



Ohio Administrative Code

Rule 3701-16-16 Temperature regulation in residential care facilities.

Effective: July 12, 2024

(A) For the purposes of this rule:

(1) "Resident area" means any area within a residential care facility that is occupied at any time by a resident.

(2) "Temperature range" means between seventy-one degrees Fahrenheit and eighty-one degrees Fahrenheit.

(B) Each residential care facility is obligated to maintain the temperature range and humidity in resident areas at a safe and comfortable level and have a device, such as a hand held hygrometer or infrared thermometer, to check the ambient temperature of the rooms.

(C) Residents in rooms containing separate heating and cooling systems who are capable of controlling them may maintain the temperature of their rooms at any level they desire except the residential care facility is obligated to take appropriate intervention if a resident's desired temperature level adversely affects or has potential for adversely affecting the health and safety of the resident or the health, safety and comfort of any other resident sharing the resident room.

(D) Each residential care facility, in consultation with a physician or an appropriate health care professional acting within the professional's scope of practice, is obligated to develop written policies and procedures for responding to temperatures in resident areas that are outside the temperature range as defined in paragraph (A) of this rule. The policies and procedures will include at least the following items:

(1) An identification of available sites within or outside the residential care facility to which residents can be relocated temporarily and of other suitable health care facilities or facilities that provide personal care services that will be available to receive transfers of residents if the temperature level adversely affects or has potential for adversely affecting the health and safety of



residents;

(2) Measures to be taken to assure the health, safety and comfort of residents who remain in the facility when temperatures are outside the temperature range as defined in paragraph (A) of this rule; and

(3) Identification of the circumstances that necessitate notification of the resident's attending physician or other licensed healthcare professional working within their scope of practice, or that necessitate medical examinations or other medical intervention and appropriate time frames for these actions.

(E) Whenever the temperature in any resident area is outside the temperature range as defined in paragraph (A) of this rule, the residential care facility immediately is obligated to evaluate the situation, monitor residents, and take appropriate action to ensure the health, safety and comfort of its residents, including but not limited to implementation of the policies and procedures developed under paragraph (D) of this rule. The residential care facility is obligated to document all action taken under this paragraph and maintain, on site, documentation of action taken during the current calendar year and during the preceding calendar year.

(F) Each residential care facility is obligated to maintain appropriate arrangements with qualified persons that provide for emergency service in the event of an electrical, heating, ventilation or air conditioning failure or malfunction and maintain documentation of the arrangements such as employment or other written agreements. The residential care facility is obligated to ensure that all necessary repairs are completed within forty-eight hours or less. If, for reasons beyond the facility's control, repairs cannot be completed timely, the residential care facility is obligated to take any necessary action, as specified in paragraph (E) of this rule, and provide for the repairs to be completed as soon as possible.