

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 63.2-1701 of the Code of Virginia, relating to licensure of child welfare*  
3 *agencies operated by agencies of the Commonwealth.*

[H 2156]

Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 63.2-1701 of the Code of Virginia is amended and reenacted as follows:**8 **§ 63.2-1701. Licenses required; issuance, expiration, and renewal; maximum number of**  
9 **residents, participants or children; posting of licenses.**10 A. *As used in this section, "person who operates or maintains a child welfare agency" means any*  
11 *individual; corporation; partnership; association; limited liability company; local government; state*  
12 *agency, including any department, institution, authority, instrumentality, board, or other administrative*  
13 *agency of the Commonwealth; or other legal or commercial entity that operates or maintains a child*  
14 *welfare agency.*15 B. Every person who constitutes, or who operates or maintains, an assisted living facility, adult day  
16 care center, or child welfare agency shall obtain the appropriate license from the Commissioner, which  
17 may be renewed. However, no license shall be required for an adult day care center that provides  
18 services only to individuals enrolled in a Programs of All-Inclusive Care for the Elderly program  
19 operated in accordance with an agreement between the provider, the Department of Medical Assistance  
20 Services and the Centers for Medicare and Medicaid Services. The Commissioner, upon request, shall  
21 consult with, advise, and assist any person interested in securing and maintaining any such license. Each  
22 application for a license shall be made to the Commissioner, in such form as he may prescribe. It shall  
23 contain the name and address of the applicant and, if the applicant is an association, partnership, limited  
24 liability company, or corporation, the names and addresses of its officers and agents. The application  
25 shall also contain a description of the activities proposed to be engaged in and the facilities and services  
26 to be employed, together with other pertinent information as the Commissioner may require.27 ~~B.~~ C. The licenses shall be issued on forms prescribed by the Commissioner. Any two or more  
28 licenses may be issued for concurrent operation of more than one assisted living facility, adult day care  
29 center, or child welfare agency, but each license shall be issued upon a separate form. Each license and  
30 renewals thereof for an assisted living facility, adult day care center, or child welfare agency may be  
31 issued for periods of up to three successive years, unless sooner revoked or surrendered. Licenses issued  
32 to child day centers under this chapter shall have a duration of two years from date of issuance.33 ~~C.~~ D. The length of each license or renewal thereof for an assisted living facility shall be based on  
34 the judgment of the Commissioner regarding the compliance history of the facility and the extent to  
35 which it meets or exceeds state licensing standards. On the basis of this judgment, the Commissioner  
36 may issue licenses or renewals thereof for periods of six months, one year, two years, or three years.37 ~~D.~~ E. The Commissioner may extend or shorten the duration of licensure periods for a child welfare  
38 agency whenever, in his sole discretion, it is administratively necessary to redistribute the workload for  
39 greater efficiency in staff utilization.40 ~~E.~~ F. Each license shall indicate the maximum number of persons who may be cared for in the  
41 assisted living facility, adult day care center, or child welfare agency for which it is issued.42 ~~F.~~ G. The license and any other documents required by the Commissioner shall be posted in a  
43 conspicuous place on the licensed premises.44 ~~G.~~ H. Every person issued a license that has not been suspended or revoked shall renew such license  
45 prior to its expiration.

ENROLLED

HB2156ER