

**CHAPTER 64E-12
COMMUNITY BASED RESIDENTIAL
FACILITIES**

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64E-12.001 General.

This rule prescribes sanitary practices relating to construction, operation and maintenance of Community Based Residential Facilities. If there is any written or implied language in this rule that may conflict with a rule written to regulate a specific type community based residential facility, the rule written for that specific type establishment will be followed. Base camps of wilderness programs shall be exempt from paragraphs (6) and (7) of section 64E-12.005, and the mobile components of wilderness programs shall be exempt from all sections of this rule.

Specific Authority 381.031(1)(g) FS.

Law Implemented 381.031 FS.

History--New 6-18-87, Formerly 10D-23.001.

64E-12.002 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meaning indicated:

(1) Community Based Residential Facilities -- any building or buildings, section of a building, or distinct part of a building or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide for a period exceeding 24 hours, housing, food service, and one or more personal services for persons not related to the owner or

administrator by blood or marriage, who require such services.

(2) Resident -- a person residing in and receiving care from a community based residential facility.

Specific Authority 381.006(14) FS.

Law Implemented 381.006(6) FS.

History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.002.

64E-12.003 Water Supply.

(1) Water supplies shall be adequate to serve the demands of the facility and shall be constructed, operated and maintained in accordance with requirements of Chapter 62-550 and 62-555 or Chapter 64E-8, Florida Administrative Code (FAC).

(2) Drinking water shall be accessible to all residents. When drinking fountains are available, they shall be designed in compliance with the State Plumbing Code, Chapter 553.06, Florida Statutes (F.S.). When no approved drinking fountains are available, residents shall be provided with single service cups or clean drinking utensils which shall be stored and dispensed in a manner to prevent contamination. Common drinking cups are prohibited.

(3) Hot and cold running water under pressure and at safe temperatures, not to exceed 120 degrees Fahrenheit at the faucet to prevent scalding, shall be provided to all restroom lavatories and bathing areas.

Specific Authority 381.006(14) FS.

Law Implemented 381.006(6) FS.

History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.003.

64E-12.004 Food Service.

There shall be three levels of food service with different minimal requirements in community based residential facilities based on the number of residents in care.

(1) If food service is provided in the facility for 10 or fewer residents in care, the facility shall comply with the following requirements:

(a) Food used in the facility shall be clean, wholesome, free from spoilage and safe for human consumption.

(b) The facility shall store, prepare

and serve foods in such a manner as to protect the food from dust, flies, rodents and other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination.

(c) Food storage equipment shall be provided to keep all potentially hazardous foods at safe temperatures, 450 F or below or 1400 F or above, except during necessary periods of preparation and service.

(d) At least one sink with hot and cold potable water under pressure shall be provided in the food preparation area.

(2) If food service is provided in the facility for 11 or more, but fewer than 25, residents in care, the facility shall comply with the following requirements:

(a) Sections 64E-11.002, Definitions; 64E-11.003, Food Supplies; 64E-11.004, Food Protection; and 64E-11.005, Personnel; of Chapter 64E-11, FAC, shall apply.

(b) The floor surfaces in kitchens, all the rooms and areas in which food is stored or prepared and in which utensils are washed or stored, shall be of smooth, nonabsorbent material and constructed so it can be easily cleaned and shall be kept clean and in good repair.

(c) The walls and ceilings of all food preparation, utensil washing and handwashing rooms or areas shall have smooth, easily cleanable surfaces. Walls shall be washable up to the highest level reached by splash or spray.

(d) Hot and cold running water under pressure shall be easily accessible where food is prepared and where utensils are washed.

(e) Handwashing facilities, provided with hot and cold running water, shall be located within the food preparation area in new residential facilities and residential facilities which are extensively altered.

(f) Multi-use equipment and utensils shall be constructed and repaired with materials that are non-toxic, corrosion resistant and nonabsorbent; and shall be

smooth, easily cleanable and durable under conditions of normal use; and shall not impart odors, color or taste nor contribute to the contamination of food.

(g) All multi-use eating and drinking utensils shall be thoroughly cleaned with hot water and an effective detergent, then shall be rinsed free of such solution, then effectively sanitized as defined in Chapter 64E-11, FAC.

(h) A three compartment sink or a two compartment sink and a dishwasher with an effective, automatic sanitizing cycle, shall be provided. Machine sanitization may be accomplished by the use of chemical solutions, hot water or hot air. After sanitizing, utensils shall be air dried and properly stored. Other types of warewashing devices may be approved by the county health unit.

(i) Refrigeration units and hot food storage units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.

(j) No live animals shall be kept or allowed in the food storage, preparation and serving area.

(3) If food service is provided in the facility for 25 or more residents it shall comply with Chapter 64E-11, FAC.

(4) If food is catered from outside sources, the caterer shall comply with Chapter 64E-11, FAC. Catered food once delivered to a community based residential facility must be adequately protected.

Specific Authority 381.031(1)(g) FS.

Law Implemented 381.031 FS.

History--New 6-18-87, Formerly 10D-23.006.

64E-12.005 Housing.

(1) The facility shall provide safe and sanitary housing.

(2) Floors, walls, ceilings, windows, doors and all appurtenances of the

structures shall be of sound construction, properly maintained, easily cleanable and shall be kept clean.

(a) Floor surfaces shall be of non-slip type and maintained free of loose or broken tiles and boards, holes, uneven projections, protruding nails, tears, splinters, water spillage and other tripping hazards.

(b) Wall surfaces shall be maintained free of hazardous projections, splinters, loose moldings, and broken plaster.

(c) Overhead surfaces shall be free of water damage, loose, missing or broken tiles, plaster, lath, or loose hanging fixtures, pipes and electric wiring.

(3) All housing facilities shall be kept free of offensive odors by adequate cleanliness and proper ventilation.

(4) All areas of the facility shall be well lighted. Dormitories, toilets and dayrooms shall have light fixtures capable of providing at least 20 foot candles of illumination to permit observation, cleaning and maintenance. Light fixtures shall be maintained to work as designed and kept clean.

(5) All areas of the facility occupied by residents, including sleeping rooms, common areas, hallways, bathrooms, and dining areas shall have natural or mechanical ventilation.

(a) If natural ventilation is utilized, the opened window area for ventilation purposes should be equal to one-tenth of the floor space.

(b) When mechanical ventilation systems are employed, the systems shall be maintained to operate as designed and kept clean. Intake air ducts shall be designed and installed so that dust or filters can be readily removed. In resident occupied areas mechanical ventilation systems shall provide a minimum of 10 cubic feet of fresh or filtered recirculated air per minute for each resident occupying the area.

(c) All toilet rooms shall be provided with direct openings to the outside or provided with mechanical ventilation to the outside.

(6) Adequate heating facilities shall

be provided to maintain a minimum temperature of 68 degrees Fahrenheit, 20 inches above the floor in all resident occupied rooms.

(7) Mechanical cooling devices shall be made available for use in those areas of buildings occupied by residents when inside temperatures exceed 85 degrees Fahrenheit.

(8) All heating and cooling systems shall be consistent with current building and fire code rules applicable to the area where the facility is located.

(9) All furniture and furnishings must be in good repair and kept clean.

(10) Plumbing shall be maintained in compliance with the requirements of the State Plumbing Code, Chapter 553.06, F.S.

(11) Sanitary facilities shall comply with the requirements of Chapter 64E-10, FAC.

(12) Sewage and liquid waste shall be disposed of in accordance with Chapter 62-601 or Chapter 64E-6, FAC, whichever is applicable.

Specific Authority 381.006(14) FS.

Law Implemented 381.006(6) FS.

History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.009.

64E-12.006 Insect and Rodent Control.

Effective measures shall be utilized to minimize the presence of rodents, flies, cockroaches and other insects on the premises. The creation, maintenance or causing of any condition capable of propagating insects or rodents will not be permitted. All outside openings shall be effectively sealed or screened with 16 mesh screening or equivalent to prevent entry of insects or rodents, except in wilderness programs when mosquito netting is provided to each resident.

Specific Authority 381.006(14) FS.

Law Implemented 381.006(6) FS.

History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.010.

64E-12.007 Bedding, Towels, Clothing and Personal Items.

Beds, mattresses and bedding shall

be provided and kept in good repair and shall be cleaned regularly. Mattresses and pillows shall have cleanable covers which shall be cleaned between uses by different residents. Sheets, towels and personal clothing shall be washed at least weekly. Blankets shall be washed or dry cleaned as necessary and between uses by different residents. Blankets, sheets, towels and clean clothing shall be stored in a clean, dry place between laundering and use. Separate, individually assigned spaces shall be provided for storage of personal items and toiletries. The use of common towels is prohibited.

Specific Authority 381.031(1)(g) FS.
Law Implemented 381.031 FS.
History--New 6-18-87, Formerly 10D-23.011.

64E-12.008 Laundry.

(1) Where laundry facilities are provided, they shall be adequate to ensure an ample quantity of clean clothing, bed linens and towels. Laundry facilities shall be of sound construction and shall be kept clean and in good repair. Adequate space shall be provided for the complete separation of clean and soiled clothing, linen and towels.

(2) Laundry rooms shall be well lighted and properly ventilated. Clothes dryers shall be vented to the exterior. Carts used for transporting dirty clothes, linens and towels shall not be used for transporting clean articles unless they have been thoroughly cleaned and sanitized.

Specific Authority 381.031(1)(g) FS.
Law Implemented 381.031 FS.
History--New 6-18-87, Formerly 10D-23.012.

64E-12.009 Poisonous or Toxic Substances.

Poisonous or toxic compounds are to be stored apart from food and other areas that would constitute a hazard to the residents.

Specific Authority 381.031(1)(g) FS.
Law Implemented 381.031 FS.
History--New 6-18-87, Formerly 10D-23.013.

64E-12.010 Garbage and Rubbish.

(1) All garbage, trash and rubbish shall be collected daily and placed in storage facilities. Garbage shall be removed from storage facilities frequently enough to prevent a sanitary nuisance, as defined in Chapter 386, F.S. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin.

(2) The method of disposal shall not create sanitary nuisance conditions and shall comply with provisions of Chapter 62-701, FAC.

Specific Authority 381.006(14) FS.
Law Implemented 381.006(6) FS.
History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.014.

64E-12.011 Recreational Areas.

(1) The recreational area shall be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction, and shall be maintained in a structurally sound condition.

(2) Outdoor recreational areas shall be well drained and kept free of litter and trash.

(3) If swimming pools are available in community based residential facilities, the pools should be supervised when used by children and other residents in care that are not capable of self-preservation.

Specific Authority 381.006(14) FS.
Law Implemented 381.006(6) FS.
History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.015.