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**HOUSE BILL NO. 343**

Offered January 11, 2006

Prefiled January 6, 2006

A *BILL to amend and reenact § 32.1-162.3 of the Code of Virginia, relating to regulation of hospice programs.*

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Patron—Sherwood

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Referred to Committee on Health, Welfare and Institutions

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

**1. That § 32.1-162.3 of the Code of Virginia is 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.

*The Board shall prescribe staffing regulations, pursuant to § 32.1-162.5, specifically for entities concurrently licensed as a hospice and an assisted living facility. The regulations shall not require the presence of a registered nurse on each shift, but shall require the presence of a licensed practical nurse, as defined in § 54.1-3000, on each shift.*

INTRODUCED

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