

INSTRUCTIONS: RENEWAL APPLICATION FOR LICENSURE

Virginia Department of Social Services
Division of Licensing Programs

RENEWAL APPLICATION FOR LICENSURE OF A CHILD WELFARE AGENCY, ASSISTED LIVING FACILITY, OR ADULT DAY CARE CENTER

NOTE: A “child welfare agency” means a child day center, child-placing agency, children's residential facility, family day home, family day system, or independent foster home. (§ 63.2-100 Code of Virginia)

Required Submissions

Part I – Applicant Information

1. All applicants must complete and submit page 1, 2, and 16, and
2. Applicants who are **individuals/sole proprietors**, must also complete and submit page 3 and the required attachments (do not submit pages 4-15)
3. Applicants that are **partnerships**, must also complete and submit pages 4 and 5 and the required attachments (do not submit page 3 or pages 6-15)
4. Applicants that are **corporations**, must also complete and submit pages 6 and 7 and the required attachments (do not submit pages 3-5 or pages 8-15)
5. Applicants that are **associations**, must also complete and submit pages 8 and 9 and the required attachments (do not submit pages 3-7 or pages 10-15)
6. Applicants that are **limited liability companies (LLC)**, must also complete and submit pages 10 and 11 and the required attachments (do not submit pages 3-9 or pages 12-15)
7. Applicants that are **public agencies**, must also complete and submit page 12 and the required attachments (do not submit pages 3-11 or pages 13-15)
8. Applicants that are **business trusts**, must also complete and submit pages 13 and 14 and the required attachments (do not submit pages 3-12 or page 15)
9. Applicants that are **religious organizations** (if not a business type listed above) must also complete and submit page 15 and the required attachments (do not submit pages 3-14)

NOTE: To conduct business in Virginia, corporations, business trusts, and limited liability companies (LLCs) must have a current certificate of authority issued by the Virginia State Corporation Commission. Corporations, business trusts, and LLCs cannot be licensed as those business types without a current certificate of authority.

Part I - Attachments

Three Reference Letters

- Required for any new officers of a corporation, members of LLCs, partners, etc. and agents who have not previously submitted the reference letters

Exception: Public agencies are not required to submit reference letters

Personal Qualifying Information Form

- Required for all new officers of a corporation, members of LLCs, partners, etc. and agents who have not previously submitted this information if the person has within the last 10 years served as either a voting officer, director, or a principal stockholder of any child welfare, assisted living, adult day care, nursing home, behavioral or mental health facility, program or agency requiring licensure in Virginia or in another state

Exception: Public agencies are not required to submit Personal Qualifying Information forms

- A renewal application will be considered complete without the required Personal Qualifying Information form if an applicant/agent can document that he has requested information from another state in which he has been affiliated with a licensed human care facility, but that state has not submitted the requested information. Documented requests would include a copy of letter mailed or a copy of the envelope addressed to the facility, postal receipt, fax, or an email showing the form attached.

Part II – Program Addendum

All applicants must submit the addendum and required addendum attachments for their program type (child day center, assisted living facility, etc.).

Background Checks are required for all applicants

- An applicant for licensure to operate an assisted living facility or a children's residential facility has to have a background check one time. Current background checks must be submitted with the renewal application for any new officers/members/partners and agents whose background checks have not previously been submitted.
- Child welfare agency licensees (except children's residential facilities) are required by regulation to repeat background checks every three years. Background checks (sworn statement, central registry check, and criminal history record check) for officers/members/partners of current corporate/limited liability company/partnership licensees and agents are considered current if the checks are no older than three years. These will be checked by the Licensing Inspector as part of the renewal inspection. Background checks for any new officers/members/partners and agents must be submitted with the renewal application (if not previously submitted).

Family Day Homes – Contact with Local Zoning Administrator

1. If the zoning administrator indicates on the contact form (or otherwise communicates to Licensing) that:
 - Under no circumstances will local zoning allow more than x number of children, the license will not be renewed for more than x number of children; or
 - A special/conditional use permit is required, but with the special/conditional use permit, the licensee could have her current number of children, the renewal license may be issued for the current capacity if the family day home licensee provides documentation that she has applied for the special/conditional use permit. At the next inspection, the licensing inspector will inquire about the status of the permit. In most localities, a decision should have been made on the request for the permit. The licensee may have received a letter from Zoning that states the capacity allowed or she can have the Zoning Administrator complete another “Contact with Local Zoning Administrator” form to verify the capacity allowed. If the capacity must be reduced per instructions from the zoning administrator, the change will be handled as a modification to the license.
2. The zoning form is to be submitted just the first time the licensee submits a renewal (if it was not submitted with the initial application for licensure). One contact with the Zoning Administrator is sufficient unless the family day home relocates.
3. A family day home provider who already has a special/conditional use permit from local zoning does not need to have the Contact with Local Zoning form completed at renewal if there is documentation of the special/conditional use permit.

Part III - Fees

All applicants (except those submitting a renewal application following a conditional license) must submit the appropriate application/annual fee (see page 17 of the renewal application for amounts).

SPECIAL INSTRUCTIONS:

APPLICATION AT THE END OF CONDITIONAL LICENSURE

Current licensees with a conditional license must submit a complete renewal application 60 days prior to the end of the conditional licensure period.

No fee is required for a renewal application following a conditional license.

APPLICATION AT THE END OF PROVISIONAL LICENSURE

Current licensees with a provisional license must submit a complete renewal application and the appropriate fee 60 days prior to the end of the provisional licensure period.

CODE OF VIRGINIA

§ 63.2-1702 Investigation on receipt of application [for licensure].

Upon receipt of the application the Commissioner shall cause an investigation to be made of the activities, services and facilities of the applicant and of his character and reputation or, if the applicant is an association, partnership, limited liability company or corporation, the character and reputation of its officers and agents, and upon receipt of the initial application, an investigation of the applicant's financial responsibility. The financial records of an applicant shall not be subject to inspection if the applicant submits an operating budget and at least one credit reference. In the case of child welfare agencies and assisted living facilities, the character and reputation investigation upon application shall include background checks pursuant to § 63.2-1721; however, a children's residential facility shall comply with the background check requirements contained in § 63.2-1726. Records that contain confidential proprietary information furnished to the Department pursuant to this section shall be exempt from disclosure pursuant to subdivision 4 of § 2.2-3705.5.

§ 63.2-1707. Issuance or refusal of license; notification; provisional and conditional licenses.

Upon completion of his investigation, the Commissioner shall issue an appropriate license to the applicant if (i) the applicant has made adequate provision for such activities, services and facilities as are reasonably conducive to the welfare of the residents, participants or children over whom he may have custody or control; (ii) at the time of initial application, the applicant has submitted an operating budget and at least one letter of credit; (iii) he is, or the officers and agents of the applicant if it is an association, partnership, limited liability company or corporation are, of good character and reputation; and (iv) the applicant and agents comply with the provisions of this subtitle. Otherwise, the license shall be denied. Immediately upon taking final action, the Commissioner shall notify the applicant of such action.

Upon completion of the investigation for the renewal of a license, the Commissioner may issue a provisional license to any applicant if the applicant is temporarily unable to comply with all of the licensure requirements. The provisional license may be renewed, but the issuance of a provisional license and any renewals thereof shall be for no longer a period than six successive months. A copy of the provisional license shall be prominently displayed by the provider at each public entrance of the subject facility and shall be printed in a clear and legible size and style. In addition, the facility shall be required to prominently display next to the posted provisional license a notice that a description of specific violations of licensing standards to be corrected and the deadline for completion of such corrections is available for inspection at the facility and on the facility's website, if applicable.

At the discretion of the Commissioner, a conditional license may be issued to an applicant to operate a new facility in order to permit the applicant to demonstrate compliance with licensure requirements. Such conditional license may be renewed, but the issuance of a conditional license and any renewals thereof shall be for no longer a period than six successive months.