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**To:** [licensinglistserv@virginiainteractive.org](mailto:licensinglistserv@virginiainteractive.org)  
**Subject:** Independent Living

This file is being sent to providers of assisted living facilities and assisted living associations from the Virginia Department of Social Services Email Distribution Service.

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Happy Summer All,

I am writing to you today regarding individuals in ALFs who are classified as independent living status (ILS). As we are all aware, adult residential care is an evolving industry reflecting different models of care to meet the changing needs of those residents requiring different levels, kinds, and intensity of services. Aging in place is one such model being practiced in the industry and may be in your facility. Individuals may come to the ALF with the expectation that while they may function independently for the present time, declining physical and mental health may require their status to change from ILS to the residential level status (RLS) or the assisted living level status (ALS) of care. Some of you have multiple levels of care, others of you don't. Different views have been expressed by both licensing staff and providers in regards to how ILS persons should be handled in an ALF.

Presently, Standards for Licensed Assisted Living Facilities and § 63.2-1706 of the Code of Virginia do not make a distinction between ILS, RLS, and ALS persons in terms of who is or is not a resident. Anyone who "resides" in an ALF is a resident; some require care, others do not. The exceptions are employees of the ALF or individuals who have been granted an allowable variance to live with a spouse who is a resident in the ALF. Therefore, all ILS individuals are considered residents and all applicable standards and Code requirements need to be followed. Records of ILS residents are subject to inspections, however, they should not be pulled routinely, except to conduct a complaint investigation or as necessary. This guidance does not apply to persons living in any UNLICENSED sections of a building in which an ALF is located or any areas not subject to licensure by VDSS such as other buildings that may be in the same vicinity of an ALF but are not subject to licensure by VDSS such as a continuing care community.

As you are aware, there are a number of standards that either do not apply to ILS or place less stringent requirements compared to other residents. In light of the comprehensive revision of the ALF standards and trends in assisted living, we welcome any suggestions you may have regarding requirements applicable to these residents.

Lynne

Lynne A. Williams, Director  
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