

2000 SESSION

INTRODUCED

004616200

HOUSE BILL NO. 969

Offered January 24, 2000

A BILL to amend and reenact § 32.1-102.3:1 of the Code of Virginia, relating to medical care facilities certificate of public need.

Patrons—Louderback, Blevins, Devolites, Drake, Dudley, Griffith, Hargrove, Katzen, Kilgore, Landes, McClure, McQuigg, Purkey and Wardrup

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-102.3:1 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-102.3:1. Application for certificate not required of certain nursing facilities or nursing homes.

A. An application for a certificate that there exists a public need for a proposed project shall not be required for nursing facilities or nursing homes affiliated with facilities which, on January 1, 1982, and thereafter, meet all of the following criteria:

1. A facility which is operated as a nonprofit institution.
2. A facility which is licensed jointly by the Department of Health as a nursing facility or nursing home and by the Department of Social Services as an adult care residence.
3. A facility which observes the following restrictions on admissions:
 - a. Admissions are only allowed pursuant to the terms of a "life care contract" guaranteeing that the full complement of services offered by the facility is available to the resident as and when needed;
 - b. Admissions to the adult care residence unit are restricted to individuals defined as ambulatory by the Department of Social Services;
 - c. Admissions to the nursing facility or nursing home unit are restricted to those individuals who are residents of the adult care residence unit.
4. A facility in which no resident receives federal or state public assistance funds.

B. Further, an application for a certificate that there exists a public need for a proposed project shall not be required for any project for the renovation of an existing nursing facility or nursing home or an increase in the number of nursing facility or nursing home beds, whether through the construction of a new facility or an addition to an existing nursing facility or nursing home, when such proposed project is affiliated with the Virginia Veterans Care Centers and will be dedicated solely to the care of aged or disabled veterans meeting the admissions requirements in effect for such facilities on January 1, 2000.

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HB969