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SENATE BILL NO. 1033

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services
on January 31, 1997)

(Patron Prior to Substitute—Senator Woods)

*A BILL to amend and reenact § 2.1-373 of the Code of Virginia, relating to Alzheimer's special care units within adult care residences.***Be it enacted by the General Assembly of Virginia:****1. That § 2.1-373 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-373. Powers and duties of Department with respect to aging persons; area agencies on aging; advisory board.

(a) The mission of the Department for the Aging shall be to improve the quality of life for older Virginians. The Department's policies and programs shall be designed to enable older persons to be as independent and self-sufficient as possible. The Department shall promote local participation in programs for the aging, evaluate and monitor the services provided for older Virginians and provide information to the general public. In furtherance of this mission, the Department's duties shall include but not be restricted to:

(1) To study the economic and physical condition of the residents in the Commonwealth whose age qualifies them for coverage under Public Law 89-73 or any law amendatory or supplemental thereto of the Congress of the United States, hereinafter referred to as the aging, and the employment, medical, educational, recreational and housing facilities available to them, with the view of determining the needs and problems of such persons;

(2) To determine the services and facilities, private and governmental and state and local, provided for and available to the aging and to recommend to the appropriate person or persons such coordination of and changes in such services and facilities as will make them of greater benefit to the aging and more responsive to their needs;

(3) To act as the single state agency, under Public Law 89-73 or any law amendatory or supplemental thereto of the Congress of the United States, and as the sole agency for administering or supervising the administration of such plans as may be adopted in accordance with the provisions of such law or laws. As such agency, the Department shall have authority to prepare, submit and carry out state plans and shall be the agency primarily responsible for coordinating state programs and activities related to the purposes of, or undertaken under, such plans or laws;

(4) With the approval of the Governor, to apply for and expend such grants, gifts or bequests from any source as may become available in connection with its duties under this section, and is authorized to comply with such conditions and requirements as may be imposed in connection therewith;

(5) To hold such hearings and conduct such investigations as are necessary to pass upon applications for approval of a project under the plans and laws set out in (3) hereof, and shall make such reports to the Secretary of the United States Department of Health and Human Services as may be required;

(6) [Repealed.]

(7) To designate area agencies on aging pursuant to Public Law 89-73 or any law amendatory or supplemental thereto of the Congress of the United States and to promulgate rules and regulations for the composition and operation of such area agencies on aging;

(8), (9) [Repealed.]

(10) *To provide information to consumers and their representatives concerning the proper features of special care units. Such information shall educate consumers and their representatives on how to choose special care and may include brochures and electronic bulletin board notices.*

(b) The governing body of any county, city or town may appropriate funds for support of area agencies on aging designated pursuant to subdivision (a) (7) hereof.

(c) The Governor is authorized to select such persons as may be qualified, as an advisory board, to assist the Department in the performance of the duties imposed upon it herein.

(d) All agencies of the Commonwealth shall assist the Department in effectuating its functions in accordance with its designation as the single state agency as required in subdivision (a) (3) above.