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## SENATE BILL NO. 1077

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services  
on January 25, 2019)

(Patron Prior to Substitute—Senator Howell)

A BILL to require the State Board of Social Services to amend its regulations regarding generator requirements for assisted living facilities.

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

1. § 1. That the State Board of Social Services shall amend its regulations governing emergency preparedness and response plans and temporary emergency electrical power sources of assisted living facilities to require the following:

1. Any assisted living facility that is equipped with an on-site emergency generator shall (i) include in its emergency preparedness and response plan a description of the emergency generator's capacity to provide sufficient power for the operation of lighting, ventilation, temperature control, supplied oxygen, and refrigeration and (ii) test such emergency generator monthly and maintain records of such tests; and

2. Any assisted living facility that is not equipped with an on-site emergency generator shall (i) enter into an agreement with a vendor capable of providing the assisted living facility with an emergency generator for the provision of electricity during an interruption of the normal electric power supply; (ii) enter into at least one agreement with a separate vendor capable of providing an emergency generator in the event that the primary vendor is unable to comply with its agreement with the assisted living facility during an emergency; and (iii) have its temporary emergency electrical power source connection tested at the time of installation and every two years thereafter by a contracted vendor and maintain records of such tests.

§ 2. The State Department of Social Services shall provide notice to all licensed assisted living facilities regarding the date by which such assisted living facilities must comply with the regulations promulgated pursuant to this act.