

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 38.2-4910 of the Code of Virginia, relating to continuing care providers;*
 3 *quarterly meeting requirements.*

4 [S 358]
 5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 38.2-4910 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 38.2-4910. Right of organization.**

9 A. Residents shall have the right of self-organization. No retaliatory conduct shall be permitted against
 10 any resident for membership or participation in a residents' organization or for filing any complaint. The
 11 provider shall be required to provide to the organization a copy of all submissions to the Commission.

12 B. The board of directors, ~~its designated representative~~ or other such governing body of a continuing care
 13 facility, *or the designated representative of such board or governing body who is not the executive director*
 14 *or an employee of such facility*, shall hold meetings at least quarterly with the residents or representatives
 15 elected by the residents of the continuing care facility for the purpose of free discussion of issues relating to
 16 the facility. These issues may include income, expenditures, and financial matters as they apply to the facility
 17 and proposed changes in policies, programs, facilities, and services. Residents shall be entitled to seven days'
 18 notice of each meeting, *and at least two of such meetings per year shall be open to all residents of the facility.*
 19 *The following individuals shall participate in person in at least two of such meetings each year, at least one*
 20 *of which shall be open to all residents of the facility: (i) a member of the board of directors or other*
 21 *governing body of the provider other than a member who is employed at the facility and (ii) the chief*
 22 *executive officer or equivalent officer of the provider.*

23 C. *If requested by either the resident council of a continuing care facility incorporated in the*
 24 *Commonwealth or a majority of such continuing care facility's independent living residents, the provider*
 25 *shall include as a participant in the meetings of its board of directors or other such governing body a*
 26 *resident representative of the continuing care facility who is elected by a majority of such residents, who*
 27 *shall participate in a non-voting, advisory capacity. No provision of this section shall prohibit such board or*
 28 *governing body, or any subcommittee or committee thereof, from convening in executive session as described*
 29 *in subsection C of § 55.1-1816 without the presence of such resident representative.*

ENROLLED

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