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**HOUSE BILL NO. 702**

Offered January 8, 2014

Prefiled January 7, 2014

*A BILL to amend and reenact § 63.2-1804 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-330.4, relating to uniform assessments.*

Patrons—Head and Rasoul

Referred to Committee on Health, Welfare and Institutions

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

**1. That § 63.2-1804 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-330.4 as follows:**

**§ 32.1-330.4. Uniform assessment instrument.**

*A uniform assessment instrument shall be completed for each individual enrolled in the pre-PACE or PACE program at the time of enrollment and at subsequent intervals, as determined by the Board of Medical Assistance Services. The uniform assessment instrument shall be completed by a hospital that has contracted with the Department to perform uniform assessments, a representative of the local department of social services or local health department, or an entity that has entered into a contract with a local department of social services or local health department to perform uniform assessments in accordance with regulations of the Board of Medical Assistance Services.*

**§ 63.2-1804. Uniform assessment instrument.**

*A. A uniform assessment instrument setting forth a resident's care needs shall be completed for all residents upon admission and at subsequent intervals as determined by Board regulation. No uniform assessment instrument shall be required to be completed upon admission if a uniform assessment instrument was completed by a case manager or other qualified assessor within ninety days prior to such admission to the assisted living facility unless there has been a change in the resident's condition within that time which would affect the admission. Uniform assessment instruments shall not be required to be completed more often than once every twelve months on individuals residing in assisted living facilities except that uniform assessment instruments shall be completed whenever there is a change in the resident's condition that appears to warrant a change in the resident's approved level of care. At the request of the assisted living facility, the resident's representative, the resident's physician, the Department or the local department, an independent assessment, using the uniform assessment instrument shall be completed to determine whether the resident's care needs are being met in the current placement.*

*The B. For public pay residents of assisted living facilities, the uniform assessment shall be completed by the resident's case manager or other qualified assessor shall complete the uniform assessment instrument for public pay residents or, upon request by the private pay resident, for private pay residents. Unless a an entity that has entered into a contract with a public human services agency to perform uniform assessments for assisted living facilities in accordance with regulations promulgated by the Commissioner for Aging and Rehabilitative Services. For private pay resident requests residents of assisted living facilities, the uniform assessment instrument shall be completed by a qualified member of the staff of the assisted living facility or an independent private physician or, upon request of the private pay resident, a case manager or other qualified assessor, qualified staff of the assisted living facility or an independent private physician may complete the uniform assessment instrument for private pay residents; however, for entity that has entered into a contract with a public human services agency to perform uniform assessments of residents of assisted living facilities in accordance with regulations promulgated by the Commissioner for Aging and Rehabilitative Services. However, for private pay residents, social and financial information which that is not relevant because of the resident's payment status shall not be required as part of the uniform assessment.*

*C. The cost of administering the uniform assessment instrument pursuant to this section shall be borne by the entity designated pursuant to Board regulations.*

*D. Upon receiving the uniform assessment instrument prior to admission of a resident, the assisted living facility administrator shall provide written assurance that the facility has the appropriate license to meet the care needs of the resident at the time of admission.*

**2. That the Board of Medical Assistance Services shall promulgate regulations to implement the provisions of this act related to contracts with entities to perform uniform assessments of individuals enrolled in pre-PACE and PACE programs and the Commissioner for Aging and Rehabilitative Services shall promulgate regulations to implement the provisions of this act related**

INTRODUCED

HB702

**59 to contracts with entities to perform uniform assessments of residents of assisted living facilities.**