

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1221-E

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Obenshain

3. Committee: Passed the House

4. Title: Assisted living facilities; minimum liability insurance.

5. Summary: Requires the Board of Social Services to adopt regulations requiring each assisted living facility to maintain a minimum amount of liability insurance, as determined by the Board, and provide notice of such insurance, upon request, to any resident or prospective resident. Under current law, assisted living facilities must provide a statement disclosing whether the facility maintains liability insurance but can only state that it does if it meets a minimum amount of coverage established by the Board. Additionally, the engrossed bill clarifies that no assisted living facility shall be immune for civil liability on the ground that it is a charitable institution.

An enactment clause requires regulations to be effective within 280 days of the bill's enactment and exempts assisted living facilities from the provisions of the act and regulations promulgated until 180 days have passed from the effective date of the regulations promulgated by the Board.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: This bill makes minimum liability coverage mandatory for assisted living facilities. Department of Social Services (DSS) licensing inspectors will need to add this requirement to their review of assisted living facilities. DSS can absorb this requirement into current operations; therefore, this legislation does not have a fiscal impact.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services, Virginia Department of Health, Department of Behavioral Health and Disability Services

10. Technical Amendment Necessary: No.

11. Other Comments: None.