

2004 SESSION

REPRINT

CHAPTER 91

An Act to amend and reenact Chapter 912 of the Acts of the Assembly of 2000, relating to amendment of certain certificate of public need.

[S 388]

Approved March 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That Chapter 912 of the Acts of Assembly of 2000 is amended and reenacted as follows:

§ 1. Amendment of certain certificate of public need authorized.

Notwithstanding the provisions of subdivision 6 of § 32.1-102.3:2 as in effect on June 30, 1996, the Commissioner of Health may accept and approve a request to amend the conditions of a certificate of public need issued to a continuing care provider registered with the State Corporation Commission pursuant to Chapter 49 (§ 38.2-4900 et seq.) of Title 38.2 for an increase in beds in which nursing facility or extended care services are provided to allow such continuing care provider to continue, until ~~the continuing care contract holders constitute ninety percent of the occupancy for such facility~~ or July 1, 2004 2008, whichever is the first to occur, to admit patients, other than continuing care contract holders, with whom the facility has an agreement with the individual responsible for the patient for private payment of the costs upon the following conditions being met: (i) the continuing care community is established for the care of retired military personnel and their ~~families~~ spouses or widows or widowers and (ii) the facility's ~~bond requires that the nursing home unit maintain a ninety percent contract holder~~ occupancy rate *is less than 85 percent*.