


Councilmember Vincent C. Gray

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an temporary 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 Temporary 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 Chief Financial Officer as the fiscal
41 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
42 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

43 Sec. 4. Effective date.

44 (a) This act shall take effect following the approval by the Mayor (or in the event of veto
45 by the Mayor, action by the Council to override the veto), a 30-day period of Congressional
46 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
47 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
48 District of Columbia Register.

49 (b) This act shall expire after 225 days of its having taken effect.