

HOUSE BILL NO. 1357

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations

on _____)

(Patron Prior to Substitute—Delegate McQuinn)

A BILL to direct the Virginia Department for Aging and Rehabilitative Services to convene a work group for the purpose of conducting a comprehensive study of the quality of care, resident safety, and operational practices of nursing facilities in the Commonwealth. Report.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That The Department for Aging and Rehabilitative Services (the Department) shall convene a work group to be known as the Nursing Facility Quality and Operations Commission (the Commission) for the purpose of conducting a comprehensive study of the quality of care, resident safety, and operational practices of nursing facilities in the Commonwealth.*

The work group shall examine nursing facilities licensed by the Virginia Department of Health and nursing facilities certified to participate in Medicaid or Medicare.

The work group shall further conduct a statewide study and make recommendations to improve nursing facility quality, safety, transparency, accountability, and resident experience. In conducting the study, the work group shall evaluate, at a minimum: (i) quality and safety outcomes, including trends in preventable harms, avoidable hospitalizations, infection prevention and control, medication management, and management of other adverse events; (ii) staffing levels and stability, including staffing patterns by shift, turnover and vacancy rates, use of agency staffing, training, competency, and supervision, and the relationship between staffing and resident outcomes; (iii) complaint, survey, and enforcement systems, including the timeliness and effectiveness of inspections, complaint response, corrective action plans, sanctions, and repeat deficiencies; (iv) resident rights and protections, including admissions and discharge practices, involuntary transfers and discharges, grievance procedures, family communication, and access to ombudsman services; (v) care coordination and transitions, including coordination with hospitals and community providers and discharge planning practices; (vi) ownership and operational models, including ownership structures, related-party transactions, management agreements, real estate arrangements, and transparency of controlling interests, and how such practices affect staffing and quality; (vii) financial and payment policy, including Medicaid reimbursement structure, the extent to which payments support direct care, and opportunities to align payment with quality outcomes; (viii) emergency preparedness and continuity of operations, including outbreak response, staffing surge capacity, and readiness for severe

33 *weather and power disruptions; (ix) data reporting and transparency, including public access to facility*
34 *performance information and the availability of understandable information for residents and families; and*
35 *(x) disparities in quality and access, including differences across regions and resident populations.*

36 *The work group shall include representatives from relevant stakeholders, including nursing home*
37 *residents and their families, nursing home administrators, advocacy organizations, health care professionals,*
38 *regulatory bodies responsible for regulating nursing homes, and any other relevant individual or entity as*
39 *selected by the Department.*

40 *The Department shall submit the work group's findings and recommendations to the Governor, the Chairs*
41 *of the House Committees on Appropriations and Health and Human Services and the Senate Committees on*
42 *Finance and Appropriations and Rehabilitation and Social Services, and the Joint Subcommittee for Health*
43 *and Human Resources Oversight by September 15, 2027.*