



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

Commission for Public Health

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK T. BENTON • Deputy Secretary for Health

SUSAN KANSAGRA, MD, MBA • Assistant Secretary for Public Health, Division of Public Health

MEMORANDUM

DATE: June 1, 2022

TO: Rulemaking Interested Persons

FROM: Virginia Niehaus, Rulemaking Coordinator, Commission for Public Health and Director of Regulatory and Legal Affairs, Division of Public Health

RE: Notification of Proposed Rule Readoption: 15A NCAC 18A Section .1300

Pursuant to G.S. 150B-21.2, this memorandum serves as the required notice to interested persons that the North Carolina Commission for Public Health (CPH) is proposing to readopt with substantive changes rules 15A NCAC 18A .1301, .1302, .1304-.1321, .1323, .1324, and .1327, regarding the administration and enforcement of sanitation standards in institutions. These rules are proposed for readoption in accordance with G.S. 150B-21.3A and, as part of that process, are being updated to clarify existing language and align with current practices. CPH has submitted notice of its intent to readopt these rules to the NC Office of Administrative Hearings (OAH).

In accordance with G.S. 150B-21.4, a fiscal note was prepared for the proposed rules and approved by CPH. The proposed rules are expected to have an impact on state and local funds, but are not expected to have a substantial economic impact. The fiscal note was approved by the NC Office of State Budget and Management (OSBM) on April 20, 2022.

The notice of text that was published in today's edition of the NC Register is attached to this memorandum and may be found on OAH's website at <https://www.oah.nc.gov/rules-division/north-carolina-register>. The text of the proposed rules and fiscal note may be found on the CPH's website at <https://cph.publichealth.nc.gov/>.

A public hearing on these proposed rules is scheduled for Monday, July 18, 2022 at 2:00 pm. The public hearing will be held by teleconference. You may participate in the public hearing by dialing 919-715-0769. No access code is required.

CPH is accepting public comments on the proposed rules from June 1, 2022 through August 1, 2022. You may submit comments by email to cphcomment@lists.ncmail.net or by mail to Virginia Niehaus, Rulemaking Coordinator, Commission for Public Health, 1931 Mail Service Center, Raleigh, NC 27699-1931. Comments will also be accepted at the public hearing. The proposed effective date of these rules is October 1, 2022.

Should you have questions related to this memorandum, the proposed rules, or the fiscal note, please contact Mr. Shane Smith, Food Protection and Facilities Branch Head, Environmental Health Section, Division of Public Health at (919) 210-3663.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF PUBLIC HEALTH

LOCATION: 5605 Six Forks Road, Building 3, Raleigh, NC 27609
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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Attachment

cc: Dr. Ronald May, Chair, Commission for Public Health
Dr. Susan Kansagra, Assistant Secretary for Public Health, Division of Public Health
Mr. Larry Michael, Environmental Health Section Chief, Division of Public Health
Mr. Shane Smith, Food Protection and Facilities Branch Head, Division of Public Health
Ms. Kirsten Leloudis, Office of Regulatory and Legal Affairs, Division of Public Health

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice is hereby given in accordance with G.S. 150B-21.3A(c)(2)g. that the Commission for Public Health intends to readopt with substantive changes the rules cited as 15A NCAC 18A .1301, .1302, .1304-.1321, .1323, .1324 and .1327.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://cph.publichealth.nc.gov/>

Proposed Effective Date: *October 1, 2022*

Public Hearing:

Date: *July 18, 2022*

Time: *2:00 p.m.*

Location: *This public hearing will be held by teleconference at (919) 715-0769 (no access code required).*

Reason for Proposed Action: *Pursuant to G.S. 150B-21.3A, periodic review and expiration of existing rules, the Commission for Public Health is proposing to readopt 15A NCAC 18A .1301-.1302, .1304-.1321, .1323-.1324, and .1327, regarding the administration and enforcement of sanitation standards in institutions, with updates to clarify existing language and align with current practices.*

Comments may be submitted to: *Virginia Niehaus, CPH Rulemaking Coordinator, 1931 Mail Service Center, Raleigh, NC 27699-1931; email cphcomment@lists.ncmail.net*

Comment period ends: *August 1, 2022*

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .1300 - SANITATION OF HOSPITALS, NURSING HOMES, ADULT CARE HOMES, AND OTHER INSTITUTIONS

15A NCAC 18A .1301 DEFINITIONS

The following definitions shall apply throughout this ~~Section in the interpretation and enforcement of this~~ Section:

- (1) "Activity kitchen" means a kitchen that is available to residents of an institution and their guests for the purpose of preparing food for individual or group activities. Nothing in this Section shall prohibit residents or employees of a residential care facility, as that term is defined at 15A NCAC 18A .1601(8), or their guests, from using an activity kitchen when an institution's activity kitchen is in the same building where a residential care facility is located.
- (2) "Administrator" means the person designated by the licensee to be responsible for the daily operation of the institution.
- (3) "Ancillary kitchen" means a kitchen that is used by the institution's employees for meal preparation and other work to support the dietary kitchen. Ancillary kitchens shall meet the requirements of 15A NCAC 18A .2600.
- (4) "Bed linens" means bed sheets, pillowcases, mattress covers, blankets, and duvets covers.
- (5) "Clean" means that an object or surface has been made free of garbage, solid waste, soil, dust, hair, dander, food, bodily fluids and secretions, and feces.
- (6) "Department" means the North Carolina Department of Health and Human Services.
- (7) "Dietary kitchen" means the primary kitchen in the institution that is used to provide meals and nutrition services to the institution's residents, employees, and guests. Dietary kitchens shall meet the requirements of 15A NCAC 18A .2600.

- (+)(8) "Disinfect" means a non-sporicidal process used on inanimate surfaces to destroy or irreversibly inactivate infectious fungi, viruses, and bacteria but not necessarily their spores by using an EPA registered disinfectant in accordance with the disinfectant's product label.
- (2) ~~"Environmental Health Specialist" means a person authorized by the Department of Environment and Natural Resources under G.S. 130A-6 to enforce environmental health rules adopted by the Commission for Public Health.~~
- (9) "EPA registered disinfectant" means a disinfectant as defined at 40 C.F.R. 158.2203 that has been registered with the United States Environmental Protection Agency ("EPA") in accordance with 40 C.F.R. 152.
- (10) "Garbage" means as defined at G.S. 130A-290(7).
- (11) "Good repair" means as defined at 15A NCAC 18A .2651(8). Items that are in good repair shall operate in accordance with the manufacturer's instructions.
- (12) "Hand Hygiene Program" means a written plan implemented in an institution in the absence of hand washing facilities as set forth in this Section. The licensee or the licensee's designee shall submit the hand hygiene program plan to the local health department for the county in which the institution is located, serving as the regulatory authority, for approval prior to the implementing the hand hygiene program. The regulatory authority shall notify the institution or the institution's designee in writing of the decision to approve or not to approve the hand hygiene program plan. In determining whether to approve the hand hygiene program, the regulatory authority shall consider the following:
- (a) the type and frequency of activities carried out at the institution that involve employee or resident contact with bodily excretions or secretions; and
- (b) the number of handwashing facilities on each wing or floor of an institution's building or buildings.
- (3)(13) ~~"Institution" includes the following establishments providing that provide room or board and for which a license or certificate of payment must be obtained from the Department: Department of Health and Human Services, other than those operated exclusively by the State of North Carolina:~~
- (a) hospital, as defined in G.S. 131E-76 including doctors' clinics with food preparation facilities;
- (b) nursing home, as defined in G.S. 131E-101;
- (c) sanitarium, sanatorium, and any similar an establishment, other than hospital and nursing home, for the recuperation and treatment of 13 or more persons suffering from physical, behavioral, or mental health disorders; conditions;
- (d) adult care home, providing custodial care on a 24 hour basis for 13 or more persons, including homes for the aged; as defined at G.S. 131D-2.1;
- (e) orphanage, or children's home providing care on a 24 hour basis for 13 or more children. residential child care facility, as defined at G.S. 131D-10.2(13); and
- (f) facilities that provide room and board to individuals but are exempt from licensure under G.S. 131D-10.4(1). However, the This term shall not include a child day care facility, facility as defined in G.S. 110-86(3), an adult day service facility as defined in 15A NCAC 18A -3300 .3300, or a residential care facility as defined in 15A NCAC 18A .1600.
- (4) ~~"Department of Environment and Natural Resources" shall mean the Secretary, or his authorized representative.~~
- (14) "Licensing agency" means the North Carolina Department of Health and Human Services, Division of Health Service Regulation.
- (15) "Linens" means bath towels, hand drying towels, and bed linens.
- (5)(16) ~~"Local health director "department" means shall mean local health director as defined in G.S. 130A-2(5). 130A-2(6) or his authorized representative.~~
- (17) "Non-community water supply" means a noncommunity water system as defined at G.S. 130A-313(10).
- (18) "Nourishment station" means an area where commercially packaged food that is used to provide nourishment to an institution's residents, employees, or guests is stored.
- (19) "Pest" means as defined at G.S. 143-460(26a).
- (20) "Refuse" means a defined at G.S. 130A-290(28).
- (21) "Registered Environmental Health Specialist" or "REHS" means as defined at G.S. 90-51(4).
- (22) "Regulatory authority" means the Department or authorized agent of the Department.
- (23) "Rehabilitation kitchen" means a kitchen used solely for the purpose of providing supervised therapeutic activities to residents, including occupational or physical therapy. Food prepared in a rehabilitation kitchen shall not be consumed by anyone who is not a participant in the therapeutic activity being conducted in the rehabilitation kitchen.
- (24) "Resident" means an individual residing in or being served by the institution, including patients. This term does not include an institution's employees or a resident's guests.
- (6) ~~"Patient" means a patient or resident living in an institution as defined in this Section.~~
- (7) ~~"Person" shall mean an individual, firm, association, organization, partnership, business trust, corporation, or company.~~
- (8) ~~"Personal Hygiene" means maintenance of personal health, including grooming, brushing teeth, showering, applying makeup, or washing/drying face, hands, and body.~~
- (9) ~~"Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable of supporting the growth of infectious or toxigenic microorganisms, including Clostridium botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and treated foods of plant origin. The term does not include foods that have a pH level of 4.6 or below or a water activity (Aw) value of 0.85 or less.~~

- (10)(25) "Sanitize" means as defined a bactericidal treatment that meets the temperature and chemical concentration levels in 15A NCAC 18A .2619, .2600
- (11) "Soiled utility room" means a room or area with fixtures used for cleaning and disinfecting soiled patient care items.
- (26) "Solid waste" means as defined at G.S. 130A-290(35).
- (27) "Time/Temperature Control for Safety Food" or "TCS Food" means as defined in 15A NCAC 18A .2600.
- (28) "Yard trash" means as defined at G.S. 130A-290(45).

History Note: Authority G.S. 130A-235;
 Eff. February 1, 1976;
 Readopted Eff. December 5, 1977;
 Amended Eff. March 1, 2003 (see S.L. 2002-160); August 1, 1998; February 1, 1997; September 1, 1990; March 1, 1988;
 Temporary Amendment Eff. June 1, 2003;
 Amended Eff. February 1, 2004.

15A NCAC 18A .1302 APPROVAL OF PLANS

~~In addition to any other licensure requirements,~~ Construction plans for an institution shall be submitted by the licensee to the local health department for the county in which the institution is located, serving as the regulatory authority, for review and approval before beginning construction. Construction plans shall be approved by the regulatory authority when the plans comply with the Rules of this Section.

History Note: Authority G.S. 130A-235;
 Eff. February 1, 1976;
 Readopted Eff. December 5, 1977;
 Amended Eff. March 1, 2003 (see S.L. 2002-160); April 1, 1997; September 1, 1990; June 30, 1980.

15A NCAC 18A .1304 INSPECTIONS

(a) ~~Institutions shall be graded inspected once each in a six months month period by the local health department for the county in which the institution is located, serving as the regulatory authority, and food services at Dietary kitchens within institutions that prepare and serve meals to 13 or more patients or residents shall be inspected at least once each quarter. in accordance with G.S. 130A-235(a1) or 10A NCAC 46 .0213, as applicable.~~

(b) ~~The grading inspection of institutions shall be done documented~~ on inspection forms furnished by the Department to local health departments. The form shall include the following information:

- (1) the name and address of the facility; institution;
- (2) the name of the person in charge of the facility; licensee;
- (3) ~~the standards of a description of the institution's construction and operation standards as listed~~ described in Rules .1309 - .1324 of this Section;
- (4) an explanation for all points deducted during the inspection and scoring;
- (4)(5) ~~the institution's operating status and the score; and~~
- (5)(6) the signature of the Registered Environmental Health Specialist who conducted the inspection; authorized agent of the Department; and
- (7) the date on which the inspection was conducted.

(c) ~~Whether or not a permit is required under G.S. 130A 248, inspections of food preparation and central dining areas in institutions serving meals to 13 or more patients or residents The inspection of dietary kitchens and ancillary kitchens and associated dining areas shall be documented separately using the inspection forms and grading system used for grading restaurants as specified in current "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600. When grading the food preparation and central dining areas of institutional food services that are not required to obtain a permit under G.S. 130A 248, the provisions of Rule .1323(d) of this Section shall supercede the provisions of Rule 15A NCAC 18A .2610(c) regarding animals in dining areas. Except as required by G.S. 130A 247 through 250, food services at institutions shall not be required to obtain foodhandling establishment permits. Facilities that the "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" are made effective by the rules of this Section that were Dietary kitchens and associated dining areas in operation before March 1, 2003 may shall be allowed to continue to use equipment and construction in use on that date if no imminent hazard as defined at G.S. 130A-2(3) exists. Points shall not be deducted from the food service sanitation score for existing equipment that is kept clean and performs the task for which it is used. Replacement When such equipment is replaced, the replacement equipment for these facilities shall comply with 15A NCAC 18A .2600.~~

History Note: Authority G.S. 130A-235;
 Eff. February 1, 1976;
 Readopted Eff. December 1, 1977;
 Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990; June 30, 1980;
 Temporary Amendment Eff. June 1, 2003;
 Amended Eff. February 1, 2004.

15A NCAC 18A .1305 GRADING RESIDENTIAL CARE FACILITIES IN INSTITUTIONS

If ~~When~~ an institution is located in the same building or on the same property as includes one or more residential care facilities each providing that provide room or board for 12 persons or fewer, the residential care facilities shall be inspected and graded separately from the institution and in accordance with rules in 15A NCAC 18A .1600 .1600 shall apply and grading of the residential care facilities shall be in accordance with the residential care and these Rules do not apply.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1306 PUBLIC DISPLAY OF GRADE CARD

(a) ~~Whenever~~ When an inspection of an institution is made, the regulatory authority Environmental Health Specialist shall designate the location where the remove the existing grade card shall be posted. card, issue a new grade card, and post the new The grade card shall be located where it may be readily observed by the public upon entering the facility. ~~The administrator shall be responsible for keeping the grade card posted at the location designated by the Environmental Health Specialist at all times. If the administrator objects to the location designated by the Environmental Health Specialist, then the administrator may suggest an alternative location which meets the criteria of this Rule.~~ The posted grade card shall be black text on a white background. The section of text on the grade card that lists the numeric score and the alphabetic grade shall be 1.5 includes in height.

(b) ~~Private institutions are inspected and graded by Environmental Health Specialists employed by the local health departments, under the direction of the local health directors. When and inspection of an institution is conducted, the regulatory authority shall remove any existing grade card, issue a new grade card, and post the new grade card in accordance with Paragraph (a) of this Rule. The administrator shall keep the grade card posted at the designated location at all times.~~

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); July 1, 1986.

15A NCAC 18A .1307 REINSPECTIONS

Upon ~~the receipt of a request from of the management administrator, the regulatory authority shall conduct for a reinspection for the purpose of raising the alphabetical grade in accordance with the Rules of this Section. of the institution, the Environmental Health Specialist~~ The administrator shall submit the request for reinspection to the local health department, serving as the regulatory authority, for the county in which the institution is located. The regulatory authority shall make an unannounced inspection after the lapse of a reasonable period of time, not to exceed within 30 days. calendar days from the date on which the request for reinspection is made. The alphabetical grade that is assessed based on the reinspection shall replace the institution's most recently assessed alphabetical grade. Following a reinspection, a new grade card shall be issued and posted in accordance with Rule .1306 of this Section.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160).

15A NCAC 18A .1308 APPROVED INSTITUTIONS AND SCORING SYSTEM

(a) The ~~sanitation~~ grading of all institutions shall be based on a sanitation system of scoring as follows:

- (1) ~~wherein all~~ institutions receiving a score of at least 90 percent or greater shall be awarded Grade A;
- (2) ~~all~~ institutions receiving a score of at least 80 percent and less than 90 percent shall be awarded Grade B;
- (3) ~~all~~ institutions receiving a score of at least 70 percent and less than 80 percent shall be awarded Grade C; and
- (4) ~~all~~ institutions receiving a score of less than 70 percent do not meet the minimum sanitation ~~standards. standards and shall not receive a grade.~~

(b) If an institution or an ~~institutional food service~~ an institution's dietary kitchen fails to ~~earn maintain~~ a sanitation score of at least 70 percent, or if the Environmental Health Specialist determines that conditions found at the institution at the time of any inspection are dangerous to the health of residents or the public, the Environmental Health Specialist the regulatory authority shall notify the licensing agency within 24 hours. hours of completing the inspection and shall provide a A copy of the inspection report ~~documenting the dangerous conditions shall be sent to the licensing agency within two working business days following of the date of the inspection.~~

(b)(c) Sanitation scores for institutions shall be determined by an Environmental Health Specialist authorized by the Department by completing an inspection report Form DENR-1213. The sanitation score is a percentage ~~compliance~~ determined by deducting points from 100 percent for each item found not to be in compliance with the Rules of this Section. Deductions for sanitation scores shall be based on actual violations of the Rules of this Section that are observed during the inspection. The regulatory authority authorized Environmental Health Specialist shall deduct take zero, one-half, or a full or half credit deduction for non-compliant items based on the severity or the recurring nature severity, pervasiveness and persistence of the rule violation. The percentage point value of each item is determined as follows:

- (1) Violation of Rule .1309 of this Section regarding cleanability the cleanliness and repair of floors and carpet provision of floor drains shall be assessed a value of equal no more than two points.
- (2) ~~Violation of Rule .1309 of this Section regarding cleaning and maintenance of floors and carpet shall be assessed a value of two points.~~
- (3)(2) ~~Violation of Rule .1310(a) of this Section regarding cleanability and repair of walls and ceilings shall be assessed equal a value of no more than two points.~~
- (3) Violation of Rule .1310(b) of this Section regarding ceiling attachments shall equal no more than one point.
- (4) ~~Violation of Rule .1311(a) of this Section regarding lighting levels shall be assessed equal a value of no more than two points. one point.~~
- (5) ~~Violation of Rule .1311(b) or (e) of this Section regarding ambient air temperatures and cleaning cleanliness of ventilation equipment shall be assessed equal a value of no more than two points. one point.~~
- (6) Violation of Rule .1311(c) of this Section regarding ambient air temperatures shall equal no more than two points.
- (6) ~~Violation of Rule .1311(d) of this Section regarding moisture control shall be assessed a value of three points.~~
- (7) ~~Violation of Rule .1311(e) of this Section regarding control of indoor smoke exposure shall be assessed a value of two points.~~
- (8)(7) ~~Violation of Rules .1312(a), (b), or (f) Rule .1312(a) of this Section regarding location, cleaning and repair of toilet, handwashing handwashing, and bathing facilities shall be assessed equal a value of no more than two points.~~
- (9)(8) ~~Violation of Rule .1312(b) of this Section regarding toilet rooms storage and signage shall be assessed equal a value of no more than one point.~~
- (10)(9) ~~Violation of Rule .1312(c) of this Section regarding bedpans, urinals, bedside commodes commodes, and emesis basins shall be assessed equal a value of no more than one point.~~
- (11) ~~Violation of Rule .1312(e) or (d) of this Section regarding provision, accessibility and use of hand sinks shall be assessed a value of two points.~~
- (12)(10) ~~Violation of Rule .1312(d) of this Section regarding equipment for handwashing facilities shall be assessed equal a value of no more than three points.~~
- (13)(11) ~~Violation of Rule .1312(e) of this Section regarding disinfectants hot water temperature at lavatory and bathing facilities shall be assessed equal a value of no more than two points.~~
- (14)(12) ~~Violation of Rule .1312(f) of this Section regarding bathing facilities accessibility and mixing of cleaning and disinfectant agents shall be assessed equal a value of no more than three two points.~~
- (15)(13) ~~Violation of Rule .1313(a) or (d) of this Section regarding water supply and cross-connections shall be assessed equal a value no more than of four points.~~
- (14) Violation of Rule .1313(b) of this Section regarding water sampling shall equal no more than two points.
- (15) Violation of Rule .1313(c) of this Section regarding cross-connections shall equal no more than two points.
- (16) ~~Violation of Rule .1313(d) .1313 (e) or (f) of this Section regarding quantity of hot and cold water and backup water supply plans shall be assessed equal a value of no more than three two points.~~
- (17) Violation of Rule .1313(e) of this Section regarding back up water supply plans shall equal no more than one point.
- (17)(18) ~~Violation of Rule .1314(a) of this Section regarding cleaning and maintenance cleaning, repair and flow regulation of drinking fountains shall be assessed equal a value of no more than one point. two points.~~
- (18)(19) ~~Violation of Rule .1314(a) .1314(b) of this Section regarding drinking utensils used for service of water and ice shall be assessed equal a value of no more than two points.~~
- (19)(20) ~~Violation of Rule .1314(b) .1314(c) of this Section regarding protection of ice and cleaning and repair of ice making and handling equipment and utensils shall be assessed equal a value of no more than two points.~~
- (20)(21) ~~Violation of Rule .1315 .1315(a) of this Section regarding wastewater sewage disposal shall be assessed equal a value of no more than four points.~~
- (22) Violation of Rule .1315(a) of this Section regarding disposal of mop water shall equal no more than three points.
- (21)(23) ~~Violation of Rule .1316(a) .1316(a), (b) or (e) of this Section regarding solid waste storage and container cleaning facilities shall be assessed equal a value of no more than one point. four points.~~
- (22)(24) ~~Violation of Rule .1316(d) .1316(b) of this Section regarding refuse, recyclables, and returnables solid waste disposal and control of insect breeding or nuisance shall be assessed equal a value of no more than one point. two points.~~
- (23)(25) ~~Violation of Rule .1316(e) .1316(c) of this Section regarding containers and container washing facilities handling and disposal of medical wastes shall be assessed equal a value of no more than one point. two points.~~
- (24)(26) ~~Violation of Rule .1316(d) of this Section regarding cleaning and maintenance of the premises shall equal no more than two points.~~
- (27) Violation of Rule .1316(e) of this Section regarding handling and disposal of medical waste shall equal no more than two points.
- (28) ~~Violation of Rule .1317(a) of this Section regarding pest control exclusion of vermin shall be assessed equal a value of no more than one point. three points.~~
- (25)(29) ~~Violation of Rule .1317(b) of this Section regarding storage and handling of pesticides shall be assessed equal a value of no more than two points.~~
- (26) ~~Violation of Rule .1317(c) of this Section regarding cleaning and maintenance of premises shall be assessed a value of two points.~~
- (27) ~~Violation of Rule .1317(e) or (f) of this Section regarding pet maintenance shall be assessed a value of two points.~~
- (28) ~~Violation of Rule .1318(a) of this Section regarding storage areas shall be assessed a value of one point.~~

- (29) ~~Violation of Rule .1318(b) of this Section regarding mop sinks shall be assessed a value of one point.~~
- (30) Violation of Rule .1318(a) ~~.1318(e)~~ of this Section regarding medication carts shall ~~be assessed equal a value of no more than~~ two points.
- (31) Violation of Rule .1318(b) ~~.1318(d)~~ of this Section regarding feeding syringes, oral suction ~~eatheters~~ catheters, and tube-feeding bags shall ~~be assessed equal a value of no more than~~ two points.
- (32) Violation of Rule .1319(a) of this Section regarding ~~furnishings~~ cleaning and repair of furniture and use of mattress covers shall ~~be assessed equal a value of no more than one point.~~ two points.
- (33) Violation of Rule .1319(b) of this Section regarding linens and linen storage ~~changes and handling of soiled laundry~~ shall ~~be assessed equal a value of no more than one point.~~ two points.
- (34) Violation of Rule .1319(c) ~~.1319~~ of this Section regarding laundry areas and equipment, ~~cleaning and sanitizing of laundry, and storage and handling of clean laundry~~ shall ~~be assessed equal a value of no more than three~~ two points.
- (35) Violation of Rule .1319(d) ~~.1319(e)~~ of this Section regarding laundry repair, storage, cleaning and disinfection of patient contact items shall ~~be assessed equal a value of no more than~~ no more than one point.
- (36) Violation of Rule .1319(e) ~~.1320~~ of this Section regarding laundry areas ~~approval, cleaning and sanitizing food contact items~~ shall ~~be assessed equal a value of no more than one point.~~ two points.
- (37) Violation of Rule .1319(f) of this Section regarding mobility equipment shall equal no more than one point.
- (37)(38) Violation of Rule .1320(a) ~~.1320~~ of this Section regarding food service equipment ~~approved uses of activity kitchens~~ shall ~~be assessed equal a value of no more than~~ one point.
- (39) Violation of Rule .1320(b) of this Section regarding cleaning and sanitization of utensils shall equal no more than three points.
- (38)(40) Violation of Rule .1320(c) ~~.1320(b)~~ of this Section regarding handwashing lavatories in foodhandling areas shall ~~be assessed equal a value of no more than~~ two points.
- (41) Violation of Rule .1320(d) of this Section regarding cooking and baking equipment surfaces shall equal no more than one point.
- (39)(42) Violation or Rule .1321(a) of this Section regarding food sources and supplies shall ~~be assessed equal a value of no more than three~~ four points.
- (40)(43) Violation of Rule .1321(b) of this Section regarding storage, labeling, and condition ~~disposition of food brought by employees or visitors~~ shall ~~be assessed equal a value of no more than~~ one point.
- (41) ~~Violation of Rule .1322 of this Section regarding milk and milk products shall be assessed a value of two points.~~
- (42)(44) Violation of Rule .1323(a) of this Section regarding food protection ~~protection, temperature control and time in lieu of temperature~~ shall ~~be assessed equal a value of no more than~~ four points.
- (43)(45) Violation of Rule .1323(b) of this Section regarding hot and cold food storage equipment ~~and display units and thermometers~~ shall ~~be assessed equal a value of no more than~~ one point.
- (44)(46) Violation of Rule .1323(c) of this Section regarding food storage shall ~~be assessed equal a value of no more than~~ one point.
- (45)(47) Violation of Rule .1323(d) of this Section regarding ~~control of live animals in food service areas~~ shall ~~be assessed equal a value of no more than~~ two points.
- (46)(48) Violation of Rule .1324(a) of this Section regarding employee clothing ~~and tobacco use while handling food~~ shall ~~be assessed equal a value of no more than two points.~~ one point.
- (47)(49) Violation of Rule .1324(a)(1)-(5) ~~.1324(a) or (b)~~ of this Section regarding employee hand washing ~~handwashing and hand antisepsis~~ shall ~~be assessed equal a value of no more than~~ three points.
- (50) Violation of Rule .1324(b) of this Section regarding employee handwashing shall equal no more than three points.
- (48)(51) Violation of Rule .1324(c) of this Section regarding exclusion of persons with certain diseases and conditions ~~infections~~ from food service work shall ~~be assessed equal a value of no more than four~~ two points.
- (52) Violation of Rule .1324(d) of this Section regarding cleaning supplies and written procedures for responding to vomiting or diarrheal events shall equal no more than two points.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. February 1, 2004; August 1, 2002.*

15A NCAC 18A .1309 FLOORS

(a) ~~All The floors in intensive care units, bathrooms, showers, hydrotherapy areas, operating rooms, soiled utility rooms and laundry areas an institution shall be made of smooth, non-absorbent materials and so constructed as to be easy to clean. shall be kept clean and in good repair.~~

(b) ~~Floors shall be free of obstacles to cleaning, and shall be kept clean and in good repair. Notwithstanding the foregoing in Paragraph (a) of this Rule, if Carpeting carpet is installed in an institution then the carpet shall be maintained kept clean, odor free, dry and in good repair.~~

(b) ~~In all rooms in which floors are subjected to flooding type cleaning, floors shall be of nonabsorbent materials, shall be sloped to drain and be provided with floor drains.~~

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1310 WALLS AND CEILINGS

(a) ~~The interior walls of the institution, including doors, windows and window trim, and ceilings of all rooms and areas shall be kept clean and in good repair. All walls shall be easily cleanable and shall have washable surfaces to the highest level reached by splash or spray in rooms or areas where such occur.~~

(b) Ceiling attachments, including light fixtures and fans, shall be kept clean and in good repair.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160).

15A NCAC 18A .1311 LIGHTING, ~~LIGHTING AND VENTILATION AND MOISTURE CONTROL~~

(a) ~~All The areas interior to an institution's building or buildings shall be provided equipped with sufficient illumination to effectively perform all operations, including cleaning, and shall have at least 10 foot candles of light at 30 inches above the floor. floor in all areas other than food service areas. Food service areas shall be lighted as required for restaurants in "Rules Governing The Sanitation of Restaurants and other Foodhandling Establishments" 15A NCAC 18A .2600.~~

(b) Ventilation equipment shall be kept clean and in good repair.

(c) Ambient indoor air temperatures shall be maintained in the range of 65° F 65 degrees Fahrenheit to 85° F, 85 degrees Fahrenheit.

(d) ~~Moisture shall be controlled such that there is no evidence of microbial growth on interior surfaces and objects.~~

(e) ~~Indoor smoking, including the carrying of any lit cigarette, pipe, cigar, or other similar product containing tobacco or other substances shall be restricted to dedicated smoking rooms. Smoking rooms shall be ventilated to prevent environmental tobacco smoke from moving into other occupied portions of the building. There shall be no obligation to establish such smoking rooms.~~

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990; July 1, 1986; October 1, 1985.

15A NCAC 18A .1312 TOILET; HANDWASHING; ~~LAUNDRY;~~ AND BATHING FACILITIES

(a) All institutions shall provide ~~be provided with~~ toilet, handwashing, and bathing facilities that are ~~conveniently located and readily accessible to residents and staff. These facilities, and laundry facilities when provided, shall be kept clean and in good repair.~~

(b) ~~Toilet facilities shall comply with the requirements of the state agency licensing the facility. Toilet rooms shall not be used for storage. Fixtures and furnishings shall be kept clean and in good repair. Durable, legible signs A sign shall be posted or stenciled conspicuously in each toilet room for food service institution employees directing them to wash their hands after each visit to the toilet room and~~ before returning to work.

(c) Institutions where bedpans, bedside commodes, urinals, urinals or emesis basins are used shall provide facilities for emptying, cleaning, and disinfecting bedpans, beside commodes, urinals, urinals and emesis basins. Bedpans, bedside commodes, urinals, shared diaper changing surfaces, urinals and emesis basins that have been used by a resident shall be cleaned after each use kept clean and shall be disinfected before use by other patients. residents. Where bedpans are cleaned in patient rooms, bedpan cleaning facilities shall consist of a water closet with bedpan lugs or spray arms. Where facilities for cleaning bedpans are not provided in patient rooms, bedpans shall be taken to a soiled utility room and be cleaned and disinfected using an EPA registered hospital disinfectant after each use. Where When disposable bedpans, emesis basins, and urinals bedpans are reused, they shall be labeled with the date of first use and so that they are associated with an individual resident. Disposable bedpans, emesis basins, and urinals patient's name and date and shall not be used by more than one resident, patient. Bedside commodes shall be cleaned after each use and shall be cleaned and disinfected before use by successive patients. Hand sinks shall not be used for cleaning bedpans or bedside commodes.

(d) Handwashing facilities shall be located in an institution in accordance with 10A NCAC 13B, 10A NCAC 13D, 10A NCAC 13E, and 10A NCAC 13K, as applicable. Institutions that do not have a handwashing facility located in all areas required by this Paragraph shall not be required to install handwashing facilities if the institution has an approved hand hygiene program, accessible to all areas where personnel may be exposed to bodily excretions or secretions and in sterile supply processing areas, medication rooms, laundry areas, and soiled utility rooms. Any area where personnel may be exposed to bodily excretions or secretions shall have handwashing facilities located in the same room or have a doorway connecting to an adjacent room or corridor containing handwashing facilities. All lavatories Hand washing facilities shall be supplied equipped with hot and cold running water through a and a tempering mixing device, faucet, or with tempered warm water, soap, and sanitary towels or hand drying devices. Facilities in operation prior to March 1, 2003 that do not have handwashing lavatories in all areas required shall not be required to install additional lavatories if an approved hand hygiene program is used. Hand hygiene programs shall be approved by the Environmental Health Specialist case by case based on type and frequency of activities involving contamination with bodily excretions or secretions, use of gloves to reduce contamination, availability of pre-moistened detergent wipes for hand cleaning, use of alcohol rubs or other skin antiseptics, and availability of handwashing facilities on the same wing or floor of the building. Handwashing facilities shall be supplied with soap and sanitary towels or hand-drying devices, provided in kitchens and any other food preparation areas in addition to any lavatories provided at employees'

toilet rooms. Sinks used for washing utensils and equipment shall not be accepted as a substitute for required handwashing facilities. Handwash lavatories ~~Handwashing facilities~~ shall be used only for handwashing. ~~Lavatories provided for use of patients or residents shall be used only for handwashing, personal hygiene, rinsing feeding tubes and obtaining water. Lavatories used for handwashing or personal hygiene and shall not be used for disposal of body bodily fluids or washing items that are not clean, cleaning soiled linens. Lavatories in medication rooms used primarily for handwashing can be used for other purposes, such as disposal of medications, which do not interfere with effective handwashing. Notwithstanding the foregoing sentence, handwashing facilities provided for use in a resident's room may be used for personal hygiene, rinsing feeding tubes, obtaining drinking water, and disposal of medications in accordance with the manufacturer's instructions or non-TCS liquids as long as the handwashing facility is kept clean and is disinfected daily. Employees shall be permitted to use handwashing facilities in medication storage rooms to dispose of medications in accordance with the manufacturer's instructions.~~

~~(e) Water heating facilities shall provide hot water within the temperature range of 100 degrees F to 116 degrees F at all lavatories and bathing facilities. EPA registered disinfectants shall be used in accordance with the manufacturer's instructions. When EPA registered disinfectants are mixed and prepared by institution employees, a measuring device, chemical testing device, or the methods and devices proscribed by the chemical manufacturer shall be used to prepare the concentration of chemicals in accordance with the disinfectant's label and the manufacturer's instructions.~~

~~(f) Bathing facilities as required by the licensing agency shall be provided, maintained and kept clean. Bathing facilities shall be supplied equipped with hot and cold running water and a mixing device, or tempering device. Shared bathing Bathing equipment that has contact with a resident's patient's skin and is used by more than one resident shall be kept clean cleaned with detergent and shall be disinfected an EPA registered hospital disinfectant between patient resident uses. Equipment located within a bathing facility that uses a pump to move water shall be kept clean in accordance with the manufacturer's instructions. Manufacturer's instructions shall be followed for cleaning equipment with pumps. A supply of cleaning and disinfectant agents shall be accessible to bathing areas. Where disinfectants are mixed on site, the concentration of the mix shall be assured by use of a metering pump, measuring device or chemical test kit.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1313 WATER SUPPLY

- (a) Water supplies at institutions shall meet the requirements in 15A NCAC 18C or 15A NCAC 18A ~~1700~~. 1700, as applicable.
- ~~(b) Non-community public water supplies shall be listed with the Public Water Supply Section, Division of Environmental Health.~~
- ~~(c)(b) In institutions that use a non-community water supply, a sample of water shall be collected by the Department at least once a year and submitted to the Division of North Carolina State Laboratory of Public Health Services or other laboratory certified by the North Carolina State Laboratory of Public Health under 10A NCAC 41C .0102 Department to perform bacteriological examinations.~~
- ~~(d)(c) An institution's water supply plumbing shall not include Cross-connections cross-connections as set out in 15A NCAC 18C .0102(c)(8). with sewage lines, non-potable water supplies, or other potential sources of contamination are prohibited.~~
- ~~(e)(d) Hot water Water heating facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas, and to any other areas where water is required in sufficient quantities to carry out all operations. Hot water shall be provided at temperatures between 105 degrees Fahrenheit and 116 degrees Fahrenheit at handwashing and bathing facilities.~~
- ~~(f)(c) The local health department administrator shall be immediately notified notify the licensing agency and the local health department that serves the county in which the institution is located if the institution's primary water supply is interrupted for more than four consecutive hours. Each The institution shall have a written plan to obtain a backup water supply in the event that the institution's primary water supply is lost interrupted for more than four consecutive hours. The written plan shall identify a backup water supply or alternate source of water plan shall that provides provide for two liters of potable water per day per resident and institution employee person for drinking. drinking and potable water for The backup water supply plan shall include a plan for either relocating residents or providing an alternative source of water for essential functions such as food preparation, hand washing, bathing, cleaning, dishwashing, laundry and disposal of bodily waste. This may include a plan for relocating residents to a facility with a water supply that satisfies Paragraph (a) of this Rule. The amount of water provided for uses other than drinking may be reduced if the plan includes alternatives for water use for services such as laundry and dishwashing. If an institution's primary water supply or back up water supply becomes non-potable then the water sources within the institution, such as sink faucets, assessment determines that tap water is not to be used for drinking, sources shall be prominently labeled or hooded to restrict prevent their use and the administrator shall provide potable water for use by the institution's residents and employees. shall be provided.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990; July 1, 1986;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1314 DRINKING WATER FACILITIES: ICE HANDLING

(a) Drinking fountains shall be ~~of sanitary angle jet design, kept clean~~ clean, and ~~in good repair, properly regulated.~~ All multi-use utensils used for service of water in patients' rooms, including glasses, pitchers, and drinking tubes, shall be cleaned and sanitized before being used by any other individuals. Disposable water pitchers shall be marked with the patient's name, used only by that patient and shall be disposed of and replaced when visibly soiled.

(b) Multi-use utensils for service of water and ice shall be kept clean and in good repair and shall be sanitized before being provided to a resident for use. Disposable, single service utensils shall be used by only one person.

(c) Ice shall be handled, transported, stored, and dispensed in such a manner as to be protected against contamination, physical, chemical, and biological contamination and shall be kept clean. Ice machines, buckets, other containers, and scoops shall be cleaned on a regular schedule such that they are kept clean and free of scum, rust, mold or other contamination. Ice machines, buckets, other containers and scoops shall be maintained in good repair and shall be protected from the elements, splash, drip, dust, vermin, other contamination, and from use by unauthorized personnel. Ice machines and storage chests which are accessible to patients residents, guests, or the public shall provide ice through automatic ice dispensing equipment which prevents the contamination of stored ice. and shall not permit ice to be accessed using a scoop or bucket.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.*

15A NCAC 18A .1315 LIQUID WASTES

(a) All wastewater sewage originating from the institution shall be disposed of in accordance using a publicly operated sewage treatment plant or an individual sewage disposal system that meets the requirements of Section .1900 of this Subchapter, with 15A NCAC 18A .1900 or 15A NCAC 02H .0200.

(b) Mop basins or mop sinks shall be used to wash mops and dispose of the water used for mopping.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Amended Eff. July 1, 1977;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.*

15A NCAC 18A .1316 SOLID WASTES WASTES: PREMISES: MEDICAL WASTES

(a) All solid wastes containing food scraps or other ~~decomposable putrescible~~ putrescible materials shall, ~~prior to disposal, shall~~ be kept in leak-proof, non-absorbent ~~containers, such as standard garbage cans, containers~~ containers which shall be kept covered with tight-fitting lids ~~when filled or stored, or not in use.~~ continual use; provided that such containers need not be covered when stored in a special vermin proofed room, such as a refrigerated garbage room, or enclosure.

(b) ~~All dry rubbish (including scrap paper, cardboard boxes, packing crates, etc.)~~ Refuse, recyclables, and returnables shall be stored in containers, rooms, or areas ~~designated areas.~~ for the storage of refuse, recyclables, and returnables.

(c) ~~The rooms, enclosures, designated rooms areas, and containers described in Paragraph (b) of this Rule shall be adequate for the storage of all solid wastes accumulating on the premises.~~ have the capacity to store the institution's refuse, recyclables, and returnables and shall be kept clean. Cleaning facilities for ~~waste~~ waste containers used to store food scraps, putrescible materials, refuse, recyclables, and returnables shall be provided. ~~Containers, rooms, or designated areas shall be kept clean.~~

(d) ~~All solid wastes shall be disposed of with sufficient frequency and in such a manner as to prevent insect breeding or public health nuisances. An institution's exterior premises, including parking lots, lawns, and walkways, and interior premises within the institution's building or buildings, shall be kept free of garbage, solid waste, yard trash, and conditions that attract or harbor pests.~~

(e) ~~Medical wastes shall be handled and disposed of as required in North Carolina "Solid Waste Management Rules" 15A NCAC 13B .1200. .1200 Medical Waste Management.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.*

15A NCAC 18A .1317 VERMIN PEST CONTROL: PREMISES: ANIMAL MAINTENANCE PESTICIDES

(a) ~~Effective measures shall be taken to keep flies, rodents, cockroaches, and other vermin out of the establishment and to prevent their breeding or presence on the premises. All openings Pests shall not be present in an institution's building or buildings. Openings to the outside of an institution's building or buildings the outer air shall be protected against the entrance of flies and other flying insects by equipped with self-closing doors, doors that are flush with the door frame when closed, closed windows, 16 mesh or finer screening, window screening on windows that can be opened, or controlled air currents, or other effective means.~~ currents to prevent pests from entering the building or buildings.

(b) ~~Only those pesticides that are registered in accordance with 40 C.F.R. 152 and G.S. 143-442 shall be used to control pests, which have been approved for a specific use and registered with the Environmental Protection Agency and with the North Carolina Department of Agriculture in accordance with the "Federal Insecticide, Fungicide and Rodenticide Act" and the "North Carolina Pesticide Law".~~

~~Such pesticides~~ Pesticides shall be used, handled, and stored as directed on in accordance with the instructions on the manufacturer's label, label and shall be so handled and stored as to avoid health hazards.

~~(c) The premises under control of the management shall be kept neat, clean, and free of litter. There shall be no fly or mosquito breeding places, rodent harborages, or undrained areas on the premises.~~

~~(d) Cleaning shall minimize accumulation of feces and other allergens generated by insects and other vermin.~~

~~(e) Animal pens, litter boxes, bird cages and other areas on the premises shall be cleaned to minimize accumulation of animal wastes, pet dander and allergens.~~

~~(f) Copies of veterinary records for all resident pets shall be kept on the premises.~~

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1318 MEDICAL SUPPLIES MISCELLANEOUS

~~(a) Suitable rooms or spaces shall be provided for the storage of all necessary equipment, furniture and supplies, and kept clean. All patient care or consumable items shall be stored at least eight inches above the floor to prevent water contamination from cleaning floors and shall not be stored below exposed sewer lines.~~

~~(b) Mop receptors or sinks shall be provided and used for the cleaning of mops and the disposal of mop water. Other plumbing fixtures shall not be used for these purposes.~~

~~(a)(e) Medication carts shall be kept clean, cleaned when visibly soiled. Food and utensils~~ Food, utensils, medications, and medication dispensing equipment used on medication carts shall be kept clean, handled in a sanitary manner. Unused medication cups shall be kept covered or inverted. Sharps containers located on medication carts shall be attached affixed or secured to the medication card to prevent the sharps contained from spilling, spillage.

~~(b)(d) Feeding bags, tubes syringes syringes, and oral suction catheters shall be used in accordance with the manufacturer's instructions, which are reused shall be labeled with the patient's name and date opened, shall be disassembled and rinsed after each use, and shall be disposed of within 24 hours of first use. Tube feeding bags shall be changed within the time period specified by the manufacturer. Oral suction catheters which are reused shall be flushed after each use and shall be disposed of within 24 hours of first use. Feeding syringes and oral suction catheters shall be stored in a clean container.~~

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160).

15A NCAC 18A .1319 FURNISHINGS AND LAUNDRY PATIENT CONTACT ITEMS

~~(a) All furniture, bed springs, mattresses, sleeping mats, draperies, curtains, shades, venetian blinds, or other furnishings in institutions~~ Furnishings in an institution, including furniture, curtains, rugs, and blinds shall be kept clean and in good repair. Mattresses shall be kept clean, dry, dry and in good repair, odor free.

~~(b) Clean bed linen~~ Bed linens that are provided by the institution for use by residents shall be free from holes and tears. A resident's bed linens in good repair shall be provided for each individual and shall be changed when no longer clean, soiled. Soiled linen Linens that are not clean shall be placed in a covered container or bag devoted to this purpose at the point of use and stored in the covered container or bag until sanitized in accordance with Paragraph (c) of this Rule and handled so as to contain and minimize aerosolization of and exposure to any waste products. Such covered containers or bags shall be kept clean between uses and labeled to indicate the contents. Linens that are not clean shall be handled and stored separately from sanitized linens. Soiled laundry shall be handled and stored separately from clean laundry using separate cleanable carts or bags. Carts used for soiled laundry shall be labeled for soiled laundry use only.

~~(c) Linens provided by the institution that are not clean shall be sanitized in accordance with this paragraph. When hot water in washing machines is used to sanitize linens provided by the institution, the washing machines shall be operated in accordance with the manufacturer's instructions. When chemicals are used to sanitize linens provided by the institution, linens shall be washed in accordance with the following:~~

~~(1) using a solution of at least 50 parts per million chlorine;~~

~~(2) using laundry sanitizer that is registered in accordance with 40 C.F.R. 152 and that is used in accordance with the manufacturer's instructions; or~~

~~(3) using a chemical or laundering process that produces a 99.9 percent reduction of pathogens.~~

If hot water is used, linen including sheets, pillow cases, absorbent pads, towels and wash cloths provided by the facility shall be washed with a detergent in water at least 71°C (160°F) for 25 minutes. If low temperature (less than 71° C) laundry cycles are used, linens shall be washed in at least 50 parts per million chlorine or an EPA Listed laundry sanitizer shall be used in accordance with the manufacturer's instructions. This shall not preclude the approval of other chemicals or processes shown to produce a 99.9 percent reduction of the pathogens *Staphylococcus aureus*, *Klebsiella pneumoniae* and *Pseudomonas aeruginosa* on laundry. The wash temperatures and chemicals required for linens shall not apply to personal laundry provided and used by a resident. Clean linen shall be stored and handled in a separate room or area, or in another manner that will prevent contamination of clean linen. Laundry areas and equipment shall be kept clean.

(d) Clothing and linens that are provided by a resident for the resident's personal use shall be that resident's personal laundry. Personal laundry that is not clean shall be kept separate from clean clothing and linens using covered containers or bags that are labeled to indicate their contents and kept clean between uses. Containers or bags that are used to hold personal laundry that is not clean shall not be used for personal laundry. When a resident's personal laundry is combined with the personal laundry of one or more other residents and washed together by the institution, the combined personal laundry shall be washed in accordance with Paragraph (c) of this Rule.

(e) Laundry areas and equipment shall be kept clean.

(f)(e) Patient contact items Wheelchairs, walkers, lifts, and other mobility equipment shall be kept clean and sanitized between uses by different residents. in good repair. Soiled patient contact items shall be taken to a designated area for cleaning and shall be stored separately from clean items. A room or area shall be provided for cleaning patient contact equipment such as wheelchairs. Patient contact items such as diaper changing surfaces that become contaminated during use shall be cleaned and disinfected after each use. Shared toys subject to mouthing shall be washed and rinsed with soap and water and disinfected with 70 percent alcohol or 100 parts per million chlorine after each day's use. Shared plush toys shall be laundered after each day's use. Shared toys that are not washable shall be gas sterilized or disposed of when soiled.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); August 1, 1998; February 1, 1997; September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1320 ACTIVITY KITCHENS, REHABILITATION KITCHENS, AND NOURISHMENT STATIONS FOOD SERVICE UTENSILS AND EQUIPMENT

(a) All food service equipment and utensils shall be kept clean and in good repair. Institutions shall be allowed to use domestic food service equipment in activity kitchens, rehabilitation kitchens, and nourishment stations. used in institutions for preparing meals for 13 or more people shall comply with the requirements of "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600. Residential style rehabilitation activity kitchens with domestic utensils and equipment may be used by groups of 12 or less people to prepare meals only for members of the group. Potentially hazardous foods prepared in rehabilitation activity kitchens shall not be served to groups of more than 12 people. This shall not preclude the use of an activity kitchen as a serving area for meals catered from a main kitchen and served to groups of 13 or more people in connection with a planned event from which the public is excluded. For planned events, the equipment in the activity kitchen may be used for heating prepared foods received from a main kitchen or a commercial source. Bread machines, soup kettles and other food contact items used at nutrition stations shall be so constructed as to be easily cleanable.

(b) Utensils that have been used to prepare, serve, or consume food or drink shall be returned to the dietary kitchen and shall be washed, rinsed, and sanitized. Notwithstanding the foregoing sentence, utensils may be washed, rinsed and sanitized at At activity kitchens or kitchens, rehabilitation kitchens, and nourishment nutrition stations, stations provisions shall be made for cleaning all food service utensils and equipment and sanitizing utensils and equipment not continuously subjected to high temperatures. Where utensils and equipment are not returned to a central kitchen for cleaning, designated nutrition stations shall be that are equipped with the following:

- (1) at least a two compartment sink with 24 inch drainboards or counter top space at each end of the sink for handling used utensils dirty items and air drying clean and sanitized utensils. items. Sinks The sinks shall be of sufficient size to submerge, wash, rinse and sanitize utensils; or
- (2) a dishwashing machine approved by NSF International. utensils and equipment. At nutrition stations, dish machines listed with NSF International shall meet this provision.

(c) Any area where food is portioned, served, served or handled shall be equipped with a separate handwash lavatory handwashing facility with a hot and cold mixing faucet, soap, soap and single-use individual towels or hand drying device. Separate handwashing lavatories shall not be required for activity kitchens used only by groups of 12 or less people.

(d)(e) All kitchenware and The food-contact surfaces of cooking and baking equipment, including microwave ovens, shall be kept clean. exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, shall be cleaned after each use. Cooking surfaces of equipment shall be cleaned at least once each day. All utensils and food contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous foods shall be cleaned and sanitized prior to each use. Non food contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1321 FOOD SUPPLIES

(a) All food and food supplies provided by an institution for consumption by residents shall be from sources that comply with North Carolina "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" approved sources, stored, and

~~handled as set forth in Section 15A NCAC 18A .2600 of this Subchapter. and shall be clean, free from spoilage, free from adulteration and misbranding, and safe for human consumption.~~

~~(b) Food brought from home by employees or visitors of patients or residents shall be stored separately from the institution's food supply and shall be labeled with the name of the person to receive the food and the date the food was brought in and shall be kept only as long as it is clean, and free from spoilage, as described in Paragraph (a) of this Rule. Such food shall be labeled with the name of the resident or employee that the food belongs to and the date the food was brought into the institution. Labeling shall not be required for food items stored in employee-designated or individual resident's refrigerators or rooms.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1323 FOOD PROTECTION IN ACTIVITY KITCHENS, REHABILITATION KITCHENS, AND NOURISHMENT STATIONS

~~(a) All TCS food shall be maintained at temperatures required by Section .2600 of this Subchapter during storage, preparation, transportation, display, and service of the TCS food. Time as a public health control may be used as specified in Section .2600 of this Subchapter, except that written procedures shall not be required. All food while being stored, prepared, transported, displayed, and served, shall be protected from contamination. All perishable foods shall be stored at temperatures which will protect against spoilage. All potentially hazardous food shall be maintained at safe temperatures (45 degrees F. or below, or 140 degrees F. or above) except during necessary periods of preparation and serving. Potentially hazardous foods served shall be either consumed or discarded within two hours of being removed from temperature control. Medications shall be stored in a manner which will not contaminate food or food products such as in separate covered containers or in separate refrigerators.~~

~~(b) Hot and cold holding equipment shall be used to maintain required temperatures for TCS food. Conveniently located refrigeration units, hot food storage and display units and effective insulated units shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, display, service, and transportation. Each refrigeration unit shall be provided with an indicating thermometer that is accurate to ± 3 degrees Fahrenheit or ± 1.5 degrees Celsius, of such type and so situated that the thermometer can be easily read except that indicating thermometers shall not be required for food iced in coolers for transport.~~

~~(c) Containers of food shall be stored at least six inches above the floor, in a clean, dry location, and on clean racks, dollies, slatted shelves, or other clean surfaces in such a manner as to be protected from splash or other contamination.~~

~~(d) No live animals shall be allowed in any room where food is prepared or stored. Live animals shall be allowed in dining areas if their presence will not result in contamination of food, clean equipment, utensils, linens, and unwrapped single service and single use articles in the following situations: permitted in an institution's dining areas in the following situations and only if the live animal does not come into physical contact with institution employees engaged in the preparation or handling of food, serving dishes, utensils, tableware, linens, unwrapped single service and single use articles, food contact surfaces, or other food service items:~~

- ~~(1) Fish or crustacea in aquariums or display tanks, or other animals in enclosed terrariums or glass enclosed aviaries;~~
- ~~(2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;~~
- ~~(3) Service animals accompanying individuals with disabilities in areas that are not used for food preparation; and In areas that are not used for food preparation such as dining and sales areas, support animals such as guide dogs that are trained to assist an employee or other person who is handicapped, are controlled by the handicapped employee or person, and are not allowed to be on seats or tables; and~~
- ~~(4) Dogs (Canis lupus familiaris) and cats (Feliscatus) in outdoor dining areas provided that dogs and cats are physically restrained and do not pass through any indoor dining areas of the facility. Pets in the common dining areas of group residences at times other than during meals if:
 - ~~(A) Effective partitioning or self closing doors prevent pets from entering food storage and food preparation areas;~~
 - ~~(B) Condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present; and~~
 - ~~(C) Dining areas including tables, countertops, and similar surfaces are cleaned after all pets have left the area and before the next meal service.~~~~

~~(e) Notwithstanding Paragraph (d) of this Rule, and except in accordance with applicable law, nothing in this Rule shall prohibit an institution from restricting live animals in dining areas.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); October 1, 1993; September 1, 1990.*

15A NCAC 18A .1324 EMPLOYEES

~~(a) While on duty, at work, all institution employees shall wear visibly clean outer clothing, clothing and shall be clean as to their persons. No employee shall use tobacco in any form while engaged in the preparation and handling of food. Employees shall wash or decontaminate their hands: hands as set forth in Paragraph (b):~~

- ~~(1) before beginning work;~~
- ~~(2) after each visit to the toilet;~~
- ~~(3) before and after patient resident contact, including using an oral feeding feeding; tube;~~
- ~~(4) after contact with a source of microorganisms (body fluids and substances, mucous membranes, nonintact skin, inanimate objects that are likely to be contaminated); coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking; and~~
- ~~(5) after removing gloves.~~

~~(b) Institution employees shall wash their hands in a handwashing sink using the handwashing method required for food employees in Section .2600 of this Subchapter. When hands are visibly soiled, routine handwashing shall include a vigorous rubbing together of all surfaces of lathered hands for at least 10 seconds followed by thorough rinsing under a stream of water and drying with individual disposable towels or hand drying devices. When hands are not visibly soiled, clean, the use of alcohol-based hand antiseptics with alcohol-based hand rubs shall be acceptable for decontamination of hands. In the event of interruption of the institution's water supply or when in settings where handwashing facilities are inadequate or inaccessible, hand decontamination can be achieved by using detergent containing towelettes toweletts and alcohol-based hand rubs. antiseptics.~~

~~(c) Institution employees shall comply with the requirements for exclusion from work and restriction due to communicable disease or illness required for food employees as set forth in Section .2600 of this Subchapter. No person who has a communicable or infectious disease that can be transmitted by foods, or who knowingly is a carrier of organisms that cause such a disease, or who has a boil, infected wound, or an acute respiratory infection with cough or nasal discharge, shall work in food service in any capacity in which there is a likelihood of such person contaminating food or food contact surfaces, with disease causing organisms or transmitting the illness to other persons.~~

~~(d) The institution shall have gloves, personal protective equipment, disinfectant, individual disposable towels, and a coagulating agent on-site for employees to use and a written procedure for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the institution. The procedure shall specify the actions that employees shall take to minimize the exposure of employees, residents, guests, food, and additional surfaces to vomitus or fecal matter.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.*

15A NCAC 18A .1327 INCORPORATED RULES

For purposes of this Section, 15A NCAC 13B .1200, 15A NCAC 18A .1700, 15A NCAC 18A .2600, and 15A NCAC 18C, are hereby incorporated by reference, including any subsequent amendments or editions, and available free of charge at <http://reports.oah.state.nc.us/ncac.asp>.

~~(a) The North Carolina "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600 are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632 at no cost.~~

~~(b) The North Carolina "Rules Governing Public Water Systems" 15A NCAC 18C are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Public Water Supply Section, 1634 Mail Service Center, Raleigh, NC 27699-1634 at no cost.~~

~~(c) The North Carolina "Rules Governing Protection of Water Supplies" 15A NCAC 18A .1700 are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632 at no cost.~~

~~(d) The North Carolina "Solid Waste Rules" 15A NCAC 13B .1200 Medical Waste Management are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Solid Waste Section, 1646 Mail Service Center, Raleigh NC 27699-1646 at a cost of nine dollars (\$9.00).~~

~~(e) The North Carolina "Rules Governing Grade A Milk Sanitation" 15A NCAC 18A .1200 are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632 at no cost.~~

*History Note: Authority G.S. 130A-235;
Eff. March 1, 2003 (See S.L. 2002-160).*