



EMERGENCY PREPAREDNESS REGULATIONS: LONG-TERM CARE

Wisconsin Department of Health Services / Division of Quality Assurance
P-01209 (01/2019)

NURSING HOMES

STATE REGULATION: Wisconsin Administrative Code Chapter DHS 132

Wis. Admin. Code § DHS 132.82 – Life safety code

- (1) **Applicability.** Facilities shall meet the applicable provisions of the 2012 edition of the Life Safety Code.
- (3) **Resident safety and disaster plan.**
 - (a) **Disaster plan.**
 1. Each facility shall have a written procedure which shall be followed in case of fire or other disasters, and which shall specify persons to be notified, locations of alarm signals and fire extinguishers, evacuation routes, procedures for evacuating helpless residents, frequency of fire drills, and assignment of specific tasks and responsibilities to the personnel of each shift and each discipline.
 2. The plan shall be developed with the assistance of qualified fire and safety experts, including the local fire authority.
 3. All employees shall be oriented to this plan and trained to perform assigned tasks.
 4. The plan shall be available at each nursing station.
 5. The plan shall include a diagram of the immediate floor area showing the exits, fire alarm stations, evacuation routes, and locations of fire extinguishers. The diagram shall be posted in conspicuous locations in the corridor throughout the facility.
 - (b) **Drills.** Fire drills shall be held at irregular intervals at least 4 times a year on each shift and the plan shall be reviewed and modified as necessary. Records of drills and dates of drills shall be maintained.
 - (c) **Fire inspections.** The administrator of the facility shall arrange for fire protection as follows:
 1. At least semiannual inspection of the facility shall be made by the local fire inspection authorities. Signed certificates of such inspections shall be kept on file in the facility.
 2. Certification by the local fire authority as to the fire safety of the facility and to the adequacy of a written fire plan for orderly evacuation of residents shall be obtained and kept on file in the facility.
 3. Where the facility is located in a city, village, or township that does not have an official established fire department, the licensee shall obtain and maintain a continuing contract for fire protection service with the nearest municipality providing such service. A certification of the existence of such contract shall be kept on file in the facility.
 - (e) **Fire report.** All incidents of fire in a facility shall be reported to the department within 72 hours.

FEDERAL REGULATION: State Operations Manual (SOM)

[CMS Emergency Preparedness Rule](#)

[SOM Appendix Z – Emergency Preparedness for all Provider and Certified Supplier Types. Interpretive Guidance](#)

SOM F922 – CFR §483.90(i)(1) Establish procedures to ensure that water is available to essential areas when there is a loss of normal water supply.

SOM F838 – CFR §483.70(e) The facility must conduct and document a facility-wide assessment to determine what resources are necessary to care for its residents competently during both day-to-day operations and emergencies.

LIFE SAFETY CODE: Code NFPA 101, 2012 Edition, §§ 18.7 and 19.7

Under § 18.7 (for new buildings) and § 19.7 (for existing buildings), the administration of every health care occupancy shall have, in effect and available to all supervisory personnel, written copies of a plan for the protection of all persons in the event of fire, for their evacuation to areas of refuge, and for their evacuation from the building when necessary. All employees shall be periodically instructed and kept informed with respect to their duties under the plan. A copy of the plan shall be readily available at all times in the telephone operator's position or at the security center.

INTERMEDIATE CARE FACILITIES SERVING PEOPLE WITH INTELLECTUAL DISABILITIES

STATE REGULATION: Wisconsin Administrative Code Chapter DHS 134

Wis. Admin. Code § DHS 134.82 – Life safety code

(3) Resident safety.

(a) Plan for emergencies.

1. Each facility shall have a written plan to be followed in case of fire, a tornado warning, a missing resident or other emergency which shall specify persons to be notified, locations of alarm signaling devices and fire extinguishers, evacuation routes, a procedure for evacuating helpless residents, the frequency of fire drills and assignment of specific tasks and responsibilities to the staff on each shift and personnel from each discipline.
2. The plan shall be developed with the assistance of qualified fire and safety experts, including the local fire protection authority.
3. All employees shall be oriented to the plan and trained to perform assigned tasks, and shall be familiar with the use of the facility's fire protection features.
4. The plan and evacuation procedures shall be posted at suitable visible locations in the corridors throughout the facility and shall include a diagram of the immediate floor area showing the exits, location of fire alarms, evacuation routes and locations of fire extinguishers.
5. The facility administrator shall clearly communicate the plan and evacuation procedure to staff and shall periodically review the plan and evacuation procedures with staff.
6. The facility administrator shall periodically evaluate the effectiveness of the plan and evacuation procedures.

(b) Evacuation drills.

1. The facility shall hold evacuation drills at least quarterly on each shift and under varied conditions. The facility shall actually evacuate residents to a safe area during one drill a year on each shift.
2. The facility shall make special provisions for evacuating physically handicapped persons during drills.
3. Facility staff shall write a report and evaluation of each evacuation drill and shall keep a copy of the report on file.
4. The facility administrator shall investigate all problems with evacuation drills, including accidents, and take corrective action to prevent similar problems in the future.

(c) Fire inspections. The administrator of the facility shall arrange for fire protection as follows:

1. At least semi-annual inspection of the facility shall be made by the local fire authority. Signed certificates of these inspections shall be kept on file in the facility;
2. Certification in writing shall be obtained from the local fire authority for the adequacy of the facility's written fire plan, including procedures for orderly evacuation of residents, as well as the fire safety of the facility. A copy of the certification shall be kept on file within the facility; and
3. If the facility is located in a city, village or township that does not have an officially established fire department, a continuing contract for fire protection service with the nearest municipality providing the service shall be obtained. The contract or a copy of it shall be kept on file in the facility.

(e) Fire report. All incidents of fire in a facility shall be reported in writing to the department's division of quality assurance within 72 hours.

FEDERAL REGULATION: State Operations Manual (SOM)

CMS Emergency Preparedness Rule

SOM Appendix Z – Emergency Preparedness for all Provider and Certified Supplier Types. Interpretive Guidance

CFR § 483.470 – Condition of Participation: Physical Environment

(h) Standard: Emergency plan and procedures.

SOM § W438(1) – Guidance CFR § 483.470(h)(1)

The facility must develop and implement detailed written plans and procedures to meet all potential emergencies and disasters such as fire, severe weather, and missing clients.

These plans may include identification of transportation and alternative shelter needs in cases when the facility must be evacuated and may incorporate state-specific emergency preparedness requirements as applicable.

SOM § W439(2) – Guidance CFR § 483.470(h)(2)

The facility must communicate, periodically review, make the plan available, and provide training to the staff.

"Periodic review" is a judgment made by the facility based on the circumstances of the facility. If the facility changes its physical plant or if changes external to the facility necessitate a review of the disaster plan, the facility is responsible for carrying out the review. Interview staff about where emergency plans and procedures are located and what the facility policy is regarding how often, and under what circumstances the plans and procedures are reviewed and updated.

(i) Standard: Evacuation drills.

(1) The facility must hold evacuation drills.

SOM § W440 - Guidance CFR § 483.470(i)(1)

Conduct at least quarterly for each shift of personnel.

SOM § W441 – Guidance CFR § 483.470(i)(1)

Practice under varying conditions.

SOM § W442(i) – Guidance CFR § 483.470(i)(1)(i)

Ensure that all personnel on all shifts are trained to perform assigned tasks.

SOM § W443(ii) – Guidance CFR § 483.470(i)(1)(ii)

Ensure that all personnel on all shifts are familiar with the use of the facility's fire protection features.

SOM § W444(iii) – Guidance CFR § 483.470(i)(1)(iii)

Evaluate the effectiveness of emergency and disaster plans and procedures.

(2) The facility must:

SOM § W445(i) – Guidance CFR § 483.470(i)(2)(i)

Actually evacuate clients during at least one drill each year on each shift.

All clients totally evacuate the building at least once per year per shift, regardless of the occupancy chapter under which the building falls.

All facilities, regardless of their size require actual evacuation. "Actually evacuate," as used in this standard, applies to **all** clients. The drills are conducted not only to rehearse the clients and staff for a fire emergency [see § 483.470(i)(2)(v)], but for other disasters such as hurricanes, tornadoes, floods, etc. Such disasters would require the entire occupancy to be evacuated and, therefore, the actual evacuation must be practiced as required.

SOM § W446(ii) – Guidance CFR § 483.470(i)(2)(ii)

Make special provisions for the evacuation of clients with physical disabilities.

Clients with physical or medical disabilities may require special procedures for evacuation, taking into account equipment or staff that must be maintained for the client's care at all times. The facility's evacuation plan should (1) identify such clients and (2) clearly delineate any special evacuation procedures for those clients. Staff should be familiar with the facility's special evacuation procedures when working with clients who are in need of unique provisions.

SOM § W447(iii) – Guidance CFR § 483.470(i)(2)(iii)

File a report and evaluation on each evacuation drill.

There is a written report of each evacuation drill held.

SOM § W448(iv) – Guidance CFR § 483.470(i)(2)(iv)

Investigate all problems with evacuation drills, including accidents.

The documentation for each evacuation drill includes an analysis of:

- The timeliness of the evacuation;
- Any difficulties observed during the drill;
- The investigation of the cause of the difficulties; and
- The development of the plan to ensure that the difficulties do not reoccur.

SOM § W449 – Guidance CFR § 483.470(i)(2)(iv)

Take corrective action.

When a problem is identified during the evacuation drill and the facility develops a plan to prevent reoccurrence, there is evidence the facility implemented corrective action and follow-up completed to ensure corrective action was successful.

SOM § W450(v) – Guidance CFR § 483.470(i)(2)(v)

During fire drills, clients may be evacuated to a safe area in facilities certified under the Health Care Occupancies Chapter of the Life Safety Code.

LIFE SAFETY CODE: NFPA 101, 2012 Edition, §§ 18.7 and 19.7

Under § 18.7 (for new buildings) and § 19.7 (for existing buildings), the administration of every health care occupancy shall have, in effect and available to all supervisory personnel, written copies of a plan for the protection of all persons in the event of fire, for their evacuation to areas of refuge, and for their evacuation from the building when necessary. All employees shall be periodically instructed and kept informed with respect to their duties under the plan. A copy of the plan shall be readily available at all times in the telephone operator's position or at the security center.