

**22-11-8. ~~Life safety code adopted; one- and two-bed adult care homes, one- and two-bed adult family homes, three- and four-bed boarding care adult care homes, and boarding care homes for the mentally retarded~~ Adult and boarding care homes.**

(a) ~~National fire protection association, life safety code, pamphlet no. 101, 1988 edition, effective February 2, 1988, chapter 21, pertaining to residential board and care occupancies, is hereby adopted by reference. The provisions requirements of chapter 21 NFPA standard no. 101, which is adopted in K.A.R. 22-1-3, shall apply to one- and two-bed adult care homes, one- and two-bed adult family homes, three- and four-bed boarding care adult care homes, and boarding care homes for the mentally retarded.~~

(b) A life safety code inspection of a home shall be performed by the state fire marshal or an authorized representative under K.S.A. 31-137, and amendments thereto, upon request from the Kansas department of health and environment.

(c) As used in this ~~paragraph~~ subsection, “ambulatory” ~~means~~ shall mean having the physical and mental capability of getting in and out of bed and walking in a normal path to safety in a reasonable period of time without the aid of another person. “~~Non-ambulatory~~ Nonambulatory” ~~means~~ shall mean not having the physical or mental ~~incapability~~ capability of getting in and out of bed and walking a normal path to safety without the aid of another person.

(1) Ambulatory residents who are able to walk without the aid of another person but are unable to move from place to place without the use of a device ~~such as~~ including a

walker, crutches, ~~wheel chair~~ wheelchair, or wheeled platform shall be housed on the ground level of a home, ~~provided if~~ if handicap accommodations for exiting are present.

(2) Fully ambulatory residents who do not require the use of a device ~~such as~~ including a walker, crutches, ~~wheel chair~~ wheelchair, or wheeled platform may be housed on any level of a home.

(3) ~~Non-ambulatory~~ Nonambulatory persons shall not be allowed as residents.

(d) The following ~~fundamental fire and life safety~~ requirements shall ~~be imposed~~ in apply to all one- and two-bed adult care homes, one- and two-bed adult family homes, three- and four-bed boarding care adult care homes, and boarding care homes for the mentally retarded, in addition to ~~chapter 21 of the life safety code~~ NFPA standard no. 101, which is adopted in K.A.R. 22-1-3:

(1) Emergency lighting shall be provided to ~~insure~~ ensure illumination for evacuation in case of a power failure.

(2) Fire alarms, smoke detectors, and fire extinguishers shall be maintained in an operable condition at all times.

(3) Fire drills shall be conducted as frequently as necessary, and at least once every three months, to ~~insure~~ ensure orderly egress in case of an emergency.

(4) Each exit, and each route to each exit, shall be clearly marked so that all residents will readily know the direction of egress from any point within the building.

(5) Each exit shall be arranged and maintained to provide free, unobstructed egress. Locks or fastening devices shall not be installed to prevent free escape from inside the

building.

(6) Each building shall be constructed, arranged, equipped, maintained, and operated to avoid danger to the lives and safety of its residents from fire, smoke, fumes, and panic during emergency situations. (Authorized by and implementing K.S.A. ~~1989~~ 2008 Supp. 31-133 and K.S.A. 31-147; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended Sept. 17, 1990; amended P-  
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