



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Health
<b>Virginia Administrative Code (VAC) citation</b>	12 VAC 5 - 371
<b>Regulation title</b>	Regulations for the Licensure of Nursing Facilities
<b>Action title</b>	To revise section 160 relating to liability insurance in cases of injury, neglect or criminal acts of the facility
<b>Final agency action date</b>	
<b>Document preparation date</b>	April 15, 2013

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Senate Bill 750 (2013) requires that each nursing facility maintain liability insurance coverage minimum of \$1,000,000 and professional liability coverage at least equal to the recovery limit set forth in § 8.01-581.15 of the Code of Virginia to compensate residents and individuals harmed resulting from a facility's negligence or criminal act. Therefore, the department is amending the *Rules and Regulations for the Licensure of Nursing Facilities* (12 VAC 5-371) pursuant to § 2.2-4006 A 4a of the Code of Virginia (Code).

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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Pursuant to § 32.1-20 of the Code of Virginia, on August 9, 2013 the State Health Commissioner approved this action on behalf of the Board of Health when the Board was not in session.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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There is no direct impact on the institution of the family or family stability.