

# VIRGINIA ACTS OF ASSEMBLY -- 2006 SESSION

## CHAPTER 776

*An Act to authorize an amendment to a certain certificate of public need.*

[H 381]

Approved April 6, 2006

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

**1. § 1. Amendment of certain certificate of public need authorized.**

*Notwithstanding the provisions of subdivision 10 of § 32.1-102.3:2 as in effect on June 30, 1996, or the provisions of Chapter 868 of the Acts of Assembly of 2000 and Chapter 486 of the Acts of Assembly of 2003, the Commissioner of Health may accept and approve a request, pursuant to this act, to amend the conditions of a certificate of need issued for an increase in beds in which nursing facility or extended care services are provided to allow such facility to continue to admit persons, other than residents of the cooperative units, to its nursing facility beds for three years from the date of issuance of a certificate of occupancy for the third mid-rise residential unit building associated with such facility or June 30, 2009, whichever shall occur first, when such facility (i) is operated by an association described in § 55-458; (ii) was created in connection with a real estate cooperative; (iii) offers its residents a level of nursing services consistent with the definition of continuing care in Chapter 49 (§ 38.2-4900 et seq.) of Title 38.2; and (iv) was issued a certificate of need prior to October 3, 1995.*