

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 943

An Act to authorize implementation of a certain program for persons living with AIDS.

[H 1187]

Approved April 20, 1994

Whereas, from the earliest days of the AIDS epidemic, the private citizens and government of the Commonwealth of Virginia have joined together to provide needed services to infected persons; and

Whereas, these efforts have resulted in recognition of Virginia as an innovator in using available resources and developing new combinations of resources to meet the ever-growing needs of persons living with AIDS; and

Whereas, Virginia is justifiably proud of the efforts of its citizens to provide care to persons living with AIDS, particularly those volunteers and untiring workers within community organizations who have made low-cost care alternatives a reality; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. *Implementation of certain program for persons living with acquired immunodeficiency syndrome (AIDS).*

Notwithstanding any provision of Article 1 of Chapter 9 of Title 63.1 of the Code of Virginia, as amended, the Department of Social Services may issue a license as an adult care residence to a facility which (i) is located in a city having a population of 200,000 to 205,000, (ii) is established exclusively to provide care for persons living with AIDS, particularly during end-stage disease, (iii) is operated by a nonprofit organization providing services to HIV-infected individuals, (iv) has obtained funding from the Department of Housing and Urban Development prior to January 1, 1994, (v) has a written agreement with one or more home health agencies for the provision of any intravenous therapy to residents of the home, (vi) has been licensed pursuant to Article 7 of Chapter 5 of Title 32.1 of the Code of Virginia, and (vii) is in compliance with all local zoning requirements.

Only home health agencies licensed by the Virginia Department of Health or any successor in interest of the Department shall provide the care referenced in clause (v) above. In no case shall any officer or employee of the adult care residence have any investment interest in any home health agency with which such adult care residence has a written agreement for provision of care.