

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to require the State Board of Social Services to amend certain regulations related to staffing of*  
3 *assisted living facilities providing care for adults with serious cognitive impairments.*

4 [S 875]

5 Approved

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

7 **1. § 1.** *That the State Board of Social Services shall amend regulations governing staffing of assisted*  
8 *living facilities that provide care for adults with serious cognitive impairments who cannot recognize*  
9 *danger or protect their own safety and welfare to allow an exception to the requirements that at least*  
10 *two direct care staff members who are awake, on duty, and responsible for the care and supervision of*  
11 *residents be in each building at all times when residents are present for assisted living facilities that are*  
12 *licensed for 10 or fewer residents if no more than three of the residents have serious cognitive*  
13 *impairments.*

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

15 **3. That the Board of Social Services shall promulgate regulations to implement the provisions of**  
16 **this act to be effective within 280 days of its enactment.**

17 **4. That the Commissioner of Social Services shall not enforce the provisions of 22VAC40-73-1020,**  
18 **as it shall become effective, in cases involving assisted living facilities that are licensed for 10 or**  
19 **fewer residents if no more than three of the residents have serious cognitive impairments.**

ENROLLED

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