltered care of adult persons, as defined in section 1, shall operate within this State pursuant to certificate of approval first had and obtained for that purpose from the Department of Institutions and Agencies. No such certificate of approval shall be issued unless the commissioner shall be satisfied that the institution in question is adequately prepared to furnish facilities, care and service complying with standards relating thereto, except that temporary permits, valid for a period not exceeding 6 months and not subject to renewal, may be issued under the circumstances specified in section 6 of this act. Boarding and rooming houses and similar establishments, which furnish food or shelter or both to fewer than 4 persons, and those which do not provide any personal care or service beyond food, shelter and laundry, shall not be construed to be within the provisions of this act.

3. The State Board of Control of the Department of Institutions and Agencies shall adopt, promulgate and enforce such rules, regulations and standards with respect to the boarding homes and other establishments to be approved hereunder as it may deem necessary to assure that persons living in such establishments are

afforded minimum standards of sanitation, housekeeping, heat, light, air, food, lodging and care and service, and reasonable protection against fire, and other hazards to health and safety; but nothing in this chapter nor any rule or regulation promulgated hereunder shall be construed to mean that any boarding home, rest home or other home for the sheltered care of any person may advertise, hold itself out or operate as a nursing home. Such rules, regulations and standards shall become effective when recommended by the Hospital Licensing Board, established pursuant to section 30:11-6 of the Revised Statutes, and approved by the State Board of Control, and may, with like recommendation and approval, be amended from time to time. The State Board of Control may determine that the various establishments covered by this act are appropriately and reasonably classified into 2 or more classes, and may establish separate rules, regulations and standards for each such class. Such rules, regulations and standards shall in any event include, but need not be limited to, all requirements and limitations legally imposed upon any such establishment by any other municipal, county, or State office or officer having inspection, approval, licensing or regulatory authority with respect to such establishment.

4. Application for a certificate of approval shall be made upon forms furnished by the department, and the applicant shall be required to furnish any evidence which the department may require, as part of or in support of such application, relating to the applicant's ability and intention to comply with prescribed standards of facilities and operation.

5. Upon receipt of an application for a certificate of approval, the department shall cause an investigation to be made of the applicant and the facilities, and shall issue a certificate of approval if it is found that the applicant is of good moral character and that the facilities comply with the provisions of this act and with the regulations and standards required by the department pursuant hereto. The certificate of approval shall not be transferable or assignable or applicable to any premises or proprietor other than those specified therein. The certificate shall be conspicuously displayed within the boarding home at all times.

6. Any boarding home or other home for the sheltered care of adult persons which is in operation on the effective date of this act, or at the time of promulgation of any applicable rules, regulations or standards under this act, may be given a reasonable time, not to exceed 2 years, within which to comply with such rules, regulations and standards, or subsequent amendments or supplements thereto.

7. A certificate of approval shall be valid for one year from date of issue, unless sooner revoked or suspended for cause.

8. The State Board of Control may deny, revoke or suspend any and all certificates of approval granted under the authority of this act, because of violation of or failure to comply with the provisions of this act or the rules, regulations and standards promulgated hereunder.

Prior to the revocation, suspension or denial of any certificate of approval hereunder, the department, if requested, shall afford the establishment an opportunity for a prompt and fair hearing before the department. The procedure governing such hearings shall be in accordance with rules and regulations of the department adopted for that purpose. Either party may subpoena witnesses and compel their attendance on forms furnished by the department.

Notice of revocation, suspension or denial of a certificate of approval shall be sent to the establishment by registered mail and the notice shall set forth the particular reasons for the denial, suspension or revocation of the certificate. Such denial, suspension or revocation shall become effective thirty days after mailing, unless the establishment, within such thirty-day period shall meet the requirements of the department or shall give written notice to the department of its desire for a hearing, in which case the denial, suspension or revocations shall be held in abeyance until the hearing has been concluded and a final decision rendered.

The Commissioner of the Department of Institutions and Agencies is hereby empowered to arrange for prompt and fair hearings on all such cases and to render written decisions stating conclusions and reasons therefor upon each matter so heard, and to enter orders of denial, suspension or revocation consistent with the circumstances in each case.

9. The department shall make or cause to be made such inspections of the premises of any boarding home or other home for the sheltered care of adult persons, from time to time as it may deem necessary to be assured that any such establishment is at all times complying with the provisions of this act and with the rules, regulations and standards promulgated hereunder. Any approved establishment prior to making any alterations, additions or improvements to its facilities or prior to the construction of new facilities shall, before commencing such work, submit plans and specifications to the department for preliminary inspection and approval or recommendations with respect thereto.

10. (a) Any person, firm, corporation, partnership, society or association who shall operate or conduct a boarding home or other home for the sheltered care of adult persons without first obtaining the certificate of approval required by this act, or who shall operate such establishment after revocation or suspension of a certificate of approval, shall be liable to a penalty of \$10.00 for each day of operation in violation hereof for the first offense and for any subsequent offense shall be liable to a penalty of \$20.00 for each day of operation in violation hereof.

The penalties authorized by this section shall be recovered in a civil action, brought in the name of the State of New Jersey in the Superior Court or County Court of any county, which court shall have jurisdiction of all actions to recover such penalties. Money penalties, when recovered, shall be payable to the General State Fund.

The department may, in the manner provided by law, maintain an action in the name of the State of New Jersey for injunctive relief against any person, firm, corporation, partnership, society or association, continuing to conduct, manage or operate a boarding home or other home for the sheltered care of adult persons without a certificate of approval, or after suspension or revocation of such certificate.

The practice and procedure in actions instituted under authority of this section shall conform to the practice and procedure in the court in which the action is instituted.

No officer or agent of any municipal or county agency having responsibility for making payments of any form of public assistance under the provisions of Title 44 of the Revised Statutes, shall make such payments to or on behalf of a person residing in a boarding home or other home for sheltered care of adult persons as defined in this act, unless such establishment is, at the time of such payment, approved or provisionally approved pursuant to this act.

(b) No boarding home, rest home or other home for sheltered care of adult persons, licensed hereunder, shall by public or private advertisement or by any other means hold out to the public that it is equipped to provide post-operative or convalescent care for persons mentally ill or mentally retarded or who are suffering or recovering from illness or injury or who are critically ill. Any person, firm, association, partnership, society or corporation who violates the provisions of this subsection shall cease and desist from such practices and shall be liable to a penalty of \$100.00 for the first and \$200.00 for each subsequent offense, such penalties shall be recovered in the manner provided for in subsection (a) of this section.

(c) No boarding home, rest home, or other home for the sheltered care of adult persons, licensed hereunder, shall operate as a private mental hospital, convalescent home, private nursing home, or private hospital, unless it is licensed pursuant to chapter 340, P.L. 1947. Whenever there is reason to believe that any such facility or institution is in violation of the provisions of this subsection, the department may conduct a reasonable inspection of the premises for the purpose of ascertaining whether there is any violation. Any facility or institution which violates the provisions of this subsection shall be liable to a penalty of \$25.00 for each day of operation in violation of this subsection for the first offense and to a penalty of \$50.00 for each day of operation for any subsequent offense. The State Board of Control, with the approval of the Attorney General, is hereby authorized and empowered to compromise and settle claims for the monetary penalty in appropriate circumstances where it appears to the satisfaction of the board that payment of the full penalty will work severe hardship on any individual not having sufficient financial ability to pay the full penalty but in no case shall the penalty be compromised for a sum less than \$250.00 for the first offense and \$500.00 for any subsequent offenses; provided, however, that any penalty of less than \$250.00 or \$500.00, as the case may be, may be compromised for a

lesser sum. The penalties authorized by this subsection shall be recovered in the manner provided for in subsection (a) of this section.

11. The issuance of a certificate of approval pursuant to this act shall not preclude a subsequent determination by the department that the establishment so approved is subject to licensing and other requirements of chapter eleven of Title 30 of the Revised Statutes, and shall not exempt such establishment from any requirements or penalties resulting from such determination, nor from any requirements or penalties imposed by any other law of this State.

12. Nothing in this act shall vest authority or be construed to vest authority in the Department of Institutions and Agencies to deny any application for a certificate of approval on the sole ground that adequate boarding home facilities or other facilities for the sheltered care of adult persons are already available in the vicinity or area for which the certificate of approval is sought.

Nothing in this act shall be so construed as to give authority to supervise or regulate or control the remedial care or treatment of individuals who are adherents of any well-recognized church or religious denomination which subscribes to the art of healing by prayer and the principles of which are opposed to medical treatment and who are living in any home or institution operated by a member or members, or by an association or corporation composed of members of such well-recognized church or religious denomination; provided, that such home or institution admits only adherents of such church or denomination and is so designated; nor shall the existence of any of the above conditions alone militate against granting a certificate of approval to such establishment; and provided further, that such establishment shall comply with all rules, regulations and standards relating to sanitation and safety of the premises and be subject to inspection therefor.

13. The department is authorized, directed and empowered to employ, in compliance with the provisions of Title 11 of the Revised Statutes, such additional officers and employees as may be necessary to carry out the provisions of this act. The costs of administration of this act shall be provided for in the annual appropriation law.

14. This act shall take effect immediately.

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