

# VIRGINIA ACTS OF ASSEMBLY -- 2009 SESSION

## CHAPTER 394

*An Act to authorize an amendment to a certain certificate of public need.*

[H 1605]

Approved March 27, 2009

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

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

*Notwithstanding the provisions of subdivision 10 of § 32.1-102.3:2 of the Code of Virginia as in effect on June 30, 1996, or the provisions of Chapter 868 of the Acts of Assembly of 2000, Chapter 486 of the Acts of Assembly of 2003, and Chapter 776 of the Acts of Assembly of 2006, the Commissioner of Health may accept and approve a request, pursuant to this act, to amend the conditions of a certificate of need issued for an increase in beds in which nursing facility or extended care services are provided to allow such facility to continue to admit persons, other than residents of the cooperative units, to its nursing facility beds through June 30, 2012, when such facility (i) is operated by an association described in § 55-458 of the Code of Virginia; (ii) was created in connection with a real estate cooperative; (iii) offers its residents a level of nursing services consistent with the definition of continuing care in Chapter 49 (§ 38.2-4900 et seq.) of Title 38.2 of the Code of Virginia; and (iv) was issued a certificate of need prior to October 3, 1995.*