

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 640

An Act to amend and reenact § 2.1-760 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 47 of Title 2.1 a section numbered 2.1-768.1, relating to home health services.

[S 1196]

Approved March 28, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-760 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 47 of Title 2.1 a section numbered 2.1-768.1 as follows:

§ 2.1-760. Definitions.

As used in this chapter, unless the context requires otherwise:

"Council" means the Virginia Interagency Coordinating Council.

"Early intervention services" means services provided through Part H of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.), *as amended*, designed to meet the developmental needs of each child and the needs of the family related to enhancing the child's development and provided to children from birth to age three who have (i) a twenty-five percent developmental delay in one or more areas of development, (ii) atypical development, or (iii) a handicapping condition. *Early intervention services provided in the child's home in accordance with this chapter shall not be construed to be home health services as referenced in § 32.1-162.7.*

"Participating agencies" means the Departments of Health, of Education, of Medical Assistance Services, of Mental Health, Mental Retardation and Substance Abuse Services, and of Social Services; the Departments for the Deaf and Hard-of-Hearing, for the Visually Handicapped, and for Rights of Virginians with Disabilities; and the Bureau of Insurance within the State Corporation Commission.

§ 2.1-768.1. *License not required.*

Notwithstanding the provisions of § 32.1-162.9, no person who provides early intervention services in accordance with this chapter shall be required to be licensed as a home care organization to provide these services in a child's home.