

# 2013 SESSION

## HOUSE SUBSTITUTE

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### HOUSE BILL NO. 1443

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions  
on January 15, 2013)

(Patron Prior to Substitute—Delegate O'Bannon)

*A BILL to amend and reenact § 63.2-1702 of the Code of Virginia, relating to application for license to operate a child welfare agency, assisted living facility, or adult day care center; exempt from requirement of submission of certain financial information.*

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

**1. That § 63.2-1702 of the Code of Virginia is amended and reenacted as follows:**

**§ 63.2-1702. Investigation on receipt of application.**

Upon receipt of the *initial* application the Commissioner shall cause an investigation to be made of the activities, services, and facilities of the applicant, of the applicant's financial responsibility, and of his character and reputation or, if the applicant is an association, partnership, limited liability company, or corporation, *of* the character and reputation of its officers and agents. In the case of child welfare agencies, *assisted living facilities, and adult day care centers*, the financial records of an applicant shall not be subject to inspection if the applicant submits (i) a current balance sheet and income statement accompanied by a letter from a certified public accountant certifying the accuracy thereof and ~~three~~ (ii) *at least one credit references reference*. In the case of child welfare agencies and assisted living facilities, the character and reputation investigation upon application shall include background checks pursuant to § 63.2-1721; however, a children's residential facility shall comply with the background check requirements contained in § 63.2-1726. *Records that contain confidential proprietary information furnished to the Department pursuant to this section shall be exempt from disclosure pursuant to subdivision 4 of § 2.2-3705.5.*

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