Virginia Department of Planning and Budget

Economic Impact Analysis

18 VAC 95-30 Regulations Governing the Practice of Assisted Living Facility Administrators
Department of Health Professions
Town Hall Action/Stage: 6795 / 11139 Proposed
November 13, 2026

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 17 (2026). The analysis presented below represents DPB's best estimate of the potential economic impacts as of the date of this analysis.[1]

Summary of the Proposed Amendments to Regulation

The Board of Long-Term Care Administrators (Board) proposes to 1) establish a $25 fee for a assisted living facility (ALF) administrator wall certificate, 2) eliminate the restriction that the ALF administrator-in-training (AIT) program could not take place in a facility with a licensed resident capacity of fewer than twenty, 3) require ALF preceptors to maintain copies of their progress and completion reports of AIT for no less than three years after the conclusion of training, 4) establish a period of three years under which credit may be counted towards completion of an AIT program, 5) allow an AIT to notify the board within ten business days instead of five when a preceptor can no longer serve or if the AIT changes preceptors or training facilities, 6) add two new bases for a finding of unprofessional conduct from which the Board may refuse to license or take disciplinary action, and 7) allow for up to two hours of continuing education to be satisfied through attendance at a board meeting or hearing where the licensee is not a participant.

[1] See Code § 2.2-4007.04 (A).

Background

This regulation contains rules for ALF administrators, preceptors, AITs, and acting AITs. As part of a periodic review, the Board proposes to generally update the regulatory language for clarity. The specific changes that go beyond clarification are discussed below.

Estimated Benefits and Costs

The Board proposes to establish a $25 fee for ALF administrator wall certificate. A wall certificate is not required to be displayed, but the Board currently offers these decorative certificates when obtaining a license. However, citing the rising costs of certificates, the Board proposes to charge $25 to those who want a decorative certificate. According to the Department of Health Professions (DHP), this change does not affect the continued practice of printing and mailing an individual license document that must be posted in accordance with regulations. In effect, this change would shift the costs associated with printing wall certificates from the Board to those who want a decorative certificate.

Four changes affect AITs. First, the Board proposes to eliminate the restriction that the assisted living facility AIT program could not take place in a facility with a licensed resident capacity of fewer than twenty. DHP reports that this change is in response to stakeholder input and recommendation from a regulatory advisory panel and would increase the number of facilities where an AIT training program may be conducted by approximately 120. Second, the Board would require ALF AIT preceptors to maintain copies of their progress and completion reports of AITs for no less than three years after the conclusion of training. According to DHP, this change would help to ensure that reports will be available for AITs when they apply for full licensure if they have either changed positions or taken time away from practice. Third, the Board proposes to establish a period of three years under which credit may be counted towards completion of an ALF AIT program. This is expected to allow AITs to pause their training for a period of time without the need to restart the entire program. Fourth, the Board proposes to allow more time (ten business days instead of five business days) for an ALF AIT to notify the Board when a preceptor can no longer serve or if the AIT changes preceptors or training facilities.

The Board proposes to add two bases for a finding of unprofessional conduct from which the Board may refuse to license or take disciplinary action. According to DHP, one of the new bases describes a pattern of behavior that interferes with resident care and could be reasonably

expected to adversely impact the quality of care; the other describes an action taken on a license, certification, or registration issued by any regulatory Board in Virginia. DHP states that the addition of the two new bases would enhance the Board's ability to protect residents' health and safety through disciplinary action against an administrator when necessary.

Finally, the Board also proposes to allow for up to two hours of continuing education (CE) requirement to be satisfied through attendance at a board meeting or hearing where the licensee is not a participant. DHP notes that this change is in line with other boards who permit CE credit for attendance of meetings and offers more opportunities for licensees to obtain CE hours.

Businesses and Other Entities Affected

According to DHP, currently there are 648 ALF administrators, 202 ALF preceptors, 125 ALF AITs, and two acting ALF AITs. No regulant appears to be disproportionally affected.

The Code requires DPB to assess whether an adverse impact may result from the proposed regulation.[2] An adverse impact is indicated if there is any increase in net cost or reduction in net benefit for any entity, even if the benefits exceed the costs for all entities combined.[3] As noted above, the proposed changes to establish a $25 fee for a wall certificate, require preceptors to maintain copies of reports about an AIT for no less than three years, and to add two new bases for a finding of unprofessional conduct would either increase costs or reduce revenues for affected parties. Thus, an adverse impact is indicated.

Small Businesses[4] Affected:[5]

The proposed amendments do not appear to adversely affect small businesses.

[2] See Code § 2.2-4007.04 (D).
[3] Statute does not define "adverse impact," state whether only Virginia entities should be considered, nor indicate whether an adverse impact results from regulatory requirements mandated by legislation. As a result, DPB has adopted a definition of adverse impact that assesses changes in net costs and benefits for each affected Virginia entity that directly results from discretionary changes to the regulation.
[4] Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as "a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than $6 million."
[5] See Code § 2.2-4007.04 (A.2). and Code § 2.2-4007.1 (C).

Localities[6] Affected[7]

The proposed amendments do not introduce costs for localities nor do they disproportionally affect them.

Projected Impact on Employment

Allowing approximately 120 smaller ALFs to conduct an AIT program may increase the total number of AITs. However, whether such an increase would lead to an increase in employment is not known. The remaining proposed changes are administrative in nature and are not expected to affect total employment.

Effects on the Use and Value of Private Property

No effects on the use and value of private property nor on real estate costs are expected.

[6] "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.
[7] Code § 2.2-4007.04 defines "particularly affected" as bearing disproportionate material impact.