

# 2006 SESSION

INTRODUCED

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## HOUSE BILL NO. 1358

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 63.2-1803.2, relating to staffing of assisted living facilities.*

Patron—Bell

Referred to Committee on Health, Welfare and Institutions

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

#### **1. That the Code of Virginia is amended by adding a section numbered 63.2-1803.2 as follows:**

*§ 63.2-1803.2. Staffing of life-sharing communities.*

*A. Notwithstanding the provisions of § 63.2-1803 or regulations adopted by the Board, life-sharing communities shall not be required to maintain staff that is awake 24 hours per day. "Life-sharing community" is defined as an assisted living facility, operated by a nonprofit entity exempt from federal income tax under § 501(c)(3) of the Internal Revenue Code, that (i) offers a safe, secure environment in a free-standing, self-contained unit for residents who have been assessed by a medical professional as having a mental disability; (ii) is located in a community setting; (iii) consists of the residents as well as staff or family members who live in the units; (iv) has at least one staff or family member in such facility at all times that residents are present and requires the staff or family member on premises to be responsible for the care and supervision of the residents; (v) has established written emergency procedures that provide for prompt assistance to the staff or family member on premises by other staff members who may be at locations other than the facility where the assistance is requested; and (vi) provides written notice to each resident and his legally authorized representative that the facility is exempt from the above requirement. Such written notice shall be given at the time of admission, and the receipt thereof shall be acknowledged in writing by the legally authorized representative.*

*B. The Commissioner shall confirm that the provisions of this section are observed and implemented by life-sharing communities as a condition to the continuation of the staffing exemption allowed by this section.*

#### **2. That the written notice and acknowledgement required under clause (vi) of subsection A of § 63.2-1803.2 of the Code of Virginia shall apply to each resident who resides in the community on July 1, 2006.**

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HB1358