

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**5122-26-12 Environment of care and safety.**

- (A) The purpose of this rule is to ensure that each agency maintains a clean, safe, appropriate environment which supports the provision of quality ~~mental health~~-certified services and minimizes the risk of harm to clients, staff, visitors, and others.
- (B) Each ~~agency~~-provider shall designate the personnel who are responsible for implementing and oversight of the provisions of this rule.
- (C) Each ~~agency~~-provider shall develop written policies and procedures to address emergency situations, including:
- (1) Fire, including the requirement that fire exit doors shall remain unlocked and clearly marked unless a variance has been granted by a certified authority of the division of state fire marshal of the department of commerce;
  - (2) Bomb threat;
  - (3) Natural disaster;
  - (4) Utility outage or malfunction, e.g. a gas leak; and
  - (5) Other potential threats which may be applicable based upon location, e.g. nuclear power plant leak.
- (D) Each ~~agency~~-provider shall have posted evacuation plans, conduct emergency drills and evaluate the effectiveness of the drill to ascertain the need for performance improvement:
- (1) Fire drills shall be conducted at least once every twelve months at each provider location offering services on a less than twenty-four hour/day basis. Residential, halfway house, sub-acute and acute detoxification providers shall conduct fire drills at least quarterly. A driver intervention program location is exempt from the provisions of this paragraph unless other services or programs are also available at the location.
  - (2) The ~~agency~~-provider shall evaluate and determine the need to conduct other drills, and the frequency. This shall be included in its policies and procedures.
- (E) Each ~~agency~~-provider shall have written policies and procedure, which incorporate any applicable local, state or federal laws for:
- (1) Safe handling, storage and disposal of hazardous materials.
  - (2) Safe handling and disposal of infectious waste materials, including applicable specifications of the occupational health and safety administration and the Ohio department of health.
  - (3) Infection control, including applicable specifications of the occupational health and safety administration and the Ohio department of health.
  - (4) Prohibiting the use of unvented kerosene, gas or oil heaters.

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~~(4)~~(5) Hazardous areas of the ~~agency~~provider.

(F) The ~~agency's~~provider's policies and procedures shall include the requirement that each staff receives training during orientation on the safety procedures identified in paragraphs (C), (D) and (E) of this rule. The ~~agency~~provider shall identify in its policies and procedures the need for on-going training on each emergency or safety procedure, and the frequency of such training.

(G) Each ~~agency~~provider shall meet local, state and federal laws regarding accessibility.

Whenever it identifies a structural or other barrier which limits access to or within the building, the ~~agency~~provider shall develop a plan to remove the barrier.

(H) The ~~agency~~provider shall conduct regular safety inspections at least every six months, or more often as identified by the ~~agency's~~provider's policies and procedure or its accrediting body. Inspections shall include attention to:

(1) Physical structure;

(2) Electrical systems;

(3) Heating and cooling systems;

(4) Warning devices, e.g. exit lights, alarm systems, etc.;

(5) Fire and carbon monoxide detection systems;

~~(5)~~(6) Fire suppression equipment;

~~(6)~~(7) Lighting;

~~(7)~~(8) Food preparation areas, if applicable; and

~~(8)~~(9) Any other areas or systems as needed and identified in ~~agency~~provider policies and procedures.

Driver intervention programs provided at motels, hotels, or camps are exempt from the inspection requirements of this paragraph.

(I) Each ~~agency~~provider shall ensure it obtains inspections and permits in accordance with local, state or federal laws.

(1) At a minimum, the ~~agency~~provider shall obtain the following inspections every twelve months:

(a) Approved fire ~~Fire~~ inspection, which shall be free of deficiencies, by a certified fire authority, or where there is none available, by the division of the state fire marshal of the department of commerce, to include testing of fire alarm systems.

(b) Water supply and sewage disposal inspection for facilities in which these systems are not connected with public services to certify compliance with rules of the department of health and any other state or local regulations, rules, codes or ordinances.

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(2) The ~~agency~~ provider shall ensure that it obtains inspections and ~~for~~ maintains current permits as required by law, if applicable for the following:

(a) Elevator inspection.

(b) Boiler inspection.

(c) Food service.

(d) Swimming pool.

~~(d)~~ (e) Any other as required by local, state or federal law.

Driver intervention programs provided at motels, hotels, or camps are exempt from the inspection requirements of this paragraph.

(J) Providers providing halfway house, residential and sub-acute detoxification services shall make provisions to ensure each client receives three nutritionally balanced meals and a snack each day.

For a client assessed in need of a specialized diet, the provider shall maintain written documentation that the planning and preparation of meals is done so in accordance with a plan and instructions prepared by a dietitian, who is licensed by the Ohio board of dietetics or a physician.