

From: Licensing [mailto:DSS_LICENSING@LISTSERV.COV.VIRGINIA.GOV] **On Behalf Of** Williams, Edwina (VDSS)

Sent: Friday, September 22, 2017 2:59 PM

To: DSS_Licensing

Subject: General Procedures and Information for Licensure Update

The attached file is being sent to assisted living facilities and adult day care centers from the Virginia Department of Social Services Email Distribution Service.

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

MEMORANDUM

TO: Licensed Assisted Living Facilities
Licensed Adult Day Care Centers

FROM: Tara Davis-Ragland, Director, Division of Licensing – Adult Programs

DATE: September 21, 2017

SUBJECT: Revisions to General Procedures and Information for Licensure

The Division of Licensing Programs' regulation, 22 VAC 40-80 General Procedures and Information for Licensure, has been revised to conform with changes made to the Code of Virginia by the 2017 Session of the General Assembly. This action was exempt from the full Administrative Process Act regulatory process because the sole purpose of the revision was only to incorporate changes in state law.

The amended General Procedures and Information for Licensure was published as a final regulation in the Virginia Register of Regulations on September 18, 2017. (*Volume 34, Issue 2*) The website is: <http://register.dls.virginia.gov>

The effective date of the amended regulation is October 19, 2017.

The amendment to General Procedures and Information for Licensure that affects the adult licensing program is found in 22 VAC 40-80-340.6.e which changes the aggregate amount of civil penalties in assisted living facilities to not exceed \$10,000 from a 24-month period to a 12-month period of time:

“Assessing a civil penalty for each day an assisted living facility is or was out of compliance with the terms of its license and the health, safety, and welfare of residents are at risk. The aggregate amount of such civil penalties shall not exceed \$10,000 in any 12-month period. Criteria for imposition of civil penalties and amounts, expressed in ranges, are developed by the board and are based upon the severity, pervasiveness, duration, and degree of risk to the health, safety, or welfare of residents. Such civil penalties shall be applied by the commissioner in a consistent manner;” (*Reference: Code of Virginia § 63.2-1709.2*)

If you have any questions, please contact your licensing inspector.

Thank you