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12VAC5-371-50. Functional design features.

A. In order to avoid costly errors and unnecessary redesign, applicants or licensees are required to present their building plans to the center after acceptance of the final plan layout by the owner. Precontract document approval of the plan ensures acceptance of the basic architectural footprint and serves as the basis for approval of "fast track" construction for nursing facilities pursuing this approach.

The applicant or licensees shall notify the center of deviations in the contract documents from the approved preliminary plans. Contract documents containing deviations from approved preliminary plans are required to comply with these regulations and will be reviewed again to ensure compliance. Variances for out of compliance conditions as a result of deviations from the approved preliminary documents will not be granted.

B. When an application is for licensure of a building which has not previously been used for a nursing facility, or when renovations are made to an existing building, the center shall approve the functional design features of the building according to applicable regulations.

C. Prior to beginning construction or renovation, the applicant or licensee shall submit to the center for approval floor plans which clearly indicate the use of space and other plans for compliance with all requirements for the physical environment contained in the regulations. In addition, the transmittal letter shall contain the estimate of construction start, finish, and the desired occupancy date. Construction shall not begin without approval from the center.

D. The center will notify the applicant or licensee of the receipt of the contract documents.

E. Upon completion of the review, the center will issue a letter indicating approval or disapproval of the plan, citing the regulation determining the "out of compliance" condition.

F. A valid Certificate of Use and Occupancy and Certificate of Public Need are prerequisites for licensure.

Statutory Authority

§§[32.1-12](#) and [32.1-127](#) of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 13, Issue 17, eff. July 1, 1997.

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