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**HOUSE BILL NO. 2461**

Offered January 12, 2005

Prefiled January 12, 2005

*A BILL to amend and reenact §§ 22.1-323.2, 63.2-1737 and 66-24 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 37.1-179.3, relating to licensed or certified group homes or other residential facilities.*

Patrons—Nixon; Senator: Martin

Referred to Committee on Health, Welfare and Institutions

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

**1. That §§ 22.1-323.2, 63.2-1737 and 66-24 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 37.1-179.3 as follows:**

§ 22.1-323.2. Cooperation of Department with other state departments.

The Department of Education shall cooperate with other state departments in fulfilling their respective licensing and certification responsibilities and in reducing and simplifying the regulations involved in the licensing and certification of residential schools for students with disabilities. The Board may promulgate regulations allowing the Department of Education to so assist and cooperate with other state departments. *The Board shall adopt regulations that require persons who are licensed to operate residential schools for students with disabilities to provide to the Department the name, address, and telephone number of a contact person to serve as the school's community relations liaison and to notify the Department immediately of any changes in this information.*

§ 37.1-179.3. Group homes or other residential facilities for adults or children.

*The Board shall adopt regulations that require providers who are licensed to operate group homes or other residential facilities for adults or children to provide to the Department a name, address, and telephone number of a contact person to serve as the provider's community relations liaison and to notify the Department immediately of any changes in this information.*

§ 63.2-1737. Cooperation of Department with other state departments concerning children's residential facilities.

Notwithstanding any other provisions of this subtitle, the Department shall cooperate with other state departments in fulfilling their respective licensing and certification responsibilities and in reducing and simplifying the regulations involved in such licensing and certification. The Board may adopt regulations for the interdepartmental regulation of children's residential facilities that shall allow the Department to assist and cooperate with other state departments in fulfilling their respective licensing and certification responsibilities and in reducing and simplifying the regulations involved in such licensing and certification. Notwithstanding any other provisions of this chapter, licenses issued to children's residential facilities pursuant to cooperative efforts described in this section may be issued for periods of up to thirty-six successive months. *The Board shall adopt regulations that require persons who are licensed to operate children's residential facilities to provide to the Department a name, address, and telephone number of a contact person to serve as the facility's community relations liaison and to notify the Department immediately of any changes in this information.*

Notwithstanding any other provisions of this chapter, any facility licensed by the Commissioner as a child-caring institution as of January 1, 1987, and that receives no public funds shall be licensed under minimum standards for licensed child-caring institutions as adopted by the Board and in effect on January 1, 1987. Effective January 1, 1987, all children's residential facilities shall be licensed under the interdepartmental regulations for children's residential facilities.

§ 66-24. Community group homes and other residential facilities for certain juveniles; personnel.

The Department is authorized to establish and maintain such a system of community group homes or other residential care facilities as the Department may from time to time acquire, construct, contract for or rent for the care of juveniles in direct state care, pending development of more permanent placement plans. Such placement plans shall consider adequate care and treatment, and suitable education, training and employment for such juveniles, as is appropriate. The Department is further authorized to employ necessary personnel for such facilities or to contract with private entities for their operation. The Board shall adopt such regulations for the operation of such facilities as it may deem appropriate. *The Board shall adopt regulations that require persons who are certified to operate group homes or other residential care facilities for juveniles to provide to the Department a name, address, and telephone number of a contact person to serve as the facility's community relations liaison and to notify the Department immediately of any changes in this information.*

INTRODUCED

HB2461