

Adult Day Care Facility
Initial Life Safety Code Checklist

This checklist is offered as a reference tool to confirm that your proposed facility meets the licensing standards for an adult day care facility. Any items on the checklist marked unmet must be corrected before the applicant requests an initial licensing inspection by DADS. Call regional Life Safety Code (LSC) staff if you have any questions regarding these items or the licensing standards. You may contact the Facility Licensing Unit at 512-438-2630 to obtain the LSC contact number in your area.

Facility Name			Telephone No.	
Street Address		City	County	ZIP Code

Note: The items on the following checklist represent 40 Texas Administrative Code (TAC), Chapter 98, Adult Day Care and Day Activity Health Services Requirements, Subchapter C. This checklist contains a brief description of the requirements. Refer to the licensure standards and National Fire Prevention Association (NFPA) 101 Life Safety Code (LSC) for a complete description of the requirements. This document is a reference tool to assist with the compliance of the building requirements for adult day care licensure.

		Met	Not Met	N/A
§98.41	Construction and Initial Survey of Completed Construction:			
§98.41(d)	Non-approval of new construction.			
§98.41(d)(1)	Fails initial licensing inspection.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(A) Construction meets minimum code or licensure standards for basic requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(B) Written approval by local authorities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(C) Fire alarm systems, emergency power and lighting, and sprinkler systems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D) Usable exits according to LSC.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(E) Telephone installed and properly working.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(F) Sufficient basic furnishings, essential appliances, and equipment installed and functioning.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(G) All basic operational or safety features available for occupancy by clients on that day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42	Safety:			
§98.42(a)	The facility must have a written plan with procedures to be followed in an internal or external disaster.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(b)	Environmental safety.			
§98.42(b)(2)	Facility conforms to all applicable state laws and local ordinances pertaining to occupancy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(b)(3)	Facility meets the provisions and requirements concerning accessibility for individuals with disabilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(c)(1)	Meets LSC, NFPA 101, 2000 edition, Chapter 16 for new day-care centers or Chapter 17 for existing day-care centers, and operating features under §16.7 or §17.7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(c)(2)	(C) Manual fire alarm system and automatic smoke detection system meets NFPA 72 National Fire Alarm Code series and state fire marshal licensing requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(c)(2)	(D)(i) Center is separated by one-hour fire barriers from other businesses in building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D)(ii) Each floor has two remote exits. Doors swing out if more than 50 persons use exit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D)(iii) Each room used by clients has an operable window, unless the center is sprinklered.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

			Met	Not Met	N/A
	(D)(iv)	Interior finish for walls and ceilings in stairs, corridors, and lobbies is Class A (for example, painted gypsum board). All other areas are Class A or Class B.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
	(D)(v)	New or replacement flooring in corridors is Class I or II, or existing flooring is in good condition.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D)(vi)	Smoke detectors installed according to licensing standards and NFPA 72.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D)(vii)	Fire department automatically notified for centers larger than 100 clients.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(c)(4)	(C)	Heating, ventilating and air-conditioning (HVAC) systems meet NFPA 90A and NFPA 90B. HVAC shuts down with fire alarm in buildings that must meet NFPA 90A.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
	(D)	Lighting levels meet standards.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(c)(6)		Center is recognized permanent type construction and not a movable building or construction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(c)(7)		Electrical and mechanical systems are safe and in working order.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(d)	Personal safety.				
§98.42(d)(1)	(A)	Fire safety is observed at all times.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(A)(i)	Fire drills conducted every month with all occupants of the building participating in the drills.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(A)(ii)	Fire prevention inspections conducted monthly by a trained senior member of the staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(A)(iii)	A copy of the annual fire marshal inspection by the local fire marshal is available on site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(B)	Storage items are neatly arranged and placed to minimize fire hazard. Gasoline, volatile materials, paint and similar products are not stored in the building housing clients unless approved by the local fire marshal.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
	(C)	The building is kept in good repair; electrical, heating and cooling systems are maintained in a safe manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D)	The facility reports all fires, serious injuries, deaths or disasters within 24 hours after the occurrence to DADS Consumer Rights and Services at 1-800-458-9858. A telephone report concerning fires is followed by a written report on DADS' Fire Report form.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
	(E)	Facility has developed and conspicuously posted throughout the facility an emergency evacuation plan approved by the local fire marshal having jurisdiction and DADS.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(F)	Smoking regulations are established and conspicuously posted in the facility. All smoking is supervised. Ashtrays of noncombustible material and safe design are provided.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(G)	Facility has an emergency fire lane for access of fire apparatus if required by local authorities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(H)	There is at least one telephone in the facility available to either staff or clients to use in case of an emergency. Emergency telephone numbers are posted conspicuously at or near the telephone.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
	(I)	Gas pressure test performed when the facility has major renovations or additions during which the gas service is interrupted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(J)	Curtains or draperies in public spaces and individual rooms in which smoking is allowed are flame retardant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(K)	Portable fire extinguishers are provided and maintained to comply with the provisions of NFPA 10.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

			Met	Not Met	N/A
	(L)	Metal wastebaskets of substantial gauge or any Underwriters Laboratories Inc. (UL) or Factory Mutual (FM) approved containers are provided in all areas where smoking is permitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.42(d)(2)	General requirements.				
	(A)	All exterior site conditions are designed, constructed, and maintained in the interest of clients' safety. Newly constructed ramps do not exceed 1:12 slope. Ramps, walks and steps are slip-resistive, smooth, and uniform, without irregularities. Guard rails, fences and hand rails are provided as required.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(B)	All stairways have substantial hand rails properly secured.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(C)	Tubs or showers for client use have non-slip bottoms or floor surfaces, either built in or applied to the surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(D)	Elevators for client use are in safe operating condition.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(E)	An adequate supply of hot water is provided. The hot water system connected to all client-use fixtures delivers warm water no hotter than 120 degrees Fahrenheit at the fixture. Hot water for other sanitary usages is provided at the temperatures required for the appliance or fixture served or for the operation involved.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(F)	There are no occupancies or activities adversely affecting the safety of the clients in the buildings or on the premises of the facility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(G)	Licensure capacity is calculated at 40 square feet per client. This calculation does not include kitchen, rest rooms, bath areas, offices, storage areas or corridors. (Facilities licensed before 10/1/2000 use 35/50 for ambulatory/semi-ambulatory clients.) Existing facilities that increase capacity, change ownership or relocate must meet 40 square feet per client and (J) and (L) new requirements.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
	(H)	An office area is provided in a central location to record and maintain files for each client.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(I)	An area for rest, other than the treatment and/or exam room, is provided with a sufficient number of reclining lounge chairs or beds to accommodate the needs of clients.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(J)	A separate room or rooms with beds is provided for those clients who prefer privacy. Facilities licensed on or after May 1, 1999, must ensure that the room(s) with beds provides space for a minimum 5 percent of the licensed capacity. <ul style="list-style-type: none"> The usable space in the room(s) must provide not less than 80 square feet per bed for a one-bed room and not less than 60 square feet per bed for multiple-bed rooms. A bedroom shall be not less than eight feet in its smallest dimension, unless otherwise approved by DADS. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	(K)	The facility has at least one room available as a treatment or examination room for use by the nursing staff or the client's physician. Clients are not treated or examined in an area other than the treatment room.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(L)	The facility has a safe, secure and suitable outdoor recreation or relaxation area for clients. Facilities licensed on or after May 1, 1999, must have 400 square feet for up to 59 clients; 600 square feet for up to 99 clients and 800 square feet for 100 or more clients. A minimum of 20 percent of the required outdoor space is shaded.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

		Met	Not Met	N/A
§98.43	Sanitation:			
§98.43(a)	General.			
§98.43(a)(1)	Wastewater and sewage is discharged into a state-approved municipal sewage system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(a)(2)	The water supply is from an approved system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(a)(3)	Waste, trash and garbage are disposed from the premises at regular intervals. Outside containers have tight-fitting lids left in closed position. Containers are maintained in a clean and serviceable condition.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
§98.43(a)(4)	The building and grounds are kept neat and free of refuse, litter, extraneous materials, and unsightly or injurious accumulations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(a)(5)	The facility has made every effort possible to guard against insects, rodents, rainwater and other conditions adversely affecting a sanitary environment or the well-being of the client.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(a)(6)	A pest control program is provided by qualified facility staff or by contract with a licensed pest control company. The least toxic and least flammable effective chemicals are used. Documented evidence of routine efforts to remove rodents and insects are maintained.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
§98.43(a)(7)	The facility must be kept free of offensive odors, accumulations of dirt, rubbish, dust and hazards. Floors are maintained in good condition and cleaned regularly. Walls and ceilings are structurally maintained, repaired, and repainted or cleaned as needed. Storage areas, attics and cellars are free of refuse and extraneous materials.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
§98.43(a)(8)	There are complete, separate and adequate restroom facilities for men and women. There is one toilet and one lavatory for every 15 clients or fraction thereof.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
§98.43(a)(9)	All bathrooms, toilet rooms, and other odor-producing rooms or areas for soiled and unsanitary operations are ventilated to the exterior for odor control; the use of windows is not permissible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(a)(10)	Kitchens and laundries procedures prevent cross contamination between clean and soiled utensils and clean and soiled linens.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(b)	Kitchen.			
§98.43(b)(1)	Texas Food Establishments rules and local health ordinances or requirements are observed in the storage, preparation and distribution of food; in the cleaning of dishes, equipment and work area; and in the storage and disposal of waste.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(b)(2)	Facilities licensed after May 1, 1999, must provide three compartment sinks. A three-compartment sink is used if washing, rinsing and sanitizing utensils and equipment is done manually. Sinks are large enough to permit the complete immersion of utensils and equipment. Each compartment sink must be supplied with hot and cold potable water. (A two-compartment sink is acceptable where only single-service tableware is provided).	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
§98.43(b)(3)	Food preparation kitchens have separate hand-washing fixtures including hot and cold water, soap and individual towels, preferably paper towels.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§98.43(b)(4)	Kitchen provisions consist of serving kitchens only and cooking equipment is used only to warm food, prepare hot drinks or provide similar food service, so there are no separate hand-washing fixtures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>