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SENATE BILL NO. 1033

Offered January 20, 1997

A BILL to amend and reenact § 63.1-175 of the Code of Virginia, relating to Alzheimer's special care units within adult care residences.

Patrons—Woods, Gartlan, Stolle, Stosch, Waddell and Walker; Delegates: DeBoer, May and Mims

Referred to the Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-175 of the Code of Virginia is amended and reenacted as follows:

§ 63.1-175. Licenses required; expiration and renewal; maximum number of residents; restrictions on nomenclature.

A. Every person who constitutes, or who operates or maintains, an adult care residence shall obtain the appropriate license from the Commissioner, which may be renewed. The Commissioner or his designated agents, upon request, shall consult with, advise, and assist any person interested in securing and maintaining any such license.

B. The licenses shall be issued on forms prescribed by the Commissioner. Any two or more licenses may be issued for concurrent operation of more than one adult care residence. Each license and renewals thereof may be issued for periods of up to three successive years, unless sooner revoked or surrendered.

C. Each license shall indicate whether the residence is licensed to provide residential living or residential living and assisted living and shall stipulate the maximum number of persons who may be cared for in the adult care residence for which it is issued.

D. Any facility licensed exclusively as an adult care residence shall not use in its title the words "convalescent," "health," "hospital," "nursing," "sanatorium," or "sanitarium," nor shall such words be used to describe the facility in brochures, advertising, or other marketing material. No facility shall advertise or market a level of care which it is not licensed to provide. Nothing in this subsection shall prohibit the facility from describing services available in the facility.

E. Any facility advertising, offering to provide, or providing care for persons with Alzheimer's disease or related disorders by means of an Alzheimer's or dementia special care unit shall notify the Commissioner and any guardian or other responsible party seeking placement for a person diagnosed with Alzheimer's disease or a related disorder of the form of care or treatment provided that distinguishes such unit as being especially applicable to or suitable for persons with Alzheimer's disease or a related disorder.

F. For the purposes of this section, "Alzheimer's or dementia special care unit" means any facility that locks, secures, segregates or otherwise provides a special unit for residents with a diagnosis of Alzheimer's disease or a related disorder in order to prevent or limit egress by such residents outside the designated or separated area.

INTRODUCED

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