

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 535]

5 Approved

6 Be it enacted by the General Assembly of Virginia:

7 1. That §§ 32.1-102.3:5 and 32.1-102.3:6 of the Code of Virginia are repealed.

8 2. That the Department of Health, in consultation with stakeholders including but not limited to
9 representatives of the Virginia Health Care Association, the Virginia Hospital and Healthcare
10 Association, and the Virginia Association of Nonprofit Homes for the Aging shall (i) review the
11 provisions of § 32.1-102.3:5 and develop recommendations related to the Commissioner's
12 acceptance of applications for relocation of nursing home beds without prior issuance of a Request
13 for Applications, and (ii) review provisions of § 32.1-102.3:2 related to continuing care retirement
14 community open admissions periods and develop criteria and procedures for extensions of open
15 admissions periods that include provisions for notice and written comment.

16 3. That the provisions of this act shall not prevent any entity that has relocated beds pursuant to
17 § 32.1-102.3:5 of the Code of Virginia and thereafter given the Commissioner of Health notice of
18 its intention to close the facility on or before January 15, 2012, from relocating the remaining beds
19 to another facility, either existing or new, under common ownership and control nor shall the
20 provisions of this act prevent the Commissioner of Health from accepting an application and
21 issuing a certificate of public need for such relocation.

ENROLLED

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