

**Department of Planning and Budget
2004 Fiscal Impact Statement**

1. Bill Number House Bill 635

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|------------------------|---------------------------------------|-------------------------------------|--|
| House of Origin | <input type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input checked="" type="checkbox"/> Enrolled |

2. Patron John M. O'Bannon, III

3. Committee Passed Both Houses

4. Title Exception to regulation for assisted living facilities

5. Summary/Purpose: As amended, this bill authorizes an exception to the regulatory requirement for assisted living facilities with special Alzheimer's care units that at least two direct care staff members be awake and on duty at all times who shall be responsible for the care and supervision of the residents under very limited circumstances. The exception will only be granted when the facility (i) offers a safe, secure environment in a freestanding self-contained unit for residents who have been assessed by an independent clinical psychologist or a licensed physician as having a serious cognitive impairment due to a primary diagnosis of dementia; (ii) has an individual facility capacity that does not exceed five residents; (iii) is located in a converted single-family dwelling located in an established residential neighborhood in any county having a population of no less than 259,000 and no greater than 263,000; (iv) has at least one direct care staff member in such facility at all times that residents are present who shall be responsible for the care and supervision of the residents; (v) has established written emergency procedures that provide for prompt assistance to the direct caregiver by other staff members who may be located at locations other than the facility where the assistance is requested; and (vi) is operated by a Virginia limited liability company that operates at least three such facilities with a combined minimum of 15 residents; and (vii) has provided written notice to the resident and his legally authorized representative at the time of admission that one direct care staff member rather than two are present at all times.

6. No Fiscal Impact

7. Budget amendment necessary: No

8. Fiscal implications: None

9. Specific agency or political subdivisions affected:
Department of Social Services

10. Technical amendment necessary: No

11. Other comments: None

Date: 02/19/04 / kwm

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cc: Secretary of Health and Human Resources