

RCW 70.395.040 Standards for sanitation, hygiene, and safety—

Enforcement. (1) The department of health shall adopt rules as may be necessary to effectuate the intent and purposes of this section in order to ensure private detention facilities comply with measurable standards providing sanitary, hygienic, and safe conditions for detained persons. The department of health rules shall include that:

(a) A detained person should have a safe, clean, and comfortable environment that allows a detained person to use the person's personal belongings to the extent possible;

(b) Living areas, including areas used for sleeping, recreation, dining, telecommunications, visitation, and bathrooms, must be cleaned and sanitized regularly;

(c) A private detention facility must provide laundry facilities, equipment, handling, and processes for linen and laundered items that are clean and in good repair, adequate to meet the needs of detained persons, and maintained according to the manufacturer's instructions. Laundry and linen must be handled, cleaned, and stored according to acceptable methods of infection control including preventing contamination from other sources. Separate areas for handling clean laundry and soiled laundry must be provided and laundry rooms and areas must be ventilated to the exterior;

(d) Basic personal hygiene items must be provided to a detained person regularly at no cost;

(e) A private detention facility shall provide a nutritious and balanced diet, including fresh fruits and vegetables, and shall recognize a detained person's need for a special diet. A private detention facility must follow proper food handling and hygiene practices. A private detention facility must provide at least three meals per day, at no cost, and at reasonable hours;

(f) Safe indoor air quality must be maintained;

(g) The private detention facility must have both heating and air conditioning equipment that can be adjusted by room or area. Rooms used by a detained person must be able to maintain interior temperatures between 65 degrees Fahrenheit and 78 degrees Fahrenheit year-round. Excessive odors and moisture must be prevented in the building;

(h) A private detention facility must implement and maintain an infection control program that prevents the transmission of infections and communicable disease among detained persons, staff, and visitors; and

(i) A private detention facility must provide:

(i) Ready access and equipment to accommodate detained persons with physical and mental disabilities;

(ii) Adequate lighting in all areas;

(iii) An adequate supply of hot and cold running water under pressure meeting the standards in chapters 246-290 and 246-291 WAC, with devices to prevent backflow into the potable water supply system, and water temperature not exceeding 120 degrees Fahrenheit automatically regulated at all plumbing fixtures used by detained persons;

(iv) Written policies, procedures, and schedules for maintenance and housekeeping functions;

(v) Housekeeping and service facilities on each floor, including:

(A) One or more service sinks, designed for filling and emptying mop buckets;

(B) Housekeeping closets that are equipped with shelving, ventilated to the out-of-doors, and kept locked; and

(C) A utility service area designed and equipped for washing, disinfecting, storing, and housing medical and nursing supplies and equipment; and

(vi) Equipment and facilities to collect and dispose of all sewage, garbage, refuse, and liquid waste in a safe and sanitary manner.

(2) The office of the attorney general may enforce violations of this section on its own initiative or in response to complaints or violations. [2025 c 235 s 2; 2023 c 419 s 2.]

Effective date—Construction—2025 c 235: See notes following RCW 70.395.020.

Effective date—Construction—2023 c 419: See notes following RCW 42.56.475.