

From: Quade, Marty (VDSS) <Marty.Quade@dss.virginia.gov>

Sent: Tuesday, August 13, 2024 4:35 PM

Subject: Notice of Intended Regulatory Action (NOIRA) for 22VAC407-73 Standards for Licensed Assisted Living Facilities - MEMO

The attached memorandum is being sent to assisted living facilities from the Virginia Department of Social Services Email Distribution Service.

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: August 13, 2024

TO: Assisted Living Facilities

FROM: Tara Ragland, Director
Division of Licensing Programs

SUBJECT: Notice of Intended Regulatory Action for 22VAC40-73, *Standards for Licensed Assisted Living Facilities*

The Virginia Department of Social Services is providing notice of intended regulatory action (NOIRA) to amend regulation 22VAC40-73, *Standards for Licensed Assisted Living Facilities*.

The proposed amendments in this action will replace the emergency liability insurance regulations that became effective July 26, 2024, and last for 18 months, with permanent regulations in accordance with Chapter [580](#) of the 2023 Acts of the General Assembly and [§2.2-4011](#) of the Code of Virginia. The purpose of the proposal is to determine the need for additional amendments.

The emergency changes in *Standards for Licensed Assisted Living Facilities* (22VAC40-73) will be published in the Virginia Register of Regulations (Volume 40, [Issue 26](#)) on August 12, 2024. Public comment is being sought on the review of any issue relating to this regulation, including but not limited to (i) the costs and benefits of the regulatory proposal; (ii) the minimum insurance amounts required per licensed capacity tier; and (iii) the potential impacts of the regulation.

The public comment period begins on August 12, 2024, and ends on September 11, 2024.

Comments on the proposed regulation may be submitted via Regulatory Town Hall at <https://www.townhall.virginia.gov>; or by mail, fax, or email to: Samantha Fogt; Licensing Consultant, Virginia Department of Social Services, Division of Licensing Programs, 5600 Cox Road, Glen Allen, Virginia 23060; fax (804)726-7132; email samantha.fogt@dss.virginia.gov.