



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: April 21, 2026
TO: Assisted Living Facilities
FROM: Tara Ragland, Director
Division of Licensing Programs
SUBJECT: 2026 Legislative Information

The purpose of this memorandum is to inform you of the legislation that passed in the 2026 General Assembly session that affects assisted living facilities (ALF).

[Senate Bill 409](#)

This bill requires assisted living facilities to allow residents, or their legal representatives, to use electronic monitoring devices in their rooms when specified criteria are met. It defines “electronic monitoring” as the use of a surveillance device with a fixed position video camera or audio recording device, or a combination thereof, which is installed in a resident's room and broadcasts or records activities or sounds occurring within the confines of the room.

This bill outlines requirements for electronic monitoring conducted by the ALF. It establishes requirements for the use of electronic monitoring devices to include informed consent, the use of devices in shared rooms, fees, and custodial ownership of recordings. Additionally, the bill requires each ALF to adopt policies and procedures for electronic monitoring.

This bill becomes effective when regulations promulgated by DSS become effective. DSS intends to submit an exempt regulatory action at the State Board of Social Services meeting on August 17, 2026. Following approval by both the State Board of Social Services and the administration, the regulations may become effective as early as fall 2026.

[House Bill 1522](#)

This bill requires ALF to have and maintain an automated external defibrillator (AED) and have staff trained to use an AED before an initial or renewal license is issued.

This bill becomes effective July 1, 2026. ALF should ensure that an AED, as defined by [§ 32.1-111.1](#), is available at the facility and that staff are trained appropriately to operate the device. Typically, CPR training courses have an AED module, and completion of the AED module is reflected on the course certificate.

[Senate Bill 677](#)

This bill exempts adult day centers, assisted living facilities, children's residential facilities, and child-caring institutions from restaurant regulatory requirements when they provide care for 12 or fewer individuals in a home. This bill is identical to [House Bill 840](#).

This bill becomes effective July 1, 2026. Questions regarding a licensed program's eligibility for this exemption should be directed to the program's [local health department](#).

Please contact your licensing inspector if you have any questions.