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HOUSE BILL NO. 222

Offered January 8, 2014

Prefiled December 27, 2013

A BILL to amend and reenact § 37.2-405 of the Code of Virginia, relating to licensure of behavioral health care providers; notice to local governing body.

Patron—Dance

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 37.2-405 of the Code of Virginia is amended and reenacted as follows:

§ 37.2-405. License required; exception; license not transferable; operation of existing services; persons not to be admitted, etc., to unlicensed providers.

A. No provider shall establish, conduct, maintain, or operate or continue to operate in the Commonwealth any service, without being licensed under this article, except where the provider is exempt from licensing.

B. Upon receiving notice of a proposal for or an application to obtain an initial license or for a modification of a license from a provider, the Commissioner shall, within 15 days of the receipt, notify the local governing body of the jurisdiction in which the facility is to be located of the proposal or application and the facility's proposed location. Such notice shall include information contained in the application. Within 30 days of the date of the notice, the local governing body shall submit to the Commissioner comments on the proposal or application. The Commissioner shall take all comments submitted by the local governing body into consideration when determining whether an initial license or modification of a license shall be granted to a provider in accordance with this chapter.

C. No license issued under this article shall be assignable or transferable.

D. No person shall be admitted, placed, treated, maintained, housed, or otherwise kept, voluntarily or involuntarily, by any provider required to be licensed by subsection A, unless and until the provider is licensed by the Commissioner.

INTRODUCED

HB222