



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER FIFTY-TWO (2025) **STRENGTHENING OVERSIGHT OF VIRGINIA'S NURSING HOMES**

By virtue of the authority vested in me as Governor of the Commonwealth of Virginia, I hereby issue this Executive Order to direct executive agencies to take all actions within their statutory authority to strengthen oversight of Virginia's nursing homes.

Importance of the Initiative

The Commonwealth of Virginia currently has nearly 300 licensed nursing homes with nearly 33,000 beds providing critical care for one of Virginia's most vulnerable populations. All but eight nursing homes are certified to receive federal reimbursement from Medicare and Medicaid.

The Office of Licensure and Certification (OLC) at the Virginia Department of Health (VDH) conducts state licensure inspections to ensure compliance with state laws and regulations. OLC also conducts federal certification surveys, on behalf of the Centers for Medicare and Medicaid Services (CMS), to ensure compliance with federal regulations. The Office also receives and investigates consumer complaints regarding the quality of health care services provided in facilities.

Virginia requires on-site inspections of nursing homes every two years, and CMS requires on-site federal surveys every 15.9 months. This work is conducted by OLC's medical facility inspectors (MFI), who are healthcare professionals, including physicians, registered nurses, dietitians, and social workers.

Currently, OLC is facing significant operational challenges marked by a significant (42%) vacancy rate among inspectors—reflecting national trends in surveyor workforce shortages. In addition, the number of long-term care complaints received by OLC has significantly increased, placing additional strain on our workforce. In 2024, OLC received 730 complaints, and has already received 1,079 complaints to date in 2025, 279 of which are high-priority complaints posing immediate jeopardy to nursing home residents. Further, OLC has been overly reliant on manual processes, lacking automation and technological innovation to handle

complaints and manage workflows, contributing to backlogs and delays in meeting regulatory mandates.

Virginia has made important progress in strengthening oversight of our nursing homes, including passing bipartisan legislation to fully fund nursing home inspectors and licensing staff (Chapters 254 and 265 of the 2025 Acts of Assembly) and granting the State Health Commissioner the authority to impose intermediary sanctions on non-compliant facilities (Chapters 166 and 180 of the 2025 Acts of Assembly).

In addition, VDH is proactively transforming the work of OLC, emphasizing transparent communication, staff development, and devoting resources to recruitment and retention. While these efforts have laid a strong foundation, additional work must be done. Continued focus and investment in recruitment and retention, training, and process redesign is essential to sustain this momentum. But our work is far from finished—additional and immediate action is necessary to protect Virginians.

Directive

Accordingly, pursuant to the authority vested in me as Chief Executive Officer of the Commonwealth, and pursuant to Article V of the Constitution and the laws of the Commonwealth, I hereby order the Virginia Department of Health (VDH) and the State Health Commissioner to take all steps within their statutory authority to improve nursing home quality and accountability by taking the following actions:

Increase Virginia Department of Health Office of Licensure & Certification Workforce Capacity

The Virginia Department of Health's Office of Licensure and Certification (OLC) shall:

- By December 31, 2025, ensure all open Medical Facility Inspector (MFI) positions are filled by qualified individuals or those in training. OLC shall establish weekly and monthly targets to achieve this requirement.
 - Initiate a robust recruitment campaign to address these vacancies.
- Establish an OLC recruitment dashboard to track and monitor vacancies. VDH shall provide weekly updates to the Secretary of Health & Human Resources to monitor progress towards recruitment and retention goals.
- Utilize all traditional and non-traditional recruiting measures to cross-market for open OLC positions, such as connecting with the Department of Veterans Services, Virginia Works, and the Department of Health Professions.
- Fast-track ongoing recruitment and retention activities, and utilize all available measures, such as financial incentives, paid overtime, staff redeployment, and front-loaded time off, mirroring private sector practices.
- Establish a Northern Virginia regional OLC office to house a dedicated Northern Virginia inspection team to reduce travel and immediately incentivize hiring and retention efforts.

Accelerate Training and Onboarding Initiatives

- Establish a dedicated OLC Training Manager to lead the development and implementation of comprehensive staff training initiatives. This role will be instrumental in building organizational capacity and strengthening workforce readiness.
- Develop formal partnerships and memoranda of understanding with comparable peer states to increase training, onboarding, and precepting opportunities.
- Partner with the Centers for Medicare and Medicaid Services to facilitate the coordinated sharing of state resources on long-term and acute care.
- Create a formal onboarding plan to support future recruitment and retention, such as assigning incoming MFIs to a qualified preceptor before their start date for consistent orientation and training.

Assess Workflow Automation and Process Redesign

- Establish a Complaint Coordinator staff position to focus on complaint intake and serve as a central point for managing complaints related to nursing homes, ensuring timely, transparent, and consistent handling of concerns.
- Coordinate with the VDH Chief Information Officer, the Virginia Information Technology Agency, and the Office of Regulatory Management to assess the feasibility of utilizing Artificial Intelligence (AI) and automating tasks to reduce paperwork and administrative burdens, enabling licensing staff to focus on health and safety and increase the rate of complaint processing.

Advance Nursing Home Oversight and Accountability

- The State Health Commissioner shall convene an Advisory Board on Nursing Home Oversight and Accountability (“Advisory Board”) by September 15, 2025. The Advisory Board shall advise the Commissioner on quality oversight initiatives that elevate standards across nursing homes and offer recommendations on policies and practices that improve resident well-being and quality of care. The Advisory Board members shall be designated by the Secretary of Health & Human Resources and shall include providers and geriatricians who have worked in nursing home facilities, other health care workers with experience in nursing homes, advocates and external stakeholders, including the state Long-Term Care Ombudsman, and other individuals as designated by the Secretary. The Secretary shall appoint the Chair of the Advisory Board.
- The Advisory Board shall provide an annual report to the Governor outlining recommendations, including budgetary, legislative, or administrative measures, with the goal of improving nursing home quality and oversight.
- By November 15, 2025, VDH shall develop and maintain a publicly accessible nursing home information portal that consolidates and displays publicly available information, including inspection and survey results, disciplinary actions, and key facility performance metrics, to provide Virginians with clear and transparent insight into nursing home quality and compliance.

Effective Date

This Executive Order shall be effective upon its signing and shall remain in full force and effect unless amended or rescinded by further executive order or directive. Given under my hand and under the Seal of the Commonwealth of Virginia, this 11th day of August 2025.



A handwritten signature in black ink, reading "Glenn Youngkin".

Glenn Youngkin, Governor

Attest

A handwritten signature in black ink, reading "Kelly Gee".

Kelly Gee, Secretary of the
Commonwealth