

22 VAC 40-60-90. Requirements for licensee.

A. The licensee shall ensure compliance with all regulations for licensed adult day care centers and terms of the license issued by the department; with other relevant federal, state or local laws and regulations; and with the center's own policies.

B. The licensee shall meet the following requirements:

1. The licensee shall be of good character and reputation.
2. The licensee shall protect the physical and mental well-being of the participants.
3. The licensee shall keep such records and make such reports as required by this chapter for licensed adult day care centers. Such records and reports may be inspected at any reasonable time in order to determine compliance with this chapter.
4. The licensee shall meet the qualifications of the administrator if he assumes those duties.

22 VAC 40-60-100. (Repealed.)**22 VAC 40-60-110. Deceptive representation or advertisement.**

An adult day care center shall not make, publish, disseminate, circulate, or place before the public, or cause, directly or indirectly, to be made an advertisement of any sort regarding services or anything so offered to the public, that contains any promise, assertion, representation, or statement of fact which is untrue, deceptive, or misleading.

22 VAC 40-60-120. Operational responsibilities.

~~The licensee shall be responsible for the overall planning of the program and services to be provided by the center. The operational responsibilities of the licensee shall include, but not be limited to, the following:~~

22 VAC 40-60-120.

1. To develop a written statement of the purpose and scope of the services to be provided by the center, a description of adults who may be accepted into the program as well as those whom the program cannot serve, and written policies under which the center will operate;

NOTE: This requirement applies only to initial application for licensure unless there is a significant change.

2. To ensure that the center's activities, services, and facilities are maintained in compliance with this chapter, with the terms of the current license issued by the department and with other relevant federal, state, or local laws and regulations;

3. To appoint and identify in writing a director to be responsible for the day-to-day operation and management of the center, except when the sponsor is an individual who serves as the director or a partnership in which a partner serves as the director;

4. To provide for an adequate number of qualified staff capable of carrying out the operation of the program;

5. To develop a written organizational chart indicating lines of authority and a staffing plan which includes a staffing schedule; and

6. To establish sound policies under which the center shall operate.

22 VAC 40-60-130. (Repealed)**22 VAC 40-60-140. Liability insurance.**

The center shall maintain public liability insurance for bodily injury with a minimum limit of at least \$1,000,000 for each occurrence or \$1,000,000 aggregate. Evidence of insurance coverage shall be made available to the department's representative upon request.

NOTE: Language of specific policies may vary provided that the minimum amount of coverage is met.