

## 2004 SESSION

### HOUSE SUBSTITUTE

043471260

#### HOUSE BILL NO. 501

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions  
on February 3, 2004)

(Patrons Prior to Substitute—Delegates Callahan and Rapp [HB 684])

*A BILL to amend and reenact Chapter 912 of the 2000 Acts of Assembly, relating to amendment of  
certain certificate of public need.*

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

**1.** § 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 on July 1, 2004 2008, which ever 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.

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