

12VAC5-371-110 Management and administration

A.

No person shall own, establish, conduct, maintain, manage, or operate any nursing facility, as defined in § 32.1-123 of the Code of Virginia, without having obtained a license.

B.

The nursing facility must comply with: 1. These regulations (12VAC5-371); 2. Other applicable federal, state or local laws and regulations; and 3. Its own policies and procedures.

1.

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2.

Other applicable federal, state or local laws and regulations; and

3.

Its own policies and procedures.

C.

The nursing facility shall submit, or make available, reports and information necessary to establish compliance with these regulations and applicable statutes.

D.

The nursing facility shall submit, in a timely manner as determined by the OLC, and implement a written plan of action to correct any noncompliance with these

regulations identified during an inspection. The plan shall include: 1. Description of the corrective action or actions to be taken; 2. Date of completion for each action; and 3. Signature of the person responsible for the operation.

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2.

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3.

Signature of the person responsible for the operation.

E.

The nursing facility shall permit representatives from the OLC to conduct inspections to: 1. Verify application information; 2. Determine compliance with this chapter; 3. Review necessary records; and 4. Investigate complaints.

1.

Verify application information;

2.

Determine compliance with this chapter;

3.

Review necessary records; and

4.

Investigate complaints.

F.

A nursing facility shall give written notification 30 calendar days in advance of implementation of changes affecting the accuracy of the license. Changes affecting the accuracy of the license are: 1. Address; 2. Operator; 3. Name of the nursing facility; 4. Any proposed change in management contract or lease

agreement to operate the nursing facility; 5. Implementing any proposed addition, deletion, or change in nursing facility services whether or not licensure is required; 6. A change in ownership; or 7. Bed capacity. Notices shall be sent to the attention of the director of the OLC.

1.

Address;

2.

Operator;

3.

Name of the nursing facility;

4.

Any proposed change in management contract or lease agreement to operate the nursing facility;

5.

Implementing any proposed addition, deletion, or change in nursing facility services whether or not licensure is required;

6.

A change in ownership; or

7.

Bed capacity. Notices shall be sent to the attention of the director of the OLC.

G.

The current license from the commissioner shall be posted in a place clearly visible to the general public.

H.

The nursing facility shall fully disclose its admission policies, including any preferences given, to applicants for admission.

I.

The nursing facility shall identify its operating elements and programs, the internal relationship among these elements and programs, and the management or leadership structure.

J.

The nursing facility shall provide, or arrange for, the administration to its residents of an annual influenza vaccination and a pneumonia vaccination according to the "Prevention and Control of Seasonal Influenza with Vaccines: Recommendations of the Advisory Committee on Immunization Practices - United States, 2020-21 Influenza Season" and "Guidelines for Preventing Health-Care-Associated Pneumonia" from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, unless the vaccination is medically contraindicated or the resident declines the vaccination offer.

K.

Upon request of the nursing facility's family council, the nursing facility shall send notices and information about the family council mutually developed by the family council and the administration of the nursing facility, and provided to the nursing facility for such purpose, to the legal representative or a contact person of the resident's choice up to six times a year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing facility.