

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to provide for the authorization and acceptance of certain certificate of public need*
3 *applications.*

4
5 Approved

[S 490]

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

7 1. § 1. *Certain certificate of public need applications authorized.*

8 A. *Notwithstanding the provisions of § 32.1-102.3:2 or the provisions of any current Request For*
9 *Applications (RFAs) issued by the Commissioner of Health pursuant to § 32.1-102.3:2, the*
10 *Commissioner of Health shall reissue a Request For Applications for sixty new nursing home or nursing*
11 *facility beds in Planning District 11 when (i) pursuant to the 1997 determination of a 240-nursing home*
12 *bed need in Planning District 11 and the issuance by the Commissioner of Health of the formal legal*
13 *notice of Request For Certificate of Public Need Applications, a certificate of public need for sixty new*
14 *nursing home or nursing facility beds was issued to an existing nursing home in Planning District 11,*
15 *and (ii) the sixty-bed certificate of public need issued pursuant to the 1997 Request For Applications for*
16 *Planning District 11 to such nursing home has been formally surrendered by the company owning such*
17 *nursing home because of lack of the requisite financing.*

18 *The Commissioner shall authorize and accept applications for such sixty nursing home or nursing*
19 *facility beds and may issue one or more certificates of public need for an increase of such sixty new*
20 *beds in which nursing facility or extended care services are to be provided to existing facilities within*
21 *Planning District 11. The Commissioner shall give preference in reissuing any certificate of public need*
22 *for these sixty beds to facilities located in a rapid-growth area of Planning District 11.*

23 B. *Further, notwithstanding the provisions of § 32.1-102.3:2 or the provisions of any current Request*
24 *For Applications (RFAs) issued by the Commissioner of Health pursuant to § 32.1-102.3:2, the*
25 *Commissioner of Health shall also reissue a Request For Applications for 120 new nursing home or*
26 *nursing facility beds in Planning District 13 when (i) pursuant to the 1997 determination of a*
27 *240-nursing home bed need in Planning District 13 and the issuance by the Commissioner of Health of*
28 *the formal legal notice of Request For Certificate of Public Need Applications, a certificate of public*
29 *need for 120 new nursing home or nursing facility beds was issued to a for-profit nursing home*
30 *operating company incorporated in January 1973, and (ii) such 120-bed certificate of public need issued*
31 *pursuant to the 1997 Request For Applications for Planning District 13 to such nursing home*
32 *corporation was scheduled for completion by April 2000; however, the company awarded this 120-bed*
33 *certificate of public need has not started construction because of lack of the requisite financing and,*
34 *thus, the relevant certificate of public need has expired.*

35 *The Commissioner shall authorize and accept applications for such 120 nursing home or nursing*
36 *facility beds and may issue one or more certificates of public need for an increase of such 120 new*
37 *beds in which nursing facility or extended care services are to be provided to existing or proposed new*
38 *facilities within Planning District 13.*

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