

# VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

## CHAPTER 526

*An Act to amend and reenact §§ 32.1-162.3 and 63.2-1806 of the Code of Virginia, relating to concurrent licensure and regulation of hospices and assisted living facilities.*

[H 2772]

Approved March 16, 2003

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 32.1-162.3 and 63.2-1806 of the Code of Virginia are amended and reenacted as follows:**

§ 32.1-162.3. License required for hospice programs; notice of denial of license; renewal thereof.

A. No person shall establish or operate a hospice without a license issued pursuant to this article.

B. The Commissioner shall issue or renew a license to establish or operate a hospice upon application therefor on a form and accompanied by a fee prescribed by the Board if the Commissioner finds that the hospice is in compliance with the provisions of this article and regulations of the Board. The Commissioner shall notify by certified mail any applicant denied a license of the reasons for such denial.

C. Every such license shall expire at midnight December 31 of the year issued, or as otherwise specified by the Board, and shall be required to be renewed annually.

D. The activities and services of each applicant for issuance or renewal of a hospice license shall be subject to an inspection and examination by the Commissioner to determine if the hospice is in compliance with the provisions of this article and regulations of the Board.

E. No license issued pursuant to this article may be transferred or assigned.

*F. In accordance with § 63.2-1806, an entity licensed as a hospice pursuant to this article may concurrently hold a license to operate an assisted living facility as defined in § 63.2-100 and may provide hospice care to the residents of such facility.*

§ 63.2-1806. Hospice care.

Notwithstanding § 63.2-1805, at the request of the resident, hospice care may be provided in an assisted living facility under the same requirements for hospice programs provided in Article 7 (§ 32.1-162.1 et seq.) of Chapter 5 of Title 32.1, if the hospice program determines that such program is appropriate for the resident.

*Further, an entity licensed as an assisted living facility may concurrently hold a license as a hospice as defined in § 32.1-162.1 and may provide hospice care to residents of such assisted living facility.*