

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

3 [H 2639]

4 Approved

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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, any regulations of the Board of Health*
9 *establishing standards for the approval and issuance of Requests for Applications, or the provisions of*
10 *any current Request for Applications (RFAs) issued by the Commissioner of Health pursuant to*
11 *§ 32.1-102.3:2, the Commissioner of Health shall reissue a Request for Applications for 60 new nursing*
12 *home or nursing facility beds in Planning District 12 when (i) pursuant to the 1997 determination of a*
13 *240-nursing home bed need in Planning District 12 and the issuance by the Commissioner of Health of*
14 *the formal legal notice of Request for Certificate of Public Need Applications, a certificate of public*
15 *need for 60 new nursing home or nursing facility beds was issued to an existing nursing home in*
16 *Planning District 12; and (ii) the scheduled date for completion has passed for the previously issued*
17 *certificate, the company awarded the 60-bed certificate of public need has not started construction, and,*
18 *thus, the relevant certificate of public need has expired.*19 *B. The Commissioner shall authorize and accept applications for such 60 nursing home or nursing*
20 *facility beds and may issue a certificate of public need for an increase of such 60 new beds in which*
21 *nursing facility or extended care services are to be provided to establish a new facility within Planning*
22 *District 12. The Commissioner shall give preference in reissuing any certificate of public need for the*
23 *60 beds to an application that proposes to establish a new nursing facility located within three miles of*
24 *the boundary of the county seat or within the county seat of the county for which the now-expired*
25 *certificate of public need authorized construction of 60 new nursing home or nursing facility beds.*

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