

1 15A NCAC 18A .1601 is proposed for reoption with substantive changes as follows:

2
3 **15A NCAC 18A .1601 DEFINITIONS**

4 The following definitions shall apply throughout this Section:

- 5 (1) "Administrator" means the person designated by the licensee to be responsible for the daily
6 operation of the residential care facility.
- 7 (2) "Bed linens" means bed sheets, pillowcases, mattress covers, blankets, and duvet covers.
- 8 (3) "Clean" means that an object or surface has been made free of garbage, solid waste, soil, dust, hair,
9 dander, food, bodily fluids and secretions, and feces.
- 10 ~~(1)(4) "Department of Environment and Natural Resources" "Department" means the Secretary, or his~~
11 ~~authorized representative. North Carolina Department of Health and Human Services.~~
- 12 ~~(2) "Director" means the State Health Director.~~
- 13 ~~(3) "Foster Care" means the care of individuals as defined in G.S. 131D-10.2(9).~~
- 14 ~~(4) "Family foster home" means a facility as defined in G.S. 131D-10.2(8).~~
- 15 ~~(5) "Manager" means the person in responsible charge of a residential care facility.~~
- 16 ~~(6) "Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable~~
17 ~~of supporting the growth of infectious or toxigenic microorganisms, including Clostridium~~
18 ~~botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and~~
19 ~~treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below~~
20 ~~or a water activity (Aw) value of 0.85 or less.~~
- 21 ~~(7) "Residential care facility" means an establishment providing room or board and for which a license~~
22 ~~or certificate for payment is obtained from the Department of Human Resources. However, the term~~
23 ~~shall not include a child day care facility or an institution as defined in 15A NCAC 18A .1300.~~
- 24 (5) "Disinfectant" means a disinfectant as defined at 40 C.F.R. 158.2203 that has been registered with
25 the United States Environmental Protection Agency in accordance with 40 C.F.R. 152, which are
26 hereby incorporated by reference, including any subsequent amendments or editions, and are
27 available free of charge at <https://www.ecfr.gov/>.
- 28 (6) "Good repair" means as defined at 15A NCAC 18A .2651(8). Items that are in good repair shall
29 operate in accordance with the manufacturer's instructions.
- 30 (7) "Licensing agency" means the North Carolina Department of Health and Human Services, Division
31 of Health Service Regulation.
- 32 (8) "Linen" means bath towels, hand drying towels, bed linens, and pillows.
- 33 (9) "Non-community water supply" means as defined in G.S. 130A-313(10).
- 34 (10) "Pest" means as defined in G.S. 143-460(26a).
- 35 (11) "Pest harborage" means any condition that provides water or food and shelter for pests.
- 36 (12) "Regulatory authority" means the Department or authorized agent of the Department.

1 ~~(8)~~(13) "Resident" means a person, other than the ~~manager, administrator, his or her immediate family,~~
2 and residential care facility employees ~~staff, who is~~ residing in a residential care facility.

3 (14) "Residential care facility" means an establishment providing room or board and for which a license
4 or certificate for payment is obtained from the Department, but does not include a child day care
5 facility or an institution as defined in 15A NCAC 18A .1301.

6 (9) ~~"Sanitarian" means a person authorized to represent the Department on the local or state level in~~
7 ~~making inspections pursuant to state laws and rules.~~

8 (10) ~~"Sanitize" means the approved bactericidal treatment by a process which meets the temperature and~~
9 ~~chemical concentration levels in 15A NCAC 18A .2619.~~

10 (15) "Solid waste" means as defined in G.S. 130A-290(35).

11 (16) "Time/Temperature Control for Safety Food" or "TCS Food" means as defined in Part 1-2 of the
12 Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A
13 .2651.

14
15 *History Note: Authority G.S. 130A-4; 130A-235;*
16 *Eff. February 1, 1976;*
17 *Readopted Eff. December 5, 1977;*
18 *Amended Eff. July 1, 1993; September 1, 1990; March 1, 1988; July 1, 1984;*
19 *Temporary Amendment Eff. May 5, 1998;*
20 *Temporary Amendment Expired January 26, 1999;*
21 *Amended Eff. November 1, ~~2002~~ 2002;*
22 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1602 is proposed for readoption through repeal as follows:

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3 **15A NCAC 18A .1602 APPROVAL OF PLANS**

4

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

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, ~~1990~~ 1990;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1603 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .1603 INSPECTIONS**

4 ~~(a) The regulatory authority shall inspect. Inspections of residential care facilities shall be made by the Department at~~
5 ~~least once a year prior to the expiration of the residential care facility's license. license issued by the licensing agency.~~

6 ~~The Department shall provide a. Inspections are required for family foster homes only for those homes served by~~
7 ~~individual or non-community water supplies or on-site sewage systems. A copy of the inspection form shall be~~

8 ~~provided to the person in charge administrator of the facility. If conditions found at the time of the inspection are~~
9 ~~dangerous to the health of the residents, the agency supervising the family foster home shall be notified immediately~~

10 ~~by telephone or other direct means by the sanitarian.~~

11 (b) The inspection of institutions shall be documented on inspection form provided by the Department. The form shall
12 include at least the following information:

13 (1) name and address of residential care facility;

14 (2) name of licensee;

15 (3) an explanation for all demerits incurred during the inspection and scoring;

16 (4) classification in accordance with Rule .1606 of this Section;

17 (5) the date on which the inspection is conducted; and

18 (6) the signature of the regulatory authority.

19

20 *History Note: Authority G.S. 130A-4; 130A-235;*

21 *Eff. February 1, 1976;*

22 *Readopted Eff. December 5, 1977;*

23 *Amended Eff. July 1, ~~1993~~. 1993;*

24 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1604 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 18A .1604 REINSPECTIONS: VISITS**

4 The ~~sanitarian~~ regulatory authority may reinspect or visit residential care facilities at any time to ~~ensure~~ insure
5 compliance with these Rules. When the administrator requests an inspection of their facility to improve a classification
6 ~~requested by the manager to inspect for the purpose of improving a classification,~~ the sanitarian regulatory authority
7 shall make ~~at least one~~ an unannounced inspection within 30 days. ~~The sanitarian shall give assistance in the~~
8 ~~explanation and interpretation of these Rules.~~

9

10 *History Note: Authority G.S. 130A-4; 130A-235;*

11 *Eff. February 1, 1976;*

12 *Readopted Eff. December 5, 1977;*

13 *Amended Eff. September 1, ~~1990~~ 1990;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1605 is proposed for readoption through repeal as follows:

2

3 **15A NCAC 18A .1605 INSPECTION FORMS**

4

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

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990; June 30, ~~1980~~ 1980;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1606 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 18A .1606 GRADING SCORING SYSTEM**

4 (a) ~~The grading of residential care facilities~~ Residential care facility sanitation scores shall be based upon the standards
5 of construction and operation set out in Rules .1607 ~~through~~—.1621 of this Section; ~~however, family foster homes are~~
6 ~~required to comply only with Rule .1611(a) and (b) and Rule .1613 of this Section.~~

7 (b) The grade score of the facility shall be classified as follows:

- 8 (1) ~~as approved~~ “Approved” if the demerit score is less than 40 ~~20 or less~~ and no six-demerit ~~six demerit~~
9 ~~point~~ item is violated; and
- 10 (2) ~~as provisional if any six demerit point item is violated, or if the demerit score is more than 20 but~~
11 ~~not more than 40; The duration of such classification shall not exceed seven days; provided, that a~~
12 ~~longer period may be established if construction or renovation is involved;~~
- 13 (3)~~(2)~~ ~~as disapproved~~ “Disapproved” if the demerit score is 40 or greater, or if any six-demerit item is
14 violated, ~~more than 40, if the conditions found are dangerous to the health of the residents, or if the~~
15 ~~conditions resulting in the provisional classification have not been corrected within the specified~~
16 ~~time.~~

17 (c) The sanitation score is the total amount determined by adding demerits for each item found not to be in compliance
18 with the Rules of this Section. The demerit value of each item is determined as follows:

- 19 (1) Violation of Rule .1607 of this Section regarding the cleanliness of floors and carpet shall equal 2
20 demerits and repair of floors and carpet shall equal 1 demerit.
- 21 (2) Violation of Rule .1608 of this Section regarding the cleanliness of walls, ceilings, and attachments
22 shall equal 2 demerits and repair of walls, ceilings, and attachments shall equal 1 demerit.
- 23 (3) Violation of Rule .1609(a) of this Section regarding the illumination of required spaces shall equal
24 2 demerits.
- 25 (4) Violation of Rule .1609(b) of this Section regarding the cleanliness and state of repair of windows,
26 fixtures, and ventilation equipment shall equal 2 demerits.
- 27 (5) Violation of Rule .1610(a) of this Section regarding the availability of toileting, handwashing, and
28 bathing facilities shall equal 5 demerits.
- 29 (6) Violation of Rule .1610(a) of this Section regarding the cleanliness and state of repair of toileting,
30 handwashing, and bathing facilities shall equal 4 demerits.
- 31 (7) Violation of Rule .1610(b) of this Section regarding the handwashing sink design shall equal 4
32 demerits.
- 33 (8) Violation of Rule .1610(b) of this Section regarding the supply and storage provisions in bathrooms
34 shall equal 4 demerits.
- 35 (9) Violation of Rule .1611(a) of this Section regarding the water supply shall equal 6 demerits.
- 36 (10) Violation of Rule .1611(c) of this Section regarding cross-connections shall equal 5 demerits.
- 37 (11) Violation of Rule .1611(d) of this Section regarding the pressure availability and temperature of

- 1 water at fixtures shall equal 4 demerits.
- 2 (12) Violation of Rule .1613 of this Section regarding liquid waste disposal shall equal 6 demerits.
- 3 (13) Violation of Rule .1614(a) of this Section regarding the locations of storage waste disposal shall
4 equal 2 demerits.
- 5 (14) Violation of Rule .1614(b) of this Section regarding the covering, cleanliness, and state of repair of
6 solid waste containers shall equal 2 demerits.
- 7 (15) Violation of Rule .1614(c) of this Section regarding solid waste disposal frequency shall equal 2
8 demerits.
- 9 (16) Violation of Rule .1615(a) of this Section regarding pest presence shall equal 3 demerits.
- 10 (17) Violation of Rule .1615(a) of this Section regarding the prevention of harborage conditions shall
11 equal 2 demerits.
- 12 (18) Violation of Rule .1615(a) of this Section regarding the state of repair of outdoor furniture shall
13 equal 2 demerits.
- 14 (19) Violation of Rule .1616 of this Section regarding the storage of substances shall equal 4 demerits.
- 15 (20) Violation of Rule .1617(a) of this Section regarding the cleanliness of furnishings shall equal 2
16 demerits.
- 17 (21) Violation of Rule .1617(a) of this Section regarding the state of repair of furnishings shall equal 2
18 demerits.
- 19 (22) Violation of Rule .1617(b) of this Section regarding the provisions and state of repair of bed linens
20 shall equal 4 demerits.
- 21 (23) Violation of Rule .1617(b) of this Section regarding the cleanliness and cleaning frequency of bed
22 linens shall equal 4 demerits.
- 23 (24) Violation of Rule .1617(c) of this Section regarding the storage of clean linen shall equal 3 demerits.
- 24 (25) Violation of Rule .1617(d) of this Section regarding the cleanliness and state of repair of laundry
25 areas and equipment shall equal 3 demerits.
- 26 (26) Violation of Rule .1618(a) of this Section regarding the state of repair of food utensils and
27 equipment, except temperature holding equipment, shall equal 3 demerits.
- 28 (27) Violation of Rule .1618(b) of this Section regarding the cleanliness of food utensils and equipment
29 shall equal 4 demerits.
- 30 (28) Violation of Rule .1618(b) of this Section regarding the cleanliness of the non-food contact sides of
31 equipment shall equal 2 demerits.
- 32 (29) Violation of Rule .1618(c) of this Section regarding the storage of equipment and utensils shall equal
33 2 demerits.
- 34 (30) Violation of Rule .1618(d) of this Section regarding the provisions for ware washing shall equal 5
35 demerits.
- 36 (31) Violation of Rule .1618(e) of this Section regarding the cleanliness of food storage areas shall equal
37 3 demerits.

- 1 (32) Violation of Rule .1619 of this Section regarding the safety and approved sources of foods shall
2 equal 5 demerits.
- 3 (33) Violation of Rule .1620(a) of this Section regarding the time and temperature control of food shall
4 equal 5 demerits.
- 5 (34) Violation of Rule .1620(b) of this Section regarding the prohibitions of live pets shall equal no more
6 than 3 demerits.
- 7 (35) Violation of Rule .1620(c) of this Section regarding the provisions and state of repair of temperature
8 holding equipment shall equal 5 demerits.
- 9 (36) Violation of Rule .1620(c) of this Section regarding the availability of accurate temperature
10 indicating devices shall equal no more than 2 demerits.
- 11 (37) Violation of Rule .1620(d) of this Section regarding the storage of food shall equal 4 demerits.
- 12 (38) Violation of Rule .1621(a) of this Section regarding handwashing methods shall equal 4 demerits.
- 13 (39) Violation of Rule .1621(b) of this Section regarding when to wash hands shall equal 4 demerits.
- 14 (40) Violation of Rule .1621(c) of this Section regarding restricting or excluding employees shall equal
15 5 demerits.
- 16 (41) Violation of Rule .1621(d) of this Section regarding cleaning supplies and written procedures for
17 responding to vomiting or diarrheal events shall equal 2 demerits.

18

19 *History Note: Authority G.S. 130A-4; 130A-235;*
20 *Eff. February 1, 1976;*
21 *Readopted Eff. December 5, 1977;*
22 *Amended Eff. July 1, 1993; January 1, ~~1978~~; 1978;*
23 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1607 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .1607 FLOORS**

4 All floors shall be ~~easily cleanable and shall be~~ kept clean and in good repair.

5

6 *History Note: Authority G.S. 130A-4; 130A-235;*

7 *Eff. February 1, 1976;*

8 *Readopted Eff. December 5, 1977. ~~1977.~~ 1977;*

9 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1608 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .1608 WALLS AND CEILINGS**

4 (a) The interior walls and ceilings, including doors, window, and window trim, of all rooms and areas shall
5 be kept clean and in good repair.

6 (b) Wall and ceiling attachments, such as light fixtures, fans, and vent covers, shall be kept clean and in good repair.

7

8 *History Note: Authority G.S. 130A-4; 130A-235;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. December 5, 1977. ~~1977.~~ 1977.*

11 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1609 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .1609 LIGHTING AND VENTILATION**

4 (a) All rooms shall be ~~well-lighted~~ illuminated by natural or artificial means.

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

6

7 *History Note: Authority G.S. 130A-4; 130A-235;*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. December 5, 1977;*

10 *Amended Eff. July 1, 1993; October 1, 1985; July 1, 1984. ~~1984.~~ 1984.*

11 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1610 is proposed for re adoption with substantive changes as follows:

2

3 **15A NCAC 18A .1610 TOILET: HANDWASHING: ~~LAUNDRY AND BATHING FACILITIES~~**

4 (a) All residential care facilities shall ~~be provided with approved sanitary~~ provide toilet, ~~handwashing, handwashing~~
5 and bathing facilities that are available for use by residents and employees. ~~complying with state licensure~~
6 ~~requirements.~~ These ~~facilities, and laundry~~ facilities ~~when provided,~~ shall be kept clean and in good repair.

7 (b) All ~~lavatories~~ hand sinks and baths shall be supplied with hot and cold running water through mixing devices.
8 The residential care facility shall provide each ~~Each~~ resident with ~~will be provided~~ soap and individual hand-drying
9 towels. These hand-drying towels will be stored separately after being used.

10

11 *History Note: Authority G.S. 130A-4; 130A-235;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. December 5, ~~1977.~~ 1977;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1611 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 18A .1611 WATER SUPPLY**

4 (a) Water supplies at residential care facilities shall meet the requirements in 15A NCAC 18C or 15A NCAC 18A
5 .1700, as applicable. .1700; however wells shall be approved without meeting the setback to building foundation
6 requirements found in 15A NCAC 18A .1720, if water sampling in accordance with Paragraph (b) of this Rule does
7 not indicate a health threat. For facilities licensed by the licensing agency before this Rule's effective date, a well that
8 does not meet the setback to building foundation requirements found in 15A NCAC 18A .1720 shall be approved if
9 water sampling in accordance with Paragraph (b) of this Rule indicates the water is safe for human consumption.

10 (b) ~~At least once a year, samples of water shall be collected~~ In residential care facilities that use a non-community
11 water supply, a sample of water shall be collected by the Department once a year and submitted to the North Carolina
12 State Laboratory of Public Health or other laboratory certified by the North Carolina State Laboratory of Public Health
13 under 10A NCAC 41C .0102 to perform bacteriological examinations. Department to perform examinations for
14 Nitrates and Coliform bacteria. If the well is located less than 25 feet from a building foundation, the well shall also
15 be sampled for pesticides upon application for licensure or approval. After the initial pesticide sample is collected
16 and analyzed, the well shall be sampled again for pesticides following any treatment for structural pests.

17 (c) ~~No backflow connections or cross connections with unapproved supplies shall exist.~~ A residential care facility's
18 water supply plumbing shall not include cross-connections as set out in 15A NCAC 18C .0102(c)(8).

19 (d) ~~Adequate hot water heating facilities shall be provided.~~ Residential care facilities shall provide water heating
20 facilities. Hot and cold running water under pressure shall be provided to carry out all operations. Hot water shall be
21 provided at temperatures between 105 degrees Fahrenheit and 116 degrees Fahrenheit at handwashing and bathing
22 facilities. food preparation areas and any other areas in which water is required for cleaning.

23
24 *History Note:* Authority G.S. 95-225; 130A-4; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257;
25 Eff. February 1, 1976;
26 Readopted Eff. December 5, 1977;
27 Amended Eff. September 1, 1990; July 1, 1984;
28 Temporary Amendment Eff.; May 5, 1998;
29 Temporary Amendment Expired January 26, 1999;
30 Temporary Amendment Eff. January 1, 1999;
31 Amended Eff. August 1, ~~2000~~. 2000;
32 Readopted Eff. April 1, 2024.

1 15A NCAC 18A .1612 is proposed for readoption through repeal as follows:

2

3 **15A NCAC 18A .1612 DRINKING WATER FACILITIES: ICE HANDLING**

4

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

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, ~~1990~~ 1990;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1613 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .1613 LIQUID WASTES**

4 All sewage ~~originating from the residential care facility and other liquid wastes~~ shall be disposed by using ~~or in a~~
5 ~~public~~ publicly operated sewage treatment plant or in a sewage disposal ~~sewer~~ system that meets the requirements of
6 Section .1900 of this Subchapter. ~~or, in the absence of a public sewer system, by an approved, properly operating~~
7 ~~sanitary sewage system.~~

8

9 *History Note: Authority G.S. 130A-4; 130A-235;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. July 1, 1977;*

12 *Readopted Eff. December 5, 1977;*

13 *Amended Eff. July 1, ~~1984~~. 1984;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1614 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .1614 SOLID WASTES**

4 (a) All solid wastes shall be kept in ~~durable, rust resistant, nonabsorbent, watertight, rodent proof standard waste~~
5 ~~containers which shall be kept covered when filled or stored or not in continuous use.~~ leak-proof, non-absorbent
6 containers.

7 (b) ~~Outdoor~~ Outside waste containers shall be kept covered with tight-fitting lids when not in use. ~~stored on a rack to~~
8 ~~prevent overturning.~~ Waste containers shall be kept ~~clean.~~ clean and in good repair.

9 (c) All solid wastes shall be ~~disposed of with sufficient~~ removed from the premises at a frequency that and in such a
10 ~~manner as to prevent~~ prevents pest harborages, insect breeding and public health nuisances.

11

12 *History Note: Authority G.S. 130A-4; 130A-235;*

13 *Eff. February 1, 1976;*

14 *Readopted Eff. December 5, 1977;*

15 *Amended Eff. September 1, ~~1990.~~ 1990;*

16 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1615 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 18A .1615 VERMIN PEST CONTROL: CONTROL AND OUTDOOR PREMISES**

4 (a) ~~Effective measures~~ Pests shall not be taken to keep insects, rodents, and other vermin out of the present in a
5 residential care ~~facility.~~ facility and to prevent their breeding, harborage, or presence on the premises. Openings to the
6 outside of a residential care facility building or buildings shall be equipped with doors that are flush with the door
7 frame when closed, closed windows, window screening on windows that can be opened, or controlled air currents to
8 prevent pests from entering the building or buildings. The external premises of a residential care facility shall be kept
9 ~~neat, clean, adequately drained, and free of litter and pest vermin harborage.~~ Outdoor furniture and playgrounds shall
10 be kept in good repair. All openings to the outer air shall be effectively protected against the entrance of flying insects
11 by screens, closed doors, closed windows, or other effective means.

12 (b) Only those pesticides that are registered in accordance with 40 C.F.R. 152 and G.S. 143-442 shall be used at a
13 residential care facility, which have been approved for a specific use and properly registered with the Environmental
14 Protection Agency and with the North Carolina Department of Agriculture. ~~Such pesticides shall be used as directed~~
15 ~~on the label and shall be so handled and stored as to avoid health hazards.~~

16
17 *History Note: Authority G.S. 130A-4; 130A-235;*
18 *Eff. February 1, 1976;*
19 *Readopted Eff. December 5, 1977;*
20 *Amended Eff. July 1, ~~1984.~~ 1984;*
21 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1616 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 18A .1616 STORAGE: MISCELLANEOUS CHEMICAL AND MEDICATION STORAGE**

4 ~~(a) Rooms or spaces which are provided and used for the storage of clothing, personal effects, luggage, necessary~~
5 ~~equipment and supplies and for items not in routine use, shall be kept clean.~~

6 ~~(b) Pesticides, herbicides and other substances which may be hazardous if ingested, inhaled, or handled, shall be~~
7 ~~stored in a closet, cabinet or box not accessible to young children unless otherwise required in the rules of the licensing~~
8 ~~agency.~~

9 ~~(c) Household cleaning agents such as bleaches, detergents and polishes shall be stored out of the reach of young~~
10 ~~children unless otherwise required in the rules of the licensing agency.~~

11 ~~(d) Chemicals used for cleaning, bleaches, pesticides, and all Medications medications shall be stored and used in~~
12 ~~accordance with the manufacturer's instructions. in a separate cabinet, closet or box not accessible to young children~~
13 ~~unless otherwise required in the rules of the licensing agency~~

14

15 *History Note: Authority G.S. 130A-4; 130A-235;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. December 5, 1977;*

18 *Amended Eff. September 1, ~~1990~~, 1990;*

19 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1617 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .1617 BEDS: LINEN: LAUNDRY: FURNITURE**

4 (a) ~~All furniture, Furnishings, including furniture, mattresses, curtains, draperies, and other furnishings blinds,~~ shall
5 be kept clean and in good repair. Mattresses shall be kept clean, dry, and in good repair.

6 (b) Clean bed linen in good repair shall be provided for each resident and shall be changed when no longer clean.
7 ~~soiled.~~

8 (c) Clean linen shall be stored and handled in a ~~sanitary~~ manner to protect from contamination and separate from
9 linen that is not clean. ~~soiled linen.~~

10 (d) Laundry areas and equipment shall be kept clean and in good repair.

11

12 *History Note: Authority G.S. 130A-4; 130A-235;*

13 *Eff. February 1, 1976;*

14 *Readopted Eff. December 5, 1977;*

15 *Amended Eff. September 1, ~~1990.~~ 1990;*

16 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1618 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 18A .1618 FOOD SERVICE UTENSILS AND EQUIPMENT**

4 (a) All food service equipment and utensils shall be ~~so constructed as to be easily cleaned~~ kept clean and shall be kept
5 in good repair. ~~All surfaces with which food or drink comes in contact shall, in addition, be easily accessible for~~
6 ~~cleaning, nontoxic, corrosion resistant, nonabsorbent, and free of open crevices. Disposable articles shall be made~~
7 ~~from nontoxic materials.~~

8 (b) All ~~multi-use eating and drinking utensils shall be thoroughly cleaned after each usage, and the facilities needed~~
9 ~~for the operations of washing and rinsing shall be provided.~~ food contact surfaces of utensils and equipment shall be
10 cleaned after each use.

11 (c) All pots, pans and other utensils used in the preparation or serving of food or drink, and all food storage utensils,
12 shall be thoroughly cleaned after each use. ~~Cooking surfaces of equipment, if any, shall be cleaned at least once each~~
13 ~~day. Non food contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary~~
14 ~~condition.~~ Utensils and equipment shall be handled and stored in a manner as to protect from contamination.

15 (d) ~~No polish or other substance containing cyanide or other poisonous material shall be used for the cleaning or~~
16 ~~polishing of eating or cooking utensils.~~ Residential care facilities shall provide a kitchen sink for cleaning food service
17 equipment and utensils.

18 (e) ~~All cloths used in the kitchen shall be clean. Disposable items shall be used only once.~~ Food storage areas shall
19 be kept clean and free of pests.

20 (f) ~~All containers and clean utensils shall be stored in a clean place. Containers and clean utensils shall be covered,~~
21 ~~inverted, stored in tight, clean cabinets, or otherwise stored in such a manner as to prevent contamination. After~~
22 ~~cleaning and until use, food contact surfaces of equipment shall be protected from contamination. Utensils shall be~~
23 ~~handled in such a manner as to prevent contamination.~~

24 (g) ~~Disposable utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place~~
25 ~~until used, and shall be handled in a sanitary manner.~~

26 (h) ~~Acceptable facilities for washing multi-use eating and drinking utensils, and pots, pans and other cooking utensils,~~
27 ~~include 2 section residential sinks, in counters. It is not necessary that such sinks be deep enough to permit immersion~~
28 ~~of large utensils.~~

29 (i) ~~Acceptable storage facilities include residential kitchen cabinets, which should be kept clean and free of vermin.~~

30
31 *History Note: Authority G.S. 130A-4; 130A-235;*
32 *Eff. February 1, 1976;*
33 *Readopted Eff. December 5, 1977;*
34 *Amended Eff. September 1, ~~1990~~ 1990;*
35 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1619 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 18A .1619 FOOD SUPPLIES**

4 ~~(a) All food, including milk and milk products, shall be clean, wholesome, free from spoilage, free from adulteration~~
5 ~~and misbranding, and safe for human consumption.~~ food provided by a residential care facility for consumption by
6 residents shall comply with Parts 3-1 and 3-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650
7 as amended by 15A NCAC 18A .2653.

8 ~~(b) If non acid or low acid home canned foods are used, they shall be boiled for ten minutes in order to destroy any~~
9 ~~toxin that may have been produced by bacteria surviving the canning process.~~

10

11 *History Note: Authority G.S. 130A-4; 130A-235;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. December 5, 1977;*

14 *Amended Eff. September 1, ~~1990~~. 1990;*

15 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1620 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 18A .1620 FOOD PROTECTION**

4 (a) ~~All TCS food foods, while being stored, prepared, served, and during transportation, shall be protected from~~
5 ~~contamination. All perishable foods shall be stored at such~~ maintained at temperatures required by Part 3-501.16 of
6 the Food Code, incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653, during
7 storage, preparation, transportation, display, and service of the TCS food. Time as a public health control as set forth
8 in Part 3-501.19 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC
9 18A .2653, may be used, except that written procedures shall not be required. ~~as will protect against spoilage. All~~
10 ~~potentially hazardous food shall be maintained at safe temperatures (45° F. or below, or 140° F. or above) except~~
11 ~~during necessary periods of preparation and serving. Frozen food shall be kept at such temperatures as to remain~~
12 ~~frozen, except when being thawed for preparation or use. Potentially hazardous frozen food shall be thawed at~~
13 ~~refrigerator temperatures of 45° F. or below; or quick thawed as part of the cooking process; or by a method approved~~
14 ~~by the sanitarian. An indicating thermometer shall be located in each refrigerator. Raw fruits and vegetables shall be~~
15 ~~washed thoroughly before use. Ground beef and foods containing ground beef shall be cooked to an internal~~
16 ~~temperature of at least 155° F (68° C). Potentially hazardous foods that have been cooked and then refrigerated shall~~
17 ~~be reheated rapidly to 165° F (74° C) or higher throughout before being served or before being placed in a hot food~~
18 ~~storage facility, except that food in intact packages from regulated food manufacturing plants may initially be reheated~~
19 ~~to 140° F (60° C). Stuffings, poultry, stuffed meats and poultry, and pork and pork products, shall be thoroughly~~
20 ~~cooked before being served. Salads made of meat, poultry, potatoes, fish, shellfish, or eggs, and other potentially~~
21 ~~hazardous prepared food shall be prepared, preferably from chilled products, with a minimum of manual contact, and~~
22 ~~on surfaces and with utensils which are clean. Portions of food once served to an individual shall not be served again.~~
23 (b) ~~Live pets animals~~ shall not be allowed in any room or area in which food is prepared or stored. ~~Live pets, unless~~
24 ~~caged and restricted from the immediate eating area, shall not be allowed in any room or area in which food is served.~~
25 Live animals shall be permitted in a residential care facility's dining areas if the live animal does not come into
26 physical contact with residential care facility employees engaged in the preparation or handling of food, serving dishes,
27 utensils, tableware, linens, unwrapped single service and single use articles, or food contact surfaces.
28 (c) ~~Refrigeration facilities, hot food storage facilities, and effective insulated facilities,~~ Equipment shall be provided
29 and maintained to keep as needed to assure the maintenance of all food at required temperatures during ~~storage,~~
30 ~~preparation, and serving.~~ storage and transport. Cold holding equipment shall be provided with an indicating
31 thermometer that is accurate to ±3 degrees Fahrenheit or ±1.5 degrees Celsius.
32 (d) ~~Containers of food~~ All food shall be stored as required by Parts 3-302.11, 3-302.12, 3-305.11, and 3-305.12 of the
33 Food Code, incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653. ~~above the~~
34 ~~floor, on clean racks, shelves, or other clean surfaces, in such a manner as to be protected from splash and other~~
35 ~~contamination.~~

36
37 *History Note: Authority G.S. 130A-4; 130A-235;*

- 1 *Eff. February 1, 1976;*
- 2 *Readopted Eff. December 5, 1977;*
- 3 *Amended Eff. October 1, 1993; September 1, ~~1990.~~ 1990.*
- 4 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1621 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 18A .1621 FOOD SERVICE PERSONS EMPLOYEES**

4 (a) ~~All persons, while preparing or serving food or washing equipment or utensils, shall wear clean outer garments,~~
5 ~~and conform to proper hygienic practices. They shall wash their hands thoroughly before starting work and as often~~
6 ~~as necessary to remove soil and contamination. After visiting a toilet room, such persons shall wash their hands~~
7 ~~thoroughly in a lavatory and in no case in the kitchen sink. They shall not use tobacco in any form while preparing or~~
8 ~~serving food. Residential care facility employees shall wash their hands as required by Paragraph (b) of this Rule using~~
9 ~~the handwashing method required for food employees in Part 2-301.12 of the Food Code incorporated by reference at~~
10 ~~15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652.~~

11 (b) ~~No person who has a communicable or infectious disease that can be transmitted by foods, or who is a carrier of~~
12 ~~organisms that cause such a disease, or who has a boil, infected wound, or an acute respiratory infection with cough~~
13 ~~and nasal discharge, shall work in food service in any capacity in which there is a likelihood of such person~~
14 ~~contaminating food or food contact surfaces, with disease causing organisms or transmitting the illness to other~~
15 ~~persons. Residential care facility employees shall wash their hands immediately:~~

16 (1) before beginning work;

17 (2) before preparing food;

18 (3) after each visit to the toilet;

19 (4) before and after resident contact;

20 (5) after coughing, sneezing, or using a handkerchief or disposable tissue; and

21 (6) after using tobacco, eating, or drinking.

22 (c) Residential care facility employees shall comply with the requirements for exclusion from work and restriction
23 due to communicable disease or illness required for food employees as set forth in Parts 2-201.12 and 2-201.13 of the
24 Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652.

25 (d) The residential care facility shall have gloves, personal protective equipment, disinfectant, individual disposable
26 towels, and a coagulating agent on-site for employees to use and a written procedure for employees to follow when
27 responding to vomitus or fecal matter on facility surfaces. The procedure shall specify the actions that employees shall
28 take to minimize the exposure of employees, residents, guests, food, and additional surfaces to vomitus or fecal matter.

29
30 *History Note: Authority G.S. 130A-4; 130A-235;*

31 *Eff. February 1, 1976;*

32 *Readopted Eff. December 5, 1977;*

33 *Amended Eff. September 1, ~~1990~~ 1990;*

34 *Readopted Eff. April 1, 2024.*