

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.1-373.1 of the Code of Virginia, relating to State Long-Term Care*  
3 *Ombudsman.*

4 [H 1058]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.1-373.1 of the Code of Virginia is amended and reenacted as follows:**8 § 2.1-373.1. Access to residents, facilities and patients' records by Office of State Long-Term Care  
9 Ombudsman.

10 The ~~personnel~~ entity designated by the Department for the Aging to operate the programs of the  
11 Office of the State Long-Term Care Ombudsman pursuant to the Older Americans Act, Public Law  
12 100-175, shall, in the investigation of complaints referred to the program, have the same access (i) to  
13 residents, facilities and patients' records of licensed adult care residences as is provided for in § 63.1-177  
14 and (ii) to patients, facilities and patients' records of nursing facilities or nursing homes as is provided  
15 for in § 32.1-25, and shall have access to the patients, residents and patients' records of state hospitals  
16 operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services.  
17 However, if a patient is unable to consent to the review of his medical and social records and has no  
18 legal guardian, such representatives shall have appropriate access to such records in accordance with the  
19 provisions above. Notwithstanding the provisions of § 32.1-125.1, the ~~personnel~~ entity designated by the  
20 Department for the Aging to operate the programs of the Office of the State Long-Term Care  
21 Ombudsman shall have access to nursing facilities and nursing homes and state hospitals as herein  
22 provided. Access to residents, facilities and patients' records shall be during normal working hours  
23 except in emergency situations.

ENROLLED

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