

**TECHNICAL ASSISTANCE
ADULT FOSTER CARE
FAMILY HOME: FIRE SAFETY
AS AMENDED**

**Bureau of
Children and Adult Licensing**



STATE OF MICHIGAN
Department of Human Services

www.michigan.gov/afchfa

TABLE OF CONTENTS
Adult Foster Care Family Home Rule

Fire Safety: Family Home Licensed After March 27, 1980

R400.1435	Interior finish of walls and ceilings; prohibited material.....	1
R400.1436	Interior finish and materials.....	1
R400.1437	Smoke detection equipment	2
R400.1438	Emergency preparedness, evacuation plan; emergency transportation.....	4
R400.1439	Means of egress; wheelchairs	5
R400.1440	Heat-producing equipment.....	9
R400.1441	Electrical Service	7

Fire Safety: Family Home Licensed on or before March 27, 1980

R400.2201	Scope.....	8
R400.2231	Home environment.....	8
R400.2233	Bedrooms.....	8
R400.2242	Interior finishes and materials	9
R400.2243	Exits	9
R400.2244	Heating.....	11
R400.2245	Fire extinguishers.....	13
R400.2246	Electrical service	14
R400.2247	Safety, generally	15
R400.2261	Emergency preparedness.....	15
R400.16001	Definitions Contested Case Hearings.....	17

**PART II
ADULT FOSTER CARE FAMILY HOMES
LICENSED AFTER MARCH 27, 1980
FIRE SAFETY PROVISIONS**

AFC Administrative Rule:

R400.1435 Interior finish of walls and ceilings; prohibited materials.

Rule 35. (1) Asphalt paper; cork; cardboard; carpeting, whether fire retardant treated or not; foam plastics; plastic materials; or other finish materials that will contribute to the rapid spread of fire or give off dense smoke or toxic gases shall not be permitted as interior finish of a home.

Technical Assistance:

The use of plastic materials as interior finish in a home may be acceptable if they meet the interior finish requirements of Rule 400.1436 of these rules, provided they are installed as tested. Documentation from the appropriate testing laboratory must be provided by the licensee to the consultant.

Plastic “Kydex” wall covering could be acceptable in adult foster care homes as an approved interior finish if installed in the appropriate thickness and as tested by Underwriters Laboratory. There may be interior finish materials manufactured as a “Kydex” brand that have not been tested by Underwriters Laboratory.

(2) This rules shall only apply to those adult foster care homes licensed or proposed to be licensed after March 27, 1980.

R400.1436 Interior finishes and materials.

Rule 36. (1) Interior finish materials shall be a minimum class C throughout the home.

Technical Assistance:

The term “throughout” as used in this Rule means the entire home including all rooms, basements, and attached garages.

Interior finish means the material attached to wall studs or ceiling/floor joists.

The coating of paneling to achieve a Class “C” finish is prohibited. It is not possible for consultants to assure that the coating is applied and maintained in a manner that would achieve a Class “C” rating.

Note: Paneling that has been previously approved as a result of coating will be “grandfathered” in as acceptable (i.e. for the current licensee). The consultant is to review, at each renewal inspection, what has been done to maintain the coating.

Generally, applied fire retardant coatings do not maintain their effectiveness when washed or when often brushed up against, so as to wear off the coating. The consultant should read the label of the fire retardant coating to determine if re-application is required as part of the manufacturers specifications.

Any approved fire retardant coating must be listed by a nationally recognized independent testing laboratory, such as U.L. or Factory Mutual. Labels of the applied product kept by the licensee for review and approval may meet this requirement.

Indicators that the coating should be re-applied include but are not limited to the coating has become wet, is observed to be peeling off, or has become faded or dull in appearance.

(2) Interior finish materials shall be securely attached to, or furred out at least 1 inch from, dry wall, plaster, masonry wall, ceiling, or natural solid wood which is a minimum of 3/4 of an inch thick.

Technical Assistance:

The words “at least” in the above Rule are a misprint and should read “not more than.”

Rule 400.436 (2) is intended to be applied to all occupied areas of the home.

Standard lath and plaster meets the intent of this rule.

(3) The attaching of interior finish materials, other than dry wall, plaster, or natural solid wood, which is minimum of 3/4 of an inch thick, directly to wall studs or to floor or ceiling joists, is prohibited.

Technical Assistance:

Special attention is to be given to finished basements which may have been remodeled or constructed by the home owner.

(4) Class C materials shall be those interior finish materials which have the following minimum classifications:

(a) Flame spread -- 76-200.

(b) Smoke density -- 126-200.

Technical Assistance:

The applicant/licensee must be able to provide documentation verifying that the interior finish materials meet these requirements.

(5) This rule does not apply to those adult foster care family home applicants or licensees who applied for a license or who were issued a license before the promulgation of these rules.

R400.1437 Smoke detection equipment.

Rule 37. (1) At least 1 single-station smoke detector shall be installed at the following locations:

(a) Between the sleeping areas and the rest of the home. In homes with more than 1 sleeping area, a smoke detector shall be installed to protect each separate sleeping area.

(b) On each occupied floor, in the basement, and in areas of the home which contain flame- or heat-producing equipment.

Technical Assistance:

Smoke detectors that are present in the areas specified in subrule 400.1437 (1)(a)(b), are to have batteries, be operable and in good working order (clean, not cracked or broken exterior, etc.). The unit may be determined to be operable and in good working order by testing the unit.

Consultation:

A single-station smoke detector is an independent unit that is generally more effective when mounted on a ceiling. Such a unit requires no special wiring; it may be plugged into an ordinary A-C outlet, or may be battery powered.

Smoke detectors should have, though it is not required, the approval seal of a nationally recognized testing laboratory such as Underwriter's Laboratory.

(2) If batteries are used as a source of energy, they shall be replaced in accordance with the recommendations of the smoke or heat detection equipment manufacturer.

(3) Detectors shall be tested and examined as recommended by the manufacturer.

(4) Approved heat detectors may be installed in the kitchen and in other areas of the home containing flame- or heat-producing equipment instead of smoke detectors.

Technical Assistance:

Areas of the home where heat detectors could be installed include the kitchen, furnace room, garage, or in some cases, the bathroom.

There are two kinds of heat detector: fixed temperature and rate to rise; either are acceptable.

Heat detectors may only be used in place of smoke detectors in the specified areas. If used, they must be operable, and in good working order (clean, not cracked or broken exterior, etc.). To determine if a heat detector is operable, the unit is to be tested.

Heat detectors in areas of the home that contain flame or heat producing equipment are to be located in accordance with the manufacturer's recommendations.

Consultation:

Heat detectors should have, though not required, the approval seal of a nationally recognized testing laboratory such as Underwriter's Laboratory.

(5) Detectors mounted on ceilings shall be spaced not less than 6 inches away from any walls. Detectors mounted on walls shall be spaced between 6 and 12 inches away from the ceiling. A smoke detector shall not be mounted where ventilation systems or other obstructions keep smoke away.

(6) This rule shall only apply to those adult foster care homes licensed or proposed to be licensed after March 27, 1980.

R 400.1438 Emergency preparedness; evacuation plan; emergency transportation.

Rule 38 (1) A licensee shall have an evacuation plan and written procedures to be followed in case of fire, medical emergency, or severe weather emergency. Residents who require special assistance shall be identified in the written procedure.

Technical Assistance:

The plan and procedures need to address the current special assistance needs of the current residents.

(2) The evacuation plan and emergency procedures shall be prominently posted in the home.

(3) A telephone shall be available and accessible in the home. Emergency telephone numbers, including fire, police, physician, health agency, and ambulance, shall be conspicuously posted immediately adjacent to the telephone.

Technical Assistance:

If the facility phone is a cell phone, it also must meet compliance with this rule.

(4) Fire drills shall be conducted 4 times a year. Two of the 4 required fire drills shall be conducted during sleeping hours. A record of the fire drills shall be incorporated with the evacuation plan.

(5) A licensee shall assure that residents and all occupants of the home are familiar, to the best of their ability, with the evacuation plan and emergency procedures.

(6) A licensee shall assure emergency transportation through the use of an ambulance service or a vehicle owned or in the possession of the licensee or responsible person.

Technical Assistance:

The licensee must be able to identify the transportation this is available for emergency purposes.

If the licensee is relying on his/her own or his/her staff's transportation, it must be available for emergency purposes.

(7) This rule shall only apply to those adult foster care family homes licensed or proposed to be licensed after March 27, 1980.

R 400.1439 Means of egress; wheelchairs.

Rule 39. (1) Family homes accommodating residents who regularly require wheelchairs shall minimally be equipped with 1 ramp located at a primary means of egress from the first floors.

(2) A ramp shall not exceed 1 foot of rise to 12 feet of run and shall terminate on a firm surface or solid unobstructed ground which will allow the wheelchair occupant to move a safe distance away from the building.

Technical Assistance:

A ramp is defined in the context of this rule as an include or decline constructed without steps or risers so as to provide 12 feet of run for every one foot in vertical rise. Any changes in direction of the ramp require a level area, recommended to be at least 4' X 4'. For example, a straight ramp constructed in decline to ground level from an exit doorway two feet above ground level would be 24 feet in length with railings on both sides.

(3) This rule shall only apply to those adult foster care family homes licensed or proposed to be licensed after March 27, 1980.

R 400.1440 Heat-producing equipment.

Rule 40. (1) Heating shall be from an approved central heating plant or factory mutual and underwriters laboratories labeled or listed permanently installed, fixed-type and underwriters laboratories labeled or listed permanently installed, fixed-type electrical heating, such as a recognized panel or baseboard electrical heating system.

(2) A furnace, water heater, heating appliances, pipes, wood-burning stoves and furnaces, and other flame- or heating-producing equipment shall be installed in a fixed and permanent manner and in accordance with a manufacturer's instructions and shall be maintained in a safe condition.

(3) Where conditions indicate a need for inspection, heat-producing equipment shall be inspected by a qualified inspection service. If there are violations, a copy of the inspection report shall be submitted to the department, together with a written

corrective action plan. A copy of the certificate of approval from the qualified inspection service shall be maintained in the home and available for department review.

Technical Assistance:

An approved heating plant is defined as a central heating system using steam or hot water through pipes or forced air through ducts to spread heat throughout the building. This central heating system can be fueled by oil, gas, electricity or solid fuel (wood or coal).

According to the Michigan Department of Labor and Economic Growth's Boiler division, AFC homes for 6 or less are exempt from biennial boiler inspections by the Boiler Division required by Public Act 290 of 1965 - the Boiler Act. However, boilers in AFC homes for 6 or less do need to be installed/repared by an individual licensed under Public Act 290.

(4) Hot water pipes and steam radiators located in resident-occupied areas shall be shielded to protect against burns.

(5) Portable heating devices shall not be used.

(6) Heat-producing equipment located in a basement shall be separated from the remainder of the home by means of a floor separation. Standard building material shall be sufficient for the floor separation and shall include at least a 1 3/4-inch solid wood core door or equivalent which is installed in a substantially fully stopped wood or steel frame and which is so constructed to effectively stop the spread of smoke and fire. The door shall be equipped with an automatic self-closing device and positive-latching hardware.

Technical Assistance:

Laundry chutes, grates, balloon construction and other vertical openings must be sealed between the first floor and the basement. This separation is to be equal to the construction of the flooring between the basement and the first floor or equivalent. Equivalent would be a 1/2 inch dry wall or 2 inch wood inserted into the chute horizontally and sealed so as to make it smoke tight. A laundry chute constructed of metal ducts with sprint-loaded metal doors is acceptable and does not need vertical separation.

To determine if a home has balloon construction, the flooring must be observed from the basement. If there is space between the floor and the outside wall, the building has balloon construction and must be separated as described above.

A 20-minute labeled metal door is equivalent to a 1 3/4-inch solid wood core door.

The self-closer device will close and latch the door when it is released from any position. A coiled screen door spring is not an acceptable closer.

(7) This rule shall only apply to those adult foster care family homes licensed or proposed to be licensed after March 27, 1980.

R 400.1441 Electrical service.

Rule 41. (1) The electrical service shall be maintained in a safe condition.

Technical Assistance:

To keep electrical service boxes in a safe condition, they must have a cover.

Consultation:

A Ground Fault Circuit Interrupter (G.F.C.I.), should be installed in bathrooms and kitchens, if the outlet is within six (6) feet of a water source. GFCI's are now required by the Michigan Construction Code.

A GFCI may be installed in an electrical outlet or in a circuit breaker box. The GFCI prevents a surge of electricity from going into an electrical appliance, which could cause an electrical shock or fire.

(2) Where conditions indicate a need for inspection, the electrical service shall be inspected by a qualified electrical inspection service. If there are violations, a copy of the inspection report shall be submitted to the department, together with a corrective action plan. A copy of the certificate of approval from the qualified electrical inspection service shall be maintained in the home and available for department review.

Technical Assistance:

Conditions indicating a need for inspection may include but are not limited to:

- the age of the construction
- the needed for extensive use of extension cords
- bare, frayed, or spliced wiring
- hot fuse boxes
- regular brown outs
- continually blown fuses
- covers off receptacles and switches
- oversized fuses

A "qualified electrical inspection service" is the Michigan Department of Consumer and Industry Services' Electrical Division, the local electrical inspection authority, or a licensed electrical contractor.

(3) This rule shall only apply to those adult foster family homes licensed or proposed to be licensed after March 27, 1980.

**PART III
ADULT FOSTER CARE FAMILY HOMES
LICENSED ON OR BEFORE MARCH 27, 1980
FIRE SAFETY PROVISIONS**

R 400.2201 Scope.

Rule 201. This part applies only to family homes which were licensed effective March 27, 1980, and which meet the requirements of section 21 of the act.

Smoke and Heat Detection Equipment:

Act 257, authorized the department to apply the requirements of Rule: 400.1437 to all homes caring for 6 or less residents, including those homes licensed on or before March 27, 1980, previously grandfathered by section 21 of Act 218.

Administrative Rule and Statutory Cross Reference

Rule 400.1437 (1-3) Smoke Detection Equipment

MCL 400.721 (2) Smoke and heat detection equipment

R 400.2231 Home environment.

Rule 231. All occupied rooms shall be of standard lath and plaster construction or equivalent.

Technical Assistance:

“Occupied rooms” means all rooms used in the facility for activities of daily living; e.g., sleeping, dining, cooking, recreation, etc.

Dry wall on studs, wet plaster on lath, or 3/4” wood is equivalent to “standard lath and plaster” construction.

Although existing AFC homes licensed prior to March 27, 1980 have previously been allowed to have paneling for wall covering, any new construction or remodeling of these existing homes must comply with the requirement for standard lath and plaster construction of its equivalent.

Mobile Homes: Mobile homes converted to adult foster care homes must comply with all fire safety requirements as homes of conventional construction.

R 400.2233 Bedrooms.

Rule 233. A room shall not be used as a bedroom where more than 1/2 of the room height is below grade except, where the ceiling of such portion of a building is located 5 feet or more above grade for more than 25% of the perimeter measurement of the building. Such acceptable bedrooms shall be provided with 2 acceptable means of egress.

Technical Assistance:

Where basements are used for sleeping purposes, such use is to be in conformance with the local building and zoning requirements. MCL 400.733 Local ordinances, regulation, construction codes.

Administrative Rule and Statutory Cross Reference

MCL 400.733 Local ordinance, regulation, construction codes.

R 400.2242 Interior finishes and materials.

Rule 242. Paper, cardboard, asphalt paper, or other highly flammable materials shall not be used for the interior finish of a building.

Technical Assistance:

Carpeting is not to be used as a wall or ceiling covering as it does not meet the requirements of rule 400.2231.

A family home having the aforementioned materials used for interior finish is to remove them and replace with materials suitable for the purpose; i.e. painted walls, dry wall or ceiling tile.

R 400.2243 Exits.

Rule 243. (1) A means of egress shall be considered the entire way and method of passage to free and safe ground outside a building. Means of egress shall be maintained in unobstructed, easily traveled condition at all times. Where basements are regularly utilized for resident activities, there shall be 2 acceptable means of egress. Doors which form a part of a required means of egress shall be equipped with positive-latching, non-locking-against-egress hardware and shall be not less than 36 inches in with in new construction and not less than 30 inches in width in existing facilities and shall insure adequate egress for residents requiring wheelchairs, including raps where necessary.

Technical Assistance:

The 30 inched refers to the door itself. According to the Bureau of Fire Safety, bathroom doors are not a means of egress. Typical obstructions include, but are not limited to trash containers or furniture in hallways.

A basement is that floor or story of a building below the main living floor which has more than 50% of its floor-to-ceiling dimension below grade for more than 50% of the perimeter of building.

Regular use of a basement does not include occasional entry by a resident to the basement for a short period of time to do the laundry, to obtain something from storage, to feed the dog, etc. or residents seeking temporary refuge in times of emergency. In those situations, a single egress basement would be allowed.

If the means of egress is through a garage, it must comply with this rule. The passageway through the garage itself is to be kept clear, even when the garage is used for storage of automobiles, lawn equipment, power tools, dog kennels, etc., though a constructed corridor is not required.

Consultation:

Flammable liquids should be stored and safeguarded away from doors and not along the means of egress.

(2) The first floor of a family home shall not have less than 2 separate and independent means of egress leading to the outside.

Technical Assistance:

If there are more than two means of egress, additional exits must remain unobstructed. However, the evacuation plans mandated by these rules are to designate which are required exits.

Split Level Home: In the case of bi-level, tri-level or quad-level homes, two different levels is to be considered on story if the difference in elevation between the two levels does not exceed four feet.

Consultation:

It is recommended that the two means of egress should be as far apart as feasibly possible. Means of egress should be independent and separate, and reasonable remote from each other so as to enable on to proceed to safe ground in more than one direction. The first floor of a family home should ordinarily have a front or rear exit, or possibly a side exit.

(3) In new or remodeled family homes, corridors shall lead directly to the outside or to required stairways having egress directly outside at grade level.

(4) Occupied room and exterior door hardware shall be positive latching and nonlocking against egress.

Technical Assistance:

“Occupied rooms” mean all rooms used in the facility for activities of daily living; e.g., sleeping, dining, cooking, recreation, etc.

Exterior doors are those doors located at the exits of the building through which occupants of the building pass to safe ground outside the building.

Positive latching non-locking against egress hardware is defined as the mechanism of a door which assures that by means of a catching action a door will not swing freely when in the closed position, and that an occupant of a room while on his/her way to safe exiting from the room or from the building can make the exit by a single motion of a knob or the single push of a lever, even though the door may be locked from the other side.

The requirement for nonlocking against egress hardware implies a prohibition against chain locks, dead-bolt locks, hook-and-eye locks, and other assorted paraphernalia which may be used to secure doors which are a part of a required means of egress.

Screen Doors: Exterior doors do not include screen doors or storm doors if such doors are equipped with the simple release hardware provided by the manufacture or similar hardware not requiring special tools or special knowledge to open. However, dead-bolt locks, chain locks, hook-and-eye locks and any similar lock are prohibited on screen doors and storm doors to comply with the non-locking against egress requirement.

Consultation:

Those resident occupied rooms having doors which lock against ingress must be discussed with the applicant or licensee in terms of possible obstacles to his/her responsibilities for evacuation, supervision, personal care and protection.

(5) New and existing family homes accommodating residents who regularly require wheelchairs shall be equipped with ramps located at primary and secondary means of egress. A ramp shall not exceed 1 foot of rise in 12 feet of run.

Technical Assistance:

Those family homes that provide care to residents who use wheelchairs must have both of the required means of egress equipped with ramps if exit doors are elevated above grade level. The passageway to safe exiting should be wide enough to comply with Rule 400.2243(1).

A ramp is defined in the context of this rule as an include or decline constructed without steps or risers so as to provide 12 feet of run for every one foot in vertical incline. For example, a ramp constructed in decline to ground level from an exit doorway two feet above ground level would be 24 feet in length.

Ramp construction must comply with Rule 400.2243(1).

R 400.2244 Heating.

Rule 244. (1) Except as provided herein, a family home shall be heated by an approved heating plant. If the heating plant is located in the basement of a family home, standard building materials is sufficient for the floor separation which shall include at least 1 3/4-inch solid wood core door or equivalent to create a floor separation between the basement and the first floor. If the heating plant is on the same level with the residents, the furnace room shall be separated from the remainder of the building with materials that will afford a minimum 1 hour protected enclosure. A permanent outside vent which cannot be closed shall be incorporated in the design of heating plant rooms so that adequate air for proper combustion is assured. Space heaters are prohibited.

(2) Factory mutual and underwriters' laboratories approved permanent, fixed-type electrical heating, such as recognized panel or baseboard fixed-type may be utilized in any location. In existing homes where an American gas association approved sealed

combustion wall heater has been installed in accordance with both the AGA and the manufacturer's recommendations, approval will be given if the unit is located on an outside wall, obtains combustion air directly from the outside and vents products of combustion directly to the outside.

(3) Flame-producing water heaters or incinerators shall be installed with the same protection as a heating plant.

Technical Assistance:

An approved heating plant is defined as a central heating system using steam or hot water through pipes or forced through ducts to spread heat throughout the building. This central heating system can be fueled by oil, gas or solid fuel (wood or coal).

The central heating system must be properly installed according to the specifications of the manufacturer. The system must be maintained in a good safe condition.

A **portable heating device** (space or room heater) is specifically designed for direct heating of the space around which it is located and has not external return and supply hot ducts. Such devices are not to be used in a family home.

If the **heating plant** is in a basement not regularly used for resident activities, compliance requires a floor separation between the basement and the first floor. A floor separation is effected by installing a 1 3/4" solid core wood door between the basement and the first floor, and by closing other vertical openings: i.e., laundry chutes, open grates, etc. The consultant should observe if "balloon construction" has been used in older construction to assure adequate floor separation.

"Balloon construction" is when a building's floor separation does not extend to the exterior walls. "Balloon construction" can be observed from a home's basement level by looking up next to the exterior walls. If the floor separation does not extend to the exterior walls, it is "balloon construction" which is not acceptable because it doesn't form the required floor separation.

The consultant should observe that the door is positive latching and equipped with an operable self closing device. At the time of renewal, the consultant should observe the furnace door to assure proper operation, that no modifications to the enclosure have been made, and that the enclosure materials have not deteriorated.

If the heating plant is in the basement regularly used for resident activities, the heating plant must be enclosed as required by subrule (1) and a floor separation (meeting the criteria outlined in subrule (1) between the basement and the first floor), must be available.

Where heat plants are required to be enclosed, sufficient clearance must be provided for servicing on all sides. Such rooms are to be constructed of at least one (1) hour fire resistance

rated construction. This can be accomplished by installing fire rated gypsum board or lath and plaster on both sides of wood stud partitions and one thickness for the ceiling enclosure. "Fire rated" is defined as 1/2 of an inch or 5/8 of an inch in thickness. If 1/2 of an inch thickness is used, the material should be labeled "Rated." Material that is 5/8 of an inch thick does not have to be labeled "Rated." Partitions and ceilings must be tightly fitted around doors, pipes, ducts, etc., and all joints sealed so as to be fire and smoke tight.

The self-closer can be pneumatic, spring hinge closer, spring loaded hinge, weighted closer, or other closing devices that will accomplish the purpose of closing and latching the door when it is released from any position. A coiled screen door is not an acceptable closer.

For heating plant rooms, combustion air must be direct from the outside through noncombustible ductwork with a permanently opened vent and ducted to approximately 12" of the floor. If the heat plan room contains an outside wall adequate combustion air may be provided through a louvered permanent opening or a permanently opened window.

(4) Storage of combustible materials is prohibited in rooms containing the heating plant, water heater, or incinerator.

Technical Assistance:

Combustible materials refer to those materials which will catch fire, burn, or smolder, when subject to various degrees of heat.

Water heater means flame-producing water heater.

Storage in an Enclosure: Storage of combustibles is not permitted in one-hour rated enclosures.

Storage Near Heat Plant: If there is not heat plant enclosure and the heat plant and/or flame-producing water heater is located in an open area in the basement, then any storage of combustible materials must be located as far away from the units as possible but no closer than 4 feet to that heating unit or water heater.

Flammable Liquids: Flammable liquids are not to be stored near flame-producing equipment or appliances. Gasoline or gasoline powered equipment are not to be stored in rooms containing the heating plant, water heater or incinerator.

Administrative Rule and Statutory Cross Reference

AFC/HFA Licensing Manual Item 535 and 540: Fire Safety Inspections

R 400.2245 Fire extinguishers.

Rule 245. A minimum of one 5-pound multi-purpose fire extinguisher or equivalent shall be provided for use in a family home on each occupied floor and in the basement.

Technical Assistance:

Through interview and observation, the consultant is to assure that fire extinguishers are present, charged and operable.

A 5-pound multi-purpose fire extinguisher is equivalent to one with a rating of 2A:10BC.

“Occupied floor” means those areas of the home containing bedrooms, dining rooms, and recreation/activity rooms occupied by residents or members of the household.

Consultation ONLY/NOT REQUIRED:

Licensee should be encouraged to have their fire extinguishers inspected at least one per year.

It is recommended that each occupant of the home be familiar with the operation of a fire extinguisher.

Mounting of Extinguishers: It is recommended that extinguishers be mounted in cabinets (clearly marked) or on wall brackets so located that the top of the extinguisher is no more than five feet above the floor, and so that the bottom is at least 4 inches off the floor.

Location of Extinguishers: It is recommended that one extinguisher be located in or near the kitchen. Another should be located in the basement near the stairway. The other on each occupied floor near the stairway.

Hidden Extinguishers: It is recommended that fire extinguishers not be kept in closets. However, if this is most feasible, the closet door is to be properly and clearly marked.

Accessibility: The licensee and responsible person should know where the extinguishers are located and how to use them effectively and efficiently.

R 400.2246 Electrical service.

Rule 246. Electrical service shall be maintained in a safe condition. Where conditions indicate a need for inspection, and on all new or remodeled projects, the electrical service shall be inspected by a qualified electrical inspection service and a copy of the inspection report shall be submitted to the department.

Technical Assistance:

Conditions indicating a need for inspection may include but are not limited to:

- the age of the construction
- the need for extensive use of extension cords
- bare, frayed, or spliced wiring
- hot fuse boxes
- regular brown outs

- continually blown fuses
- covers off receptacles and switches
- oversized fuses

A “qualified electrical inspection service” includes the Michigan Department of Labor and Economic Growth Electrical Division, a local electrical inspection authority, a licensed electrical contractor or licensed electrician.

R 400.2247 Safety generally.

Rule 247. (1) Stairways shall have sturdy and securely fastened handrails, not less than 30 inches nor more than 34 inches above the upper surface of the tread. Exterior stairways and porches shall have handrails on the open sides.

(2) Scatter or throw rugs on had finished floors shall have a nonskid backing.

(3) Handrails and nonskid surfacing or strips shall be installed in showers and bath areas.

(4) Sidewalks, fire escape routes, and entrances shall be kept free of any hazards such as ice, snow and debris.

(5) A yard area shall be kept free from all hazards, nuisances, re fuse, and litter.

Administrative Rule and Statutory Cross Reference

Rule 400.1426 Maintenance of Premises

R 400.2261 Emergency preparedness.

Rule 261. (1) A family home shall have a telephone. A family home shall have a written procedure to be followed in the case of fire or medical emergency. Responsible foster family members or employees shall be familiar with emergency planning and their responsibilities. Responsible persons shall be capable of using the telephone to summon appropriate assistance and carry out an evacuation plan.

Technical Assistance:

A telephone, including a cell phone if it is the only phone, must be accessible to all occupants of the home in order to comply with the intent of this rule.

(2) An emergency plan shall specify persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating residents of limited mobility and visitors, and provide for at least 4 fire drills per year. Emergency telephone numbers shall be immediately available.

(3) Residents, insofar as possible, adult members of the foster family and responsible persons shall be familiar with emergency procedures.

Technical Assistance

The licensee or applicant has a responsibility to teach and review emergency procedures with each occupant of the family home. Responsible persons are to be aware of their responsibilities in the event of an emergency.

Administrative Rule and Statutory Cross Reference

Rule 400.1438 Guidance (1-6)

MICHIGAN FAMILY INDEPENDENCE AGENCY

OFFICE OF CHILDREN AND ADULT LICENSING

**ADULT FOSTER CARE FACILITY LICENSING AND CHILD CARE ORGANIZATION
CONTESTED CASE HEARING**

Filed with the Secretary of State on September 7, 1999

This rule takes effect 15 days after filing with the Secretary of State.

(By authority conferred on the director of the Michigan Family Independence Agency by section 2 of Act No. 116 of the Public Acts of 1973, as amended, section 10 of Act No. 218 of the Public Acts of 1979, as amended, and Executive Reorganization Order No. 1996-1, being §§722.112, 400.710, and 330.3101 of the Michigan Compiled Laws)

R400.16001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means Act No. 116 of the Public Acts of 1973, as amended, being §722.111 et seq. of the Michigan Compiled Laws.

(b) "Act No. 218" means Act No. 218 of the Public Acts of 1979, as amended, being §400.701 et seq. of the Michigan Compiled Laws.

(c) "Noncompliance" means a violation of the act or act 218, an administrative rule promulgated under the act or act 218, or the terms of license or a certificate of registration.

(d) "Substantial noncompliance" means repeated violations of the act or act 218 or an administrative rule promulgated under the act or act 218, or noncompliance with the act or act 218, or a rule promulgated under the act or act 218, or the terms of a license or a certificate of registration that jeopardizes the health, safety, care treatment, maintenance, or supervision of individuals receiving services or, in the case of an applicant, individuals who may receive services.

(e) "Willful noncompliance" means, after receiving a copy of the act or act 218, the rules promulgated under the act or act 218 and, for a license, a copy of the terms of a license or a certificate of registration, an applicant or licensee knew or had reason to know that his or her conduct was a violation of the act or act 218, rules promulgated under the act or act 218, or the terms of a license or a certificate of registration.

(2) Except as provided in subrule (1) of this rule, a term defined in Act No. 306 of the Public Acts of 1969, as amended, being §§24.201 et seq. of the Michigan Compiled Laws, shall have the same meaning when used in these rules.

(3) The definitions in this rule apply to matters under the act and act 218 for contested case hearings.

April 20, 1999

Department of Human Services (DHS) will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to a DHS office in your area.

Web Only