


Councilmember Vincent C. Gray

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Health Services Planning Program Re-establishment Act of 1996 to provide hospitals and health care service providers with a certificate of need that expired during or within 30 days prior to the declaration of a public health emergency a waiver from the need to renew the certificate of need until 120 days after the end of the public emergency.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Continuing Care for Healthcare Providers Emergency Amendment Act of 2022”.

Sec. 2. Section 12 of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-411) is amended by adding new subsections (e) and (f) to read as follows:

“(e) Notwithstanding subsection (a) of this section, a certificate of need that expired after March 15, 2022, shall continue to remain effective and valid until 120 days after the end of the Mayor’s declaration of a public emergency pursuant to section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304); provided:

33 “(1) The healthcare provider is currently providing services for at least 5 patients
34 under the certificate of need; and

35 “(2) The healthcare provider applies for an initial license to operate within 30
36 days of the effective date of this subsection.

37 “(f) The Department shall have 120 days to approve or deny an application for initial
38 licensure made under subsection (e)(2) of this section.”.

39 Sec. 3. Fiscal impact statement.

40 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
41 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
42 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

43 Sec. 4. Effective date.

44 This act shall take effect following approval by the Mayor (or in the event of veto by the
45 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
46 90 days, as provided for emergency acts of the Council of the District of Columbia in section
47 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
48 D.C. Official Code § 1-204.12(a)).

49