

2011 SESSION

HOUSE SUBSTITUTE

11104682D

HOUSE BILL NO. 2453

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions
on February 1, 2011)

(Patron Prior to Substitute—Delegate Garrett)

A *BILL to require the Commissioner of Health to issue a Request for Applications for, and to authorize the Commissioner to issue a certificate of public need for, the addition of up to 50 nursing facility beds in Planning District 11.*

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That, notwithstanding the provisions of § 32.1-102.3:2 of the Code of Virginia, any regulations of the Board of Health, or provisions of any current Request for Applications, the State Health Commissioner shall issue a Request for Applications for the addition of up to 50 nursing facility beds in Planning District 11 for the establishment of a new 90-bed nursing facility in Planning District 11.*

The Commissioner shall accept and review applications, including any application that meets the requirements of the Request for Applications that was submitted to the Department on or after January 1, 2011, and may issue a certificate of public need for the addition of up to 50 new nursing facility beds in Planning District 11 for any facility (i) the application for which also includes a proposal to replace all nursing home beds in an existing nursing home located in Planning District 11, which was licensed on December 31, 2010, for no more than 45 nursing facility beds, (ii) for which the addition of nursing facility beds authorized pursuant to this act, in addition to the relocation of the existing nursing facility beds, is proposed to result in creation of a new facility with a total of no more than 90 nursing facility beds, (iii) for which the nonprofit organization established pursuant to Chapter 7.2 (§ 32.1-276.2 et seq.) of Title 32.1 of the Code of Virginia reported an occupancy rate of at least 85 percent for fiscal year 2009 for the nursing facility to be replaced, and (iv) which shall be located in the city or county that is adjacent to the city or county in which the nursing facility from which 45 beds will be relocated is located.

2. *That an emergency exists and this act is in force from its passage.*

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