

VIRGINIA ACTS OF ASSEMBLY -- 2012 SESSION

CHAPTER 301

An Act to repeal §§ 32.1-102.3:5 and 32.1-102.3:6 of the Code of Virginia, relating to certificates of public need for nursing home beds.

[H 535]

Approved March 21, 2012

Be it enacted by the General Assembly of Virginia:

- 1. That §§ 32.1-102.3:5 and 32.1-102.3:6 of the Code of Virginia are repealed.**
- 2. That the Department of Health, in consultation with stakeholders including but not limited to representatives of the Virginia Health Care Association, the Virginia Hospital and Healthcare Association, and the Virginia Association of Nonprofit Homes for the Aging shall (i) review the provisions of § 32.1-102.3:5 and develop recommendations related to the Commissioner's acceptance of applications for relocation of nursing home beds without prior issuance of a Request for Applications, and (ii) review provisions of § 32.1-102.3:2 related to continuing care retirement community open admissions periods and develop criteria and procedures for extensions of open admissions periods that include provisions for notice and written comment.**
- 3. That the provisions of this act shall not prevent any entity that has relocated beds pursuant to § 32.1-102.3:5 of the Code of Virginia and thereafter given the Commissioner of Health notice of its intention to close the facility on or before January 15, 2012, from relocating the remaining beds to another facility, either existing or new, under common ownership and control nor shall the provisions of this act prevent the Commissioner of Health from accepting an application and issuing a certificate of public need for such relocation.**