

From: **Williams, Edwina** <edwina.williams@dss.virginia.gov>
Date: Fri, Jun 26, 2020 at 11:31 AM
Subject: 2020 Legislative Implementation
To: <DSS_LICENSING@listserv.cov.virginia.gov>

The attached file is being sent to assisted living facilities from the Virginia Department of Social Services Email Distribution Service.

*****Please do not reply to this email.*****

To unsubscribe from the DSS_LICENSING list, click the following link:
https://listserv.cov.virginia.gov/scripts/wa.exe?SUBED1=DSS_LICENSING&A=1

SCROLL DOWN TO VIEW ATTACHMENT



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: June 26, 2020

TO: Assisted Living Facilities

FROM: Tara Ragland, Director
Division of Licensing Programs

SUBJECT: 2020 Legislative Implementation

The purpose of this memo is to inform you of legislation that passed in the 2020 Virginia General Assembly session that affects assisted living facilities. This legislation becomes effective July 1, 2020.

Senate Bill 686

SB 686 requires the Board of Social Services to amend 22VAC40-73-450 governing assisted living facility individualized service plans to require (i) that individualized service plans be reviewed and updated (a) at least once every 12 months or (b) sooner if modifications to the plan are needed due to a significant change in the resident's condition and (ii) that any deviation from the individualized service plan be documented in writing or electronically, include a description of the circumstances warranting deviation and the date such deviation will occur, certify that notice of such deviation was provided to the resident or his legal representative, be included in the resident's file, and in the case of deviations that are made due to a significant change in the resident's condition, be signed by an authorized representative of the assisted living facility and the resident or his legal representative.

Notice, including an effective date, will be sent out once this requirement is updated in the assisted living facility regulation.

Senate Bill 185

[SB 185](#) allows nursing home, assisted living facility, hospice program, and hospice facility employees and staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabidiol oil (CBD) or THC-A oil to a resident who has been issued a valid written certification for such medication.

Patient registration from the Virginia Department of Health Professions (VDHP) is required to possess CBD or THC-A oil, in addition to having a valid written certification from a board registered practitioner. The registration can be issued to a legal guardian in the case of an adult who is incapacitated. SB 185 allows employees and staff members to be the registered agent for such an individual. Information about the online registration process at VDHP can be found at:

<https://www.dhp.virginia.gov/pharmacy/PharmaceuticalProcessing/Patients.htm>

Senate Bill 355

[SB 355](#) directs the Board of Social Services to convene a work group to make recommendations regarding adoption of regulations for audio-visual recording of residents in assisted living facilities. The work group shall report its recommendations to the Board and the General Assembly by December 1, 2020.

Please contact your licensing inspector if you have any questions.