

Statement of Need for Emergency Action

This emergency action is a result of Virginia statutory law which requires that these regulatory changes be effective 280 days from enactment of the law, which occurred on March 29, 1999. Section 32.1-102.2 of the Code of Virginia requires the State Health Commissioner to condition the initial or renewal of a hospital or nursing home license on whether the applicant has complied with any agreement to provide a level of care at a reduced rate to indigents or accept patients requiring specialized care as a result of the granting of a Certificate of Public Need. Specifically, the proposed changes affect regulatory sections 12 VAC 5-371-40 (nursing facilities) and 12 VAC 5-410-70 (hospitals) respectively.