

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to require the State Health Commissioner to issue a Request For Applications, and to accept*
3 *applications for 120 new nursing home or nursing facility beds in Planning District 3.*

4 [H 1498]

5 Approved

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

7 **1.** § 1. *That, notwithstanding the provisions of § 32.1-102.3:2 of the Code of Virginia, any regulations of*
8 *the Board of Health, or provisions of any current Request For Applications, the State Health*
9 *Commissioner may issue a Request For Applications for 120 new nursing home or nursing facility beds*
10 *in Planning District 3 when the Division of Certificate of Public Need of the Department of Health has*
11 *determined, in its "Nursing Home Facility Beds and Utilization - Facility Fiscal Years Ending in 2006"*
12 *analysis, that at least one nursing facility in Planning District 3 is licensed for 120 beds but operated*
13 *no Medicaid-certified beds in 2006.*

14 *The Commissioner may accept applications for such 120 nursing home or nursing facility beds and*
15 *may issue a certificate of public need for an increase of such 120 new beds in which nursing facility or*
16 *extended care services are to be provided to establish a new facility in Planning District 3. The*
17 *Commissioner shall consider any certificate of public need for the 120 beds to an applicant that*
18 *proposes to establish a new nursing facility located within three miles of the boundary of the county*
19 *seat or within the county seat of the county adjacent to the city or county in which is sited any facility*
20 *in Planning District 3 determined by the Division of Certificate of Public Need, in its "Nursing Home*
21 *Facility Beds and Utilization - Facility Fiscal Years Ending in 2006" analysis, to be licensed for 120*
22 *beds but that operated no Medicaid-certified beds in 2006.*

ENROLLED

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