

Department of Social Services
State Board of Social Services

22 VAC 40-71-10 et seq., *Standards and Regulations for Licensed Assisted Living Facilities*

Response to Economic Impact Analysis prepared by the
Department of Planning and Budget

The Department of Social Services basically concurs with the economic impact analysis. There are, however, a few inaccuracies and one area in which additional information has become available.

The most significant changes noted on the first page of the analysis include “requiring primary and periodic diagnosis of dementia for special care residents.” Correct statements are “requiring initial assessment of serious cognitive impairment due to a primary diagnosis of dementia for special care unit residents,” and “requiring periodic review of the appropriateness of continued residence in a special care unit.”

Another significant change noted is “establishing a new standard to have a glazed window in at least one of the common rooms of an assisted living facility.” A correct statement is “establishing a new standard to have a glazed window in at least one of the common rooms of a special care unit in a new building or one with a change in use group.”

There is a statement on the second page of the analysis that says “The proposed changes have been in effect since October 9, 2001 as emergency regulations.” The fact is that many, but not all, of the proposed changes have been in effect as emergency regulations.

There is a sentence on the second page that states “An assisted living residence may be a part of a nursing home, or it may be a stand-alone facility.” An accurate statement is “An assisted living residence may be in the same building as a nursing home, or it may be a stand-alone facility.”

On the fifth page of the analysis there is a statement that “However, the operators will be voluntarily undertaking the initial training, which indicates that the benefits to the operator exceed the costs.” This statement is incorrect; the initial training on health and safety regulations and resident rights is mandatory, except under certain conditions.

There is a sentence on the seventh page of the analysis that says “The number of facilities under the same building with a nursing home is not known.” Additional information has become available that there are about 45 of these facilities.

On the seventh and eighth pages there is a statement “This requirement will not apply if there are less than five residents in the unit and certain conditions are met.” The correct statement is “This requirement will not apply if there are no more than five residents in the unit and certain conditions are met.”