

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to authorize a certain certificate of public need in Planning District 11.

[S 1434]

Approved

Be it enacted by the General Assembly of Virginia:

1. § 1. *That, notwithstanding the provisions of § 32.1-102.3:2 of the Code of Virginia, any regulations of the Board of Health, or provisions of any current Request for Applications, the Commissioner of Health shall accept applications for, including applications filed prior to the passage of this act, and may issue a certificate of public need authorizing an increase of no more than 50 nursing home beds for the establishment of a new 90-bed nursing home in Planning District 11, provided that (i) any such application to establish a new 90-bed nursing home in Planning District 11 shall also propose the replacement and relocation of all nursing home beds of an existing nursing home located in Planning District 11, licensed as of December 31, 2010, of no more than 45 licensed beds, all of which shall be relocated to the new 90-bed nursing home; (ii) Virginia Health Information shall have reported that the fiscal year 2009 occupancy rate of the nursing home to be replaced was at least 85 percent; and (iii) such new 90-bed nursing home shall be located in the city or county that is adjacent to the city or county of the nursing home that shall be replaced and relocated.*

2. *That an emergency exists and this act is in force from its passage.*