

# VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

## CHAPTER 174

*An Act to amend a certain certificate of public need.*

[S 1212]

Approved March 15, 2011

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

**1.** *§ 1. Notwithstanding the provisions of subsection E of § 32.1-102.3:2 of the Code of Virginia, the Commissioner of Health shall accept and may approve a request to amend the conditions of a certificate of public need issued to a continuing care provider registered with the State Corporation Commission pursuant to Chapter 49 (§ 38.2-4900 et seq.) of Title 38.2 of the Code of Virginia in which nursing facility or extended care services are provided to allow such continuing care provider to continue to admit community patients, other than contract holders, to its nursing facility beds through December 31, 2014, if the following conditions are met: (i) the facility is located within the County of Botetourt and operated as a not-for-profit and (ii) the facility's contract holder occupancy rate is less than 85 percent at the time of such application.*