

“Private closet space” means that each resident’s clothing is kept separate from clothing of roommate(s).

The term “closet space” is not necessarily limited to a space installed into the wall. For some facilities without such installed closets, compliance may be attained through the use of storage furniture such as wardrobes. Out-of-season items may be stored in alternate locations outside the resident’s room.

A variation must be in accordance with the special needs of the residents and must not adversely affect the health or safety of residents. Facility hardship is not part of the basis for granting a variation. Since the special needs of residents may change periodically, or different residents may be transferred into a room that has been granted a variation, variations must be reviewed and considered for renewal whenever the facility is certified. If the needs of the residents within the room have not changed since the last annual inspection, the variance should continue if the facility so desires.

PROBES: §483.90(e)(2)(i), (e)(2)(ii), (e)(2)(iii), (e)(2)(iv), §483.10(i)(4), §483.90(e)(3), (e)(3)(i), and (e)(3)(ii)

Are mattresses clean and comfortable?

Is bedding appropriate to weather and climate?

If a resident uses a wheelchair, is the bed positioned at a height that allows the resident to safely transfer to the bed if he or she is able?

See requirements at §483.90(d)(3) concerning the regular inspection of all bed frames, mattresses, and bed rails to identify areas of possible entrapment.

Functional furniture:

Is there functional furniture, appropriate to resident’s needs?

Closet space:

Is there individual closet space with accessible clothes racks and shelves?

If the resident is able to use a closet, can the resident get to and reach her/his hanging clothing as well as items from shelves in the closet?

If a resident is unable to use a closet, does the facility provide the resident with adequate assistance for accessing their clothing, or alternative storage space that the resident is able to access?

If a resident uses a wheelchair, are dressers or shelves available at a height that the resident can access them and reach them.

F918

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§483.90(f) Bathroom Facilities.

Each resident room must be equipped with or located near toilet and bathing facilities. For facilities that receive approval of construction plans from State and local authorities or are newly certified after November 28, 2016, each residential room must have its own bathroom equipped with at least a commode and sink.

GUIDANCE: §483.90(f)

“**Bathing Facilities**” is defined as a space that contains either a shower(s) or a tub(s) for resident use. See definition of “toilet facilities” for definition of “located near.”

“**Toilet facilities**” is defined as a space that contains a lavatory and a toilet/commode. CMS is also using the term “commode” to mean the same as a “toilet” when referring to a plumbing fixture. If the resident’s room is not equipped with an adjoining toilet facility, then “located near” means residents who are independent in the use of a toilet/commode, including chair bound residents, can routinely use a toilet/commode in the unit that they can access quickly.

Facilities that meet any of the below criteria must meet the requirement for having in each resident bedroom its own bathroom consisting of at least a sink and commode/toilet:

- *A facility that received approval for construction from the state or local authority after November 28, 2016;*
- *A facility that is newly certified after November 28, 2016;*
- *A facility that completes a change of ownership under §489.18 and the new owner does not accept assignment of the existing provider agreement resulting in a “new initial certification” for a new provider agreement that is effective after November 28, 2016; or*
- *A facility whose provider agreement was terminated by CMS, and a new provider is working to reenroll in the Medicare program as a newly certified facility effective after November 28, 2016.*

Facilities that meet any of the above criteria also must meet the requirements in §483.90(e)(1)(i), which requires accommodation of no more than two residents per bedroom. We note that two conjoined private bedrooms (i.e., single occupancy in each room) with a shared bathroom equipped with at least a commode and a sink (i.e., “Jack & Jill bathroom”) are in compliance with §483.90(e)(1)(i) and §483.90 (f). However, if