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## SENATE BILL NO. 1172

Offered January 21, 1999

A *BILL to amend and reenact § 32.1-126 of the Code of Virginia, relating to licensure of nursing homes.*

Patrons—Woods, Bolling, Gartlan, Lambert, Martin, Schrock and Walker; Delegates: Brink, Davies, Diamonstein, Hall, Hamilton, Melvin and Morgan

Referred to Committee on Education and Health

**Be it enacted by the General Assembly of Virginia:****1. That § 32.1-126 of the Code of Virginia is amended and reenacted as follows:**

§ 32.1-126. Commissioner to inspect and to issue licenses to or assure compliance with certification requirements for hospitals, nursing homes and certified nursing facilities; notice of denial of license; consultative advice and assistance.

A. Pursuant to this article, the Commissioner shall issue licenses to, and assure compliance with certification requirements for, hospitals and nursing homes, and assure compliance with certification requirements for facilities owned or operated by agencies of the Commonwealth as defined in subdivision (vi) of § 32.1-124, which after inspection are found to be in compliance with the provisions of this article and with all applicable state and federal regulations. The Commissioner shall notify by certified mail or by overnight express mail any applicant denied a license of the reasons for such denial.

B. *The Commissioner shall issue a license to any nursing home that is accredited by the Joint Commission on the Accreditation of Health Care Organizations or the Continuing Care Accreditation Commission. For any nursing home licensed pursuant to this subsection, the Commissioner shall retain the authority to inspect the nursing home at the Commissioner's discretion, and to impose an administrative sanction in accordance with § 32.1-135 when the Commissioner determines such action is necessary to protect the health and safety of residents of the nursing home.*

~~BC. The~~ Except as provided for in subsection B, the Commissioner shall cause each and every hospital, nursing home, and certified nursing facility to be inspected periodically, but not less often than biennially, in accordance with the provisions of this article and regulations of the Board.

CD. The Commissioner may, in accordance with regulations of the Board, provide for consultative advice and assistance, with such limitations and restrictions as he deems proper, to any person who intends to apply for a hospital or nursing home license or nursing facility certification.

**2. That the Board of Health shall promulgate regulations to carry out the purposes of this act within 280 days of enactment. Such regulations shall include, but not be limited to, provisions for patient rights and public access to accreditation information.**

INTRODUCED

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