

# 2004 SESSION

INTRODUCED

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## HOUSE BILL NO. 1333

Offered January 21, 2004

*A BILL to amend and reenact § 32.1-162.5 of the Code of Virginia, relating to hospice licensure.*

Patron—Hogan

Referred to Committee on Health, Welfare and Institutions

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

**1. That § 32.1-162.5 of the Code of Virginia is amended and reenacted as follows:**

§ 32.1-162.5. Regulations.

A. The Board shall prescribe such regulations governing the activities and services provided by hospices as may be necessary to protect the public health, safety and welfare. Such regulations shall include, but not be limited to, the requirements for: the qualifications and supervision of licensed and nonlicensed personnel; the provision and coordination of inpatient care and home treatment and services; the management, operation, staffing and equipping of the hospice program; clinical and business records kept by the hospice; procedures for the review of utilization and quality of care.

B. To avoid duplication in regulations, the Board shall incorporate regulations applicable to facilities licensed as hospitals or nursing homes under § 32.1-123 et seq. and to organizations licensed as home health agencies under Article 7.1 (§ 32.1-162.7 et seq.) of Chapter 5 of this title which are also applicable to hospice programs in the regulations to govern hospices. A person who seeks a license to establish or operate a hospice and who has a preexisting valid license to operate a hospital, nursing home or home health agency shall be considered in compliance with those regulations which are applicable to both a hospice and the facility for which it has a license.

*A person may establish and operate an inpatient hospice under a hospice license within a facility that has a preexisting license to operate a hospital or nursing home. A certificate of public need shall not be required for such person to establish and operate an inpatient hospice within a preexisting licensed hospital or nursing home. Upon closure of such inpatient hospice, a certificate of public need shall not be required for the reinstatement of the preexisting licensed hospital or nursing home's licensed bed capacity.*

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