
VIRGINIA STATE BUDGET

2009 Session

Budget Bill - SB850 (Introduced)

Bill Order » Office of Health and Human Resources » Item 294

Department of Health

Item 294	First Year - FY2009	Second Year - FY2010
Health Research, Planning, and Coordination (40600)	\$13,051,364	\$13,051,364
Health Research, Planning and Coordination (40603)	\$2,870,020	\$2,870,020
Regulation of Health Care Facilities (40607)	\$8,944,978	\$8,944,978
Certificate of Public Need (40608)	\$1,236,366	\$1,236,366
Fund Sources:		
General	\$2,890,814	\$2,890,814
Special	\$1,975,089	\$1,975,089
Dedicated Special Revenue	\$451,798	\$451,798
Federal Trust	\$7,733,663	\$7,733,663

Authority: §§ [32.1-102.1](#) through [32.1-102.12](#); [32.1-122.01](#) through [32.1-122.08](#); and [32.1-123](#) through [32.1-138.5](#), Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title XVIII and Title XIX of the U.S. Social Security Act, Federal Code.

A. Supplemental funding for the regional health planning agencies shall be provided *the first year only* from the following sources:

1. Special funds from Certificate of Public Need (40608) application fees in excess of those required to operate the COPN Program, provided the Program may retain special fund balances each year equal to of one month's operational needs in case of revenue shortfalls in the subsequent year.
2. The Department of Health shall revise annual agreements with the regional health planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures.

B. Failure of any regional health planning agency to establish or sustain business operations *the first year only* shall cause funds to revert to the Central Office to support health planning and Certificate of Public Need functions.

C. *Notwithstanding §§ [32.1-102.1](#), [32.1-102.1:1](#), [32.1-102.2:1](#), [32.1-102.3](#), [32.1-102.6](#), [32.1-102.12](#), [32.1-122.01](#), [32.1-122.03](#), [32.1-122.04](#), [32.1-122.05](#), [32.1-122.06](#), [32.1-122.07](#), [32.1-122.08](#), and [65.2-1300](#), Code of Virginia, beginning July 1, 2009, the Department of Health shall be responsible for all activities relating to the Certificate of Public Need process previously performed by the regional health planning agencies. Regional health planning agencies shall have no role in the Certification of Public Need process. Public hearings shall not be required and shall only occur if deemed necessary by the State Health Commissioner or upon request of the locality. The Division of Certificate of Public Need within the Office of Licensure and Certification shall conduct any public*

hearings deemed necessary by the State Health Commissioner or upon request of the locality. The Board of Health shall promulgate regulations establishing criteria for the State Health Commissioner to consider in conducting such public hearings.

€. *D.* The Commissioner of Health shall continue implementation of the "Five-Year Action Plan: Improving Access to Primary Health Care Services in Medically Underserved Areas and Populations of the Commonwealth." A minimum of \$150,000 the first year and \$150,000 the second year from the general fund shall be provided to the Virginia Office of Rural Health, as the state match for the federal Office of Rural Health Policy Grant. The Commissioner is authorized to contract for services to accomplish the plan.

Đ. *E.* Out of the Special Fund appropriation for this Item, \$278,000 the first year and \$278,000 the second year is appropriated from statewide indirect cost recoveries of this agency to match federal funds and support the programs of the ~~Center for Quality Health Care Services and Consumer Protection~~ *Office of Licensure and Certification*. Amounts recovered in excess of these appropriations shall be deposited to the general fund.

È. *F.* The Commissioner of Health may issue a Certificate of Public Need approving an application for an increase of 30 licensed nursing home beds in Planning District 13 for each nursing home that has reported to the Virginia Health Information, an entity that collects nursing home data, an average annual occupancy rate of 99 percent or higher for fiscal years 2006 and 2007, provided that the application is filed on or before December 1, 2008, and the approved additional nursing home beds are not put into service prior to July 1, 2009.