

381.006(16)

(16) A group-care-facilities function, where a group-care facility means any public or private school, housing, building or buildings, section of a building, or distinct part of a building or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide one or more personal services, care, protection, and supervision to persons who require such services and who are not related to the owner or administrator. The department may adopt rules necessary to protect the health and safety of residents, staff, and patrons of group-care facilities, such as child care facilities, family day-care homes, assisted-living facilities, adult day-care centers, adult family-care homes, hospices, residential treatment facilities, crisis-stabilization units, pediatric extended-care centers, intermediate-care facilities for the developmentally disabled, group-care homes, and, jointly with the Department of Education, private and public schools. These rules may include definitions of terms; provisions relating to operation and maintenance of facilities, buildings, grounds, equipment, furnishings, and occupant-space requirements; lighting; heating, cooling, and ventilation; food service; water supply and plumbing; sewage; sanitary facilities; insect and rodent control; garbage; safety; personnel health, hygiene, and work practices; and other matters the department finds are appropriate or necessary to protect the safety and health of the residents, staff, or patrons. The department may not adopt rules that conflict with rules adopted by the licensing or certifying agency. The department may enter and inspect at reasonable hours to determine compliance with applicable statutes or rules. In addition to any sanctions that the department may impose for violations of rules adopted under this section, the department shall also report such violations to any agency responsible for licensing or certifying the group-care facility. The licensing or certifying agency may also impose any sanction based solely on the findings of the department.