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Subject: Revisions to Chapter 73. Standards for Licensed Assisted Living Facilities
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COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: October 13, 2021

TO: Licensed Assisted Living Facilities

FROM: Tara Ragland, Director
Division of Licensing Programs

SUBJECT: Revisions to Chapter 73. *Standards for Licensed Assisted Living Facilities*

The regulation, 22VAC40-73, *Standards for Licensed Assisted Living Facilities*, has been revised to incorporate legislation passed during the 2021 Special Session I of the General Assembly that affects Assisted Living Facilities (ALFs) during a declared public health emergency related to a communicable disease of public health threat.

The amended regulation was published as a final regulation in the Virginia Register of Regulations on August 18, 2021. The effective date of the amended regulation is October 13, 2021. This action was exempt from the full Administrative Process Act regulatory process because the purpose of the revision was to incorporate the changes in state law.

The amendment made to the regulation at 22VAC40-73-540.E adds that during a declared public health emergency related to a communicable disease of public health threat that assisted living facilities establish a protocol to receive visits from a rabbi, priest, minister, or clergyman of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive or audiovisual technology and may require the person visiting a resident to comply with all reasonable requirements of the assisted living facility adopted to protect the health and safety of the person, residents, and staff of the assisted living facility.

A copy of the regulation and replacement pages can be found under the Regulations & Code sections on the ALF program page on the Virginia Department of Social Services

[website](#). Hard copies of the regulation can be ordered at by filling out this form through this [link](#). Contact your Licensing Inspector should you have questions.