**WAC 388-78A-2853 New licenses and use of construction.** The department will not issue an assisted living facility license unless:

1. Construction review services:
   a. Notifies the department that construction has been completed; and
   b. Provides the department:
      i. A copy of the certificate of occupancy granted by the local building official;
      ii. A copy of the functional program; and
      iii. A reduced copy of the approved floor plan indicating room numbers or names and the approved use; and
   c. The state fire marshal has inspected and approved for fire life safety RCW 18.20.130.

2. Facilities will not use areas of new construction, as described in WAC 388-78A-2821, until one of the following events has occurred:
   a. Construction review services has approved the construction, and the scope of work does not require inspection by DSHS for a licensing inspection, or office of the state fire marshal (OSFM). Examples of such projects include:
      i. Minor additions (sunroom, dining room, offices);
      ii. New buildings without resident care space or critical systems;
      iii. Minor moving of walls in resident care spaces;
      iv. Major renovations in non-resident spaces; and
      v. Phased construction projects not falling under subsection (3)(b)(ii) and (iii) of this section; or
   b. Construction review services has recommended approval, and a DSHS inspection has approved the finished work, and the scope of work is for:
      i. Major alterations of resident spaces;
      ii. Alterations of significant scope;
      iii. Conversion of support spaces to resident rooms;
      iv. Addition of licensed beds not previously reviewed and approved by construction review services;
      v. New resident care buildings (under existing license);
      vi. New resident support spaces such as kitchens and secured outdoor areas; and
      vii. License type/contract care conversions; or
   c. Construction review services has recommended approval, OSFM has inspected, and DSHS issues a license and the scope of the work is for:
      i. Buildings and areas supporting an initial facility license;
      ii. Buildings and spaces seeking licensure after an expired license; or
      iii. Facility relocation.

[Statutory Authority: Chapters 18.20 and 74.39A RCW. WSR 20-02-104, § 388-78A-2853, filed 12/31/19, effective 1/31/20.]