



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council passes Law 20-22, Better Prices, Better Quality, Better Choices for Health Coverage Temporary Amendment Act of 2013
- DC Council passes Act 20-172, Visitor Parking Pass Preservation Emergency Amendment Act of 2013
- DC Council schedules a public hearing on Bill 20-417, Sexual Assault Victims' Rights Amendment Act of 2013
- Department of Housing and Community Development schedules a public hearing on the FY2013 Consolidated Annual Performance Evaluation Report
- Department of Health updates the Speech-Language Pathology regulations
- Lottery and Charitable Games Control Board implements changes to the DC3, DC4, and the MEGA MILLIONS® games
- Department of Motor Vehicles updates citations for moving and non-moving infractions

DISTRICT OF COLUMBIA REGISTER

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The District of Columbia Office of Documents and Administrative Issuances (ODAI) publishes the *District of Columbia Register* (ISSN 0419-439X) (*D.C. Register*) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979 (25 DCR 6960). The policies which govern the publication of the *D.C. Register* are set forth in Title 1 of the District of Columbia Municipal Regulations, Chapter 3 (Rules of the Office of Documents and Administrative Issuances.) Copies of the Rules may be obtained from the Office of Documents and Administrative Issuances. Rulemaking documents are also subject to the requirements of the *District of Columbia Administrative Procedure Act*, District of Columbia Official Code, §§2-501 *et seq.*, as amended.

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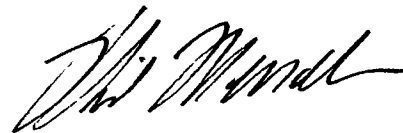
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COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-19****“Extension of Time to Dispose of Justice
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Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-253 on first and second readings April 30, 2013 and June 26, 2013 respectively. Following the signature of the Mayor on July 15, 2013, pursuant to Section 404(e) of the Charter, the bill became Act 20-107 and was published in the July 26, 2013 edition of the D.C. Register (Vol. 60, page 10874). Act 20-107 was transmitted to Congress on July 22, 2013 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-107 is now D.C. Law 20-19, effective October 3, 2013.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July 22,23,24,25,26,29,30,31

Aug. 1,2,12

Sept. 6,9,10,11,12,13,16,17,18,19,20,23,24,25,26,27,30

Oct. 1,2

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-20****“Foster Youth Transit Subsidy
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Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-255 on first and second readings April 30, 2013 and June 26, 2013 respectively. Following the signature of the Mayor on July 15, 2013, pursuant to Section 404(e) of the Charter, the bill became Act 20-108 and was published in the July 26, 2013 edition of the D.C. Register (Vol. 60, page 10876). Act 20-108 was transmitted to Congress on July 22, 2013 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-108 is now D.C. Law 20-20, effective October 3, 2013.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July 22,23,24,25,26,29,30,31

Aug. 1,2,12

Sept. 6,9,10,11,12,13,16,17,18,19,20,23,24,25,26,27,30

Oct. 1,2

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-21****“Heat Wave Safety Temporary Amendment Act of 2013”**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-292 on first and second readings June 4, 2013 and June 26, 2013 respectively. Following the signature of the Mayor on July 15, 2013, pursuant to Section 404(e) of the Charter, the bill became Act 20-109 and was published in the July 26, 2013 edition of the D.C. Register (Vol. 60, page 10878). Act 20-109 was transmitted to Congress on July 22, 2013 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-109 is now D.C. Law 20-21, effective October 3, 2013.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July 22,23,24,25,26,29,30,31

Aug. 1,2,12

Sept. 6,9,10,11,12,13,16,17,18,19,20,23,24,25,26,27,30

Oct. 1,2

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-22****“Better Prices, Better Quality, Better Choices for
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Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-302 on first and second readings June 4, 2013 and June 26, 2013 respectively. Following the signature of the Mayor on July 15, 2013, pursuant to Section 404(e) of the Charter, the bill became Act 20-110 and was published in the July 26, 2013 edition of the D.C. Register (Vol. 60, page 10880). Act 20-110 was transmitted to Congress on July 22, 2013 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-110 is now D.C. Law 20-22, effective October 3, 2013.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

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Aug. 1,2,12

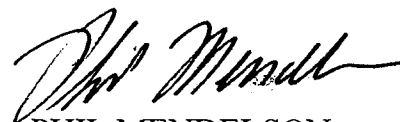
Sept. 6,9,10,11,12,13,16,17,18,19,20,23,24,25,26,27,30

Oct. 1,2

COUNCIL OF THE DISTRICT OF COLUMBIA**NOTICE****D.C. LAW 20-23****“YMCA Community Investment Initiative
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Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-305 on first and second readings June 4, 2013 and June 26, 2013 respectively. Following the signature of the Mayor on July 15, 2013, pursuant to Section 404(e) of the Charter, the bill became Act 20-111 and was published in the July 26, 2013 edition of the D.C. Register (Vol. 60, page 10884). Act 20-111 was transmitted to Congress on July 22, 2013 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-111 is now D.C. Law 20-23, effective October 3, 2013.



PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July 22,23,24,25,26,29,30,31

Aug. 1,2,12

Sept. 6,9,10,11,12,13,16,17,18,19,20,23,24,25,26,27,30

Oct. 1,2

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-158

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 27, 2013

To amend, on a temporary basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to authorize an extension of time to dispose of District-owned real property located at 310 7th Street, S.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of Hine Junior High School Temporary Amendment Act of 2013".

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-8) to read as follows:

"(d-8) Notwithstanding subsection (d) of this section, the Council extends the time period within which the Mayor may dispose of 310 7th Street, S.E., to Stanton-Eastbanc Hine School Ventures, LLC (or its affiliates or assignees approved by the Mayor) in accordance with the terms and conditions set forth in the Hine Junior High School Disposition Approval Resolution of 2010, effective July 13, 2010 (Res. 18-555; 57 DCR 7628), to on or before January 13, 2014.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206-02(c)(3)).

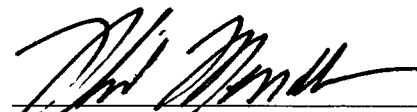
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

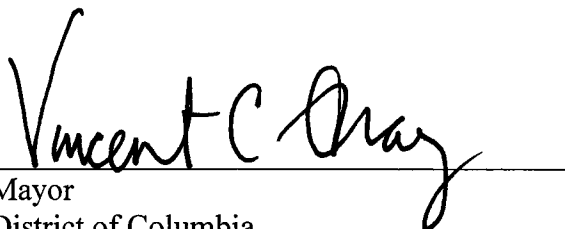
ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
September 27, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-159

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 8, 2013

To amend, on a temporary basis, An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes to clarify “major changes” in the provision of fire protection, fire prevention, or emergency medical services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fire and Emergency Medical Services Major Changes Temporary Amendment Act of 2013”.

Sec. 2. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended by adding a new subsection (b-1) to read as follows:

“(b-1) For the purposes of this section, the term “major changes” does not refer to the ability of the Department to hire or recruit to fill existing vacancies, to expend budgeted operating and capital funding, or to subsequently add those budgeted personnel and apparatus into deployment; provided, that there is no decrease in the existing deployment plan for the Department to provide fire protection, fire prevention, or emergency medical services.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

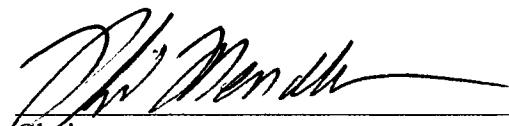
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman
Council of the District of Columbia

~~UNSIGNED~~

Mayor
District of Columbia
September 30, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-160

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To amend, on a temporary basis, the School Transit Subsidy Act of 1978 to clarify the fares charged, if any, to students to travel to and from school; and to amend the Fiscal Year 2014 Budget Support Act of 2013 to repeal contemporaneous revisions to the School Transit Subsidy Act of 1978.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Transit Subsidy Temporary Amendment Act of 2013".

Sec. 2. Section 2 of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233), is amended as follows:

(a) Subsection (a) is amended to read as follows:

"(a)(1) On regular school days, no student shall be charged a bus fare for regular route transportation within the District during peak and off-peak hours on the Metrobus Transit System and the DC Circulator.

"(2) The fare to be paid by a student on regular school days for regular route transportation during peak and off-peak hours on the Metrorail Transit System within the District shall be as follows:

"(A) \$30 dollars for a monthly pass; and

"(B) \$9.50 for a 10-trip rail pass.

"(3) The fares listed in paragraph (2) of this subsection shall be modified by the same percentage as future Washington Metropolitan Area Transit Authority fare increases or decreases, rounded to the nearest dime (\$.10)."

(b) Subsection (c) is amended to read as follows:

"(c) Reduced fares for students under this section on the Metrobus and Metrorail Transit Systems and the DC Circulator shall be available only to persons who are under 22 years of age and are:

"(1)(A) District residents; and

"(B) Currently enrolled in a regular course of instruction at an elementary or secondary public, parochial, or private school located in the District; or

"(2) Youth in the District's foster care system until they reach 21 years of age."

(c) A new subsection (g) is added to read as follows:

ENROLLED ORIGINAL

“(g) The District Department of Transportation shall have the authority to issue rules to implement the provisions of this act.”

Sec. 3. Section 10003 of the Fiscal Year 2014 Budget Support Act of 2013, signed by the Mayor on August 28, 2013 (D.C. Act 20-157; 60 DCR 12472), is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c))(3)).

Sec. 5. Effective date.

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

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia

APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-161

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To approve, on an emergency basis, Contract No. DCHT-2013-C-0034 to provide managed care services to the District and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCHT-2013-C-0034 Approval and Payment Authorization Emergency Act of 2013".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. DCHT-2013-C-0034 to provide managed care services and authorizes payment in the amount of \$36,269,449.00 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

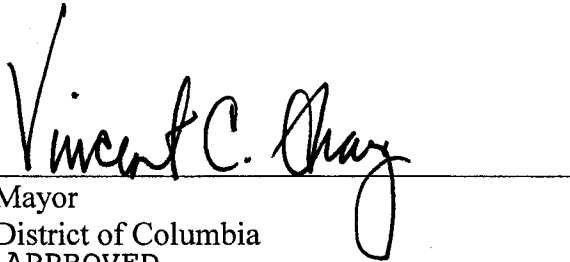
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-162

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 26, 2013

To approve, on an emergency basis, modifications to Contract No. DCFL-2006-D-0011 with ARAMARK Correctional Services, LLC to provide the food service programs at the District’s Central Detention and Correctional Treatment Facilities and to authorize payment for the services received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Contract No. DCFL-2006-D-0011 Modifications Approval and Payment Authorization Emergency Act of 2013”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Modification Nos. 10, 11, 14, 15, 17, 18, and 19 to Contract No. DCFL-2006-D-0011 with ARAMARK Correctional Services, LLC to provide the food service programs at the District’s Central Detention and Correctional Treatment Facilities and authorizes payment in the total amount of \$3,538,678.16 for services received under that contract.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

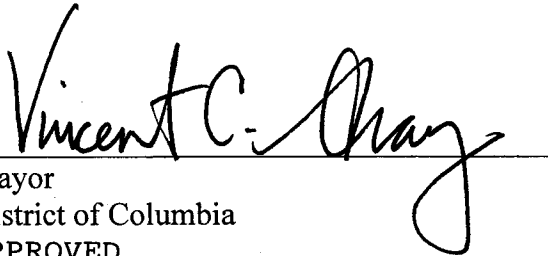
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 26, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-163

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 26, 2013

To approve, on an emergency basis, Task Order No. 5, Purchase Order No. PO447598-V2, Task Order No. 6 and Task Order No. 7 to Human Care Agreement No. DCHC-2011-H-0002 to provide women, infants, and children nutrition services and to authorize payment for the services received under the agreement during option year one.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Option Year One Orders to Human Care Agreement DCHC-2011-H-0002 Approval and Payment Authorization Emergency Act of 2013".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Task Order No. 5, Purchase Order No. PO447598-V2, Task Order No. 6, and Proposed Task Order No. 7 to Human Care Agreement No. DCHC-2011-H-0002 to provide women, infants, and children nutrition services and authorizes payment in an amount not-to-exceed \$1,275,147.65 for services received under the contract for the first option year.

Sec. 3. Fiscal impact statement.

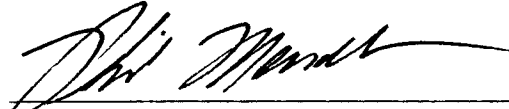
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

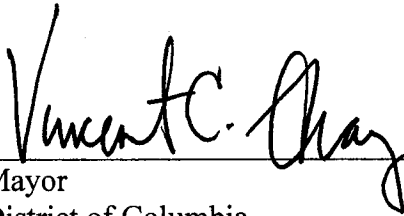
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 26, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-164

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To approve, on an emergency basis, Modification No. M005 to Contract No. DCFA-2009-C-2292 with PFC Associates, LLC, to provide occupational and emergency medical services, in a managed care environment, for up to 6,600 covered employees, primarily working for the Metropolitan Police Department and Fire and Emergency Medical Services Department, and to authorize payment for the services received and to be received under this modification.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCFA-2009-C-2292 Modification No. M005 Approval and Payment Authorization Emergency Act of 2013".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Metropolitan Police Department, exercised Option Year One to extend Contract No. DCFA-2009-C-2292 with PFC Associates, LLC, to provide Occupational Healthcare and Ancillary Healthcare Services at the Police and Fire Clinic for all covered employees of the Metropolitan Police Department, Fire and Emergency Medical Services Department, District of Columbia Housing Authority, District Department of the Environment, Protective Services Police Department in the Department of General Services, United States Park Police, and the Uniformed Division, United States Secret Service.

(b) The total expenditure under this extension with PFC Associates, LLC, is for an amount not to exceed \$12,629,255.00.

Sec. 3. Pursuant to section 451(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(b)), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M005 to Contract No. DCFA-2009-C-2292, and authorizes payment in an amount not to exceed \$12,629,255.00 for services received and to be received under that modification.

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

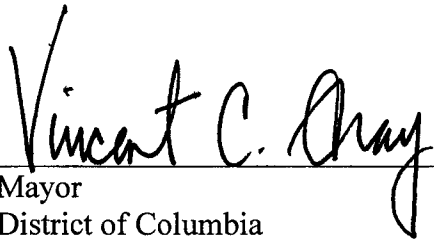
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-165

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To approve, on an emergency basis, Modification No. 1 to Contract No. DCKA-2013-C-0137 with Xerox State and Local Solutions, Inc. for parking meter management services, and to authorize payment for services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. 1 to Contract No. DCKA-2013-C-0137 Approval and Payment Authorization Emergency Act of 2013".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of sections 202 and 404 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.02 and 2-354.04), the Council approves Modification No. 1 to Contract No. DCKA-2013-C-0137 for parking meter management services provided by Xerox State and Local Solutions, Inc. to the District Department of Transportation, and authorizes payment in the amount of \$1,8 million for services received and to be received under this contract.

Sec. 3. Fiscal impact statement.

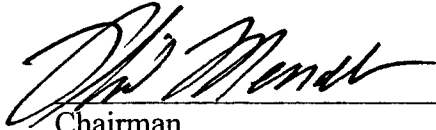
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

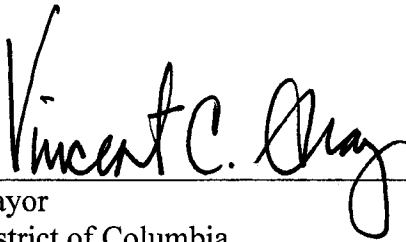
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-166

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To amend, on an emergency basis, section 47-340.28 of the District of Columbia Official Code to authorize the issuance of additional revenue bonds of the District of Columbia payable from and secured by individual income tax and business franchise tax revenues for the purposes of financing capital projects of the District government.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Income Tax Secured Bond Authorization Emergency Act of 2013".

Sec. 2. Section 47-340.28(a) of the District of Columbia Official Code is amended by striking the amount "\$5,180,985,000" and inserting the amount "\$9,180,985,000" in its place.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 4. Effective date.

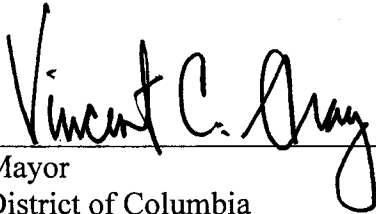
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-167

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To approve, on an emergency basis, Modifications No. 001 and 002 to Contract No. CW15543 to provide snow and ice removal services and to authorize payment for services received and to be received under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Modifications No. 001 and 002 to Contract No. CW15543 Approval and Payment Authorization Emergency Act of 2013”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modifications No. 001 and 002 to Contract No. CW15543 with Capitol Paving of D.C., Inc. to provide snow and ice removal services in the estimated amount of \$2,183,800 for services received and to be received under that contract.

Sec. 3. Fiscal impact statement.

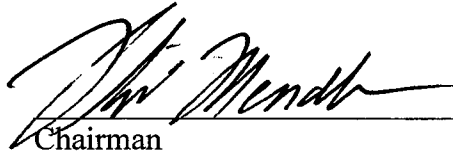
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

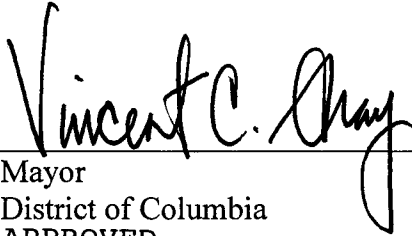
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-168

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To amend, on an emergency basis, due to Congressional review, sections 16-803 and 16-803.01 of the District of Columbia Official Code to establish the burden of proof for certain cases covered by these sections.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Criminal Record Sealing Congressional Review Emergency Act of 2013".

Sec. 2. Chapter 8 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-803(i)(1) is amended to read as follows:

"(i)(1) In a motion filed under subsection (a), (c-1), or (c-2) of this section, the burden shall be on the prosecutor to establish by a preponderance of the evidence that it is not in the interests of justice to grant relief."

(b) Section 16-803.01(b)(2) is amended to read as follows:

"(2)(A) In all other cases under this section, the Superior Court may grant a motion to seal if it is in the interest of justice to do so. In making this determination, the court shall consider:

"(i) The interests of the movant in sealing the publicly available records of his or her arrest and related court proceedings;

"(ii) The community's interest in retaining access to those records;

"(iii) The community's interest in furthering the movant's rehabilitation and enhancing the movant's employability; and

"(iv) Any other information it considers relevant.

"(B) The burden shall be on the movant to establish by a preponderance of the evidence that it is in the interest of justice to grant relief."

Sec. 3. Applicability.

This act shall apply as of September 29, 2013.

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

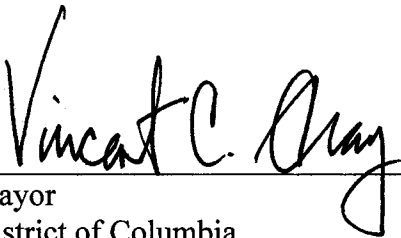
The Council adopts the fiscal impact statement of the Budget Director for Bill 20-334 as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 27, 2013

To amend, on an emergency basis, Title 31 of the District of Columbia Municipal Regulations to amend the vehicle requirements for livery class vehicles used in for-hire service and to clarify the applicability of jurisdictional requirements; and to amend the District of Columbia Taxicab Commission Establishment Act of 1985 to require the District of Columbia Taxicab Commission industry panel to recommend rules and modifications to established rules for classes of for-hire and ride-sharing vehicles, and to implement interim requirements for ride-sharing services pending commission rulemaking.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Livery Class Regulation and Ride-Sharing Emergency Amendment Act of 2013".

Sec. 2. Title 31 of the District of Columbia Municipal Regulations is amended as follows:

(a) The title of Chapter 12 is amended to read as follows:

"CHAPTER 12 LIVERY SERVICES – OWNERS, OPERATORS, AND VEHICLES."

(b) Section 1200.3 is amended by striking the word "luxury" and inserting the word "livery" in its place.

(c) Section 1201.1 is amended as follows:

(1) Strike the word "luxury" and insert the word "livery" in its place.

(2) Strike the last sentence and insert the sentence "All LCS vehicles may be operated as sedans, but only LCS vehicles meeting the definition of "limousine" in § 1299.1 may be operated as limousines." in its place.

(d) Section 1201.2 is amended by striking the phrase "definition of "sedan"" and inserting the phrase "definitions provided" in its place.

(e) Section 1201.4 is amended by striking the word "luxury" and inserting the word "livery" in its place.

(f) Section 1201.5 is amended by striking the word "luxury" and inserting the word "livery" in its place.

(g) Section 1201.7(c) is amended by striking the word "luxury" and inserting the word "livery" in its place.

ENROLLED ORIGINAL

(h) Section 1204.6 is amended by striking the word "luxury" and inserting the word "livery" in its place.

(i) Section 1209.2 is amended by striking the word "luxury" and inserting the word "livery" in its place.

(j) Section 1215.1 is amended by striking the word "luxury" and inserting the word "livery" in its place.

(k) Section 1219.1 is amended by striking the phrase "luxury class service." and inserting the phrase "livery class service; provided, that the reciprocity provisions for livery service shall not apply until the Office of Taxicabs is actively licensing additional vehicles and drivers for all livery class services, as well as renewing licenses for current operators and vehicles of all livery class services. For the purposes of this section, "actively licensing" means that the Office of Taxicabs is accepting applications, providing training for operators, and providing new and renewal licenses to qualified operators and vehicles on a frequent basis." in its place.

(l) Section 1299.1 is amended as follows:

(1) The definition of "Limousine" is amended to read as follows:

"Limousine – a public vehicle-for-hire that:

"(a) Meets the required for a livery class vehicle; and

"(b) Is a "Luxury Sedan," an "Upscale Sedan," or a "Sport Utility

Vehicle" ("SUV"), as defined by the EPA (available at:

<http://www.fueleconomy.gov/feg/powerSearch.jsp>), or the Chrysler 300; provided, that if it is an SUV, it has a passenger volume of at least one hundred twenty (120) cubic feet.".

(2) The definition of "Luxury class vehicle or LCS vehicle" is amended to read as follows:

"Livery class vehicle or LCS vehicle – a public vehicle-for-hire that:

"(a) Does not have a manufacturer's rated seating capacity of ten (10) or more persons; and

"(b) Is not a salvaged vehicle or a vehicle rented from an entity whose predominant business is that of renting motor vehicles on a time basis.".

(3) The definition of "sedan" is amended to read as follows:

"Sedan – any LCS vehicle.".

(m) Section 1401.5 is amended as follows:

(1) Strike the word "luxury" wherever it appears and insert the word "livery" in its place.

(2) Strike the phrase "as taxicabs)." and insert the phrase "as taxicabs); provided, that the reciprocity provisions for livery service shall not apply until the Office of Taxicabs is actively licensing additional vehicles and drivers for all livery class services, as well as renewing licenses for current operators and vehicles of all livery class services. For the purposes of this section, "actively licensing" means that the Office of Taxicabs is accepting applications, providing training for operators, and issuing new and renewal licenses to qualified operators and vehicles on a frequent basis." in its place.

ENROLLED ORIGINAL

(n) Section 1499.1 is amended by striking the word “luxury” and inserting the word “livery” in its place.

Sec. 3. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), is amended as follows:

(a) A new section 7a is added to read as follows:

“Sec. 7a. Industry panel to review modernization regulations.

“The industry panel established by the District of Columbia Taxicab Commission pursuant to section 7 shall consider rules and recommendations to further modify public vehicle-for-hire regulations, including the procedures for transmitting the passenger surcharge, data requirements, the licensure and registration process of digital dispatch services, driver inventory requirements, vehicle categories, and types and levels of service, including ride-sharing. The panel shall present its recommendation to the Commission no later than January 1, 2014.”

(b) A new section 14a is added to read as follows:

“Sec. 14a. Interim requirements for ride-sharing services.

“(a) For the purposes of this section, the term:

“(1) “Ride-sharing network” shall mean a company operating in the District that uses a digital platform to connect passengers to ride-sharing operators using personal, non-commercially licensed or operated vehicles for the purpose of transportation.

“(2) “Ride-sharing operator” shall mean an individual who uses the individual’s personal, non-commercially licensed or operated vehicle to provide transportation services through a ride-sharing network in the District.

“(b) A ride-sharing network shall:

“(1) Submit proof to the Commission that it is licensed to do business in the District, maintains a registered agent in the District, and maintains a website that provides a customer service telephone number or email address;

“(2) Allow for ridesharing any motor vehicle make and model year that would be acceptable for use as a taxicab, sedan, or limousine; provided, that the motor vehicle shall not be an aftermarket stretch modified model or a model designed to transport more than 10 persons, including the driver;

“(3) Conduct or have a third party conduct a safety inspection of a vehicle to be used by a ride-sharing operator before the vehicle provides a ride-sharing service;

“(4) Maintain records related to the requirements set forth in this section for the purposes of enforcement. Subject to reasonable confidentiality obligations and applicable confidentiality laws, the Commission may inspect records to investigate compliance with the requirements of this section pursuant to a subpoena issued under section 337 of Title 31 of the District of Columbia Municipal Regulations (31 DCMR § 337); provided, that any records disclosed to the Commission under this paragraph shall not be subject to disclosure to a third party by the Commission, including through a request submitted pursuant to the Freedom of

ENROLLED ORIGINAL

Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*);

“(5) Maintain an excess liability insurance policy that:

“(A) Provides a minimum of \$1 million per-incident coverage for accidents involving a ride-sharing vehicle and operator in transit to or during a ride-sharing trip;

“(B) Covers claims regardless of whether a ride-sharing operator maintains insurance adequate to cover any portion of a claim; and

“(C) Has been submitted to the Commission under seal. The Commission shall not disclose to a third party any information related to the insurance policy, and any records disclosed under this paragraph shall not be subject to disclosure to a third party by the Commission;

“(6) Have conducted a local and national criminal background check that shall include the Multi-State/Juris Criminal Records Locator or other similar commercial nationwide database with validation (primary source search) and the National Sex Offender Registry database on each ride-sharing operator before the operator may register to offer service. A match on the national sex offender registry or a conviction that appears on a criminal background check within the past 7 years for crimes of violence, sexual abuse, felony robbery, or felony fraud, shall automatically and permanently disqualify an individual from acting as a ride-sharing operator;

“(7) Have a driving history record conducted on each ride-sharing operator before the operator may offer service. A conviction that appears on a driving history check within the past 7 years for aggravated reckless driving, driving under the influence of drugs or alcohol, hit and run, attempting to evade the police, or the use of a motor vehicle to commit a crime, or a conviction that appears on a driving history check in the previous 3 years for driving with a suspended or revoked license, shall automatically disqualify an individual from acting as a ride-sharing operator;

“(8) Institute a zero tolerance policy on the use of drugs or alcohol while a ride-sharing operator provides ride-sharing services;

“(9) Provide notice of the zero tolerance policy on its website, as well as the procedures to report a complaint, including a complaint telephone number and email address for the Commission, about a ride-sharing operator with whom the rider was matched and for whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the ride;

“(10) Immediately suspend a ride-sharing operator upon receipt of a passenger complaint alleging a violation of the zero tolerance policy. The suspension shall last the duration of the investigation; and

“(11) Upon completion of a trip, transmit an electronic receipt to the passenger’s email address or mobile application documenting:

“(A) The origination and destination of the trip;

“(B) The total time and distance of the trip; and

“(C) A breakdown of the total fare paid, if any.

“(c) A ride-sharing operator shall:

ENROLLED ORIGINAL

“(1) Accept only rides booked through a ride-sharing network’s digital platform and shall not solicit or accept street-hails;

“(2) Possess a valid driver’s license, proof of registration, proof of motor vehicle insurance, and be at least 21 years of age; and

“(3) Provide proof of both the operator’s personal insurance and excess liability insurance in the case of an accident; provided, that the operator shall have 24 hours to provide proof of excess liability insurance.

“(d) A ride-sharing network or operator may offer service at no-charge, suggest a donation, or charge a fare; provided, that if a fare is charged, a ride-sharing network shall disclose the fare calculation method, the applicable rates being charged, and the option for an estimated fare to the passenger before booking the ride.

“(e) The Commission shall have the authority to enforce the requirements of this section, including inspection of relevant records. Failure to adhere to the requirements of this section by a ride-sharing network or operator may result in sanctions imposed by the Commission, including fines and impoundment of vehicles, pursuant to the Commission’s authority in section 8.

“(f) This section shall expire upon the final issuance of rules by the Commission pursuant to section 14.”.

Sec. 4. Fiscal impact statement.

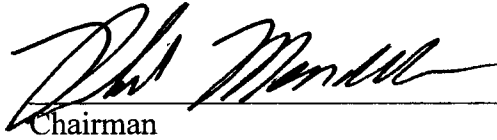
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c))(3)).

Sec. 5. Effective date.

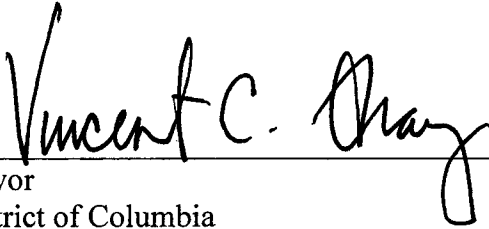
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 27, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-170

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 26, 2013

To amend, on an emergency basis, due to Congressional review, the Health Benefit Exchange Authority Establishment Act of 2011 to promote meaningful choice, provide enhanced benefits, and build a competitive private insurance marketplace for the residents and small business owners of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Better Prices, Better Quality, Better Choices for Health Coverage Congressional Review Emergency Amendment Act of 2013".

Sec. 2. The Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code §31-3171.01) is amended as follows:

(1) New paragraphs (8A) and (8B) are added to read as follows:

"(8A) "Metal level" means the bronze, silver, gold, and platinum levels of coverage as defined in section 1302(d)(1) of the Federal Act.

"(8B) "Navigator" refers to the entities described in section 1311(i) of the Federal Act."

(2) A new paragraph (18) is added to read as follows:

"(18) "Standardized plan" means a plan with defined benefits and cost sharing as determined by the executive board for the Authority."

(b) Section 10 (D.C. Official Code §31-3171.09) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph 5 is amended as follows:

(i) Subparagraph (B)(i) is amended by striking the phrase "at least one qualified health plan at the silver level and at least one plan at the gold level" and inserting the phrase "at least one qualified health plan at the bronze level, at least one qualified health plan at the silver level, and at least one qualified health plan at the gold level" in its place.

(ii) Subparagraph (D) is amended by striking the word "and" at the end.

ENROLLED ORIGINAL

(iii) New subparagraphs (F), (G), and (H) are added to read as follows:

“(F) Provides accurate attestations as required in the initial certification process;

“(G) Offers one or more standardized plans that meet the criteria developed by the executive board for the Authority, at each metal level in which the carrier is participating, in addition to other plans the carrier may offer; and

“(H) Offers plans subject to the meaningful difference standard, as defined in section 4(ii) of Chapter 1 of the Affordable Exchanges Guidance, dated March 1, 2013, by the Centers for Consumer Information and Insurance Oversight at the Centers for Medicare and Medicaid Services in the U.S. Department of Health and Human Services, or as may be defined by the executive board for the Authority.”.

(B) Paragraph (7) is amended by striking the period at the end and inserting a semicolon in its place.

(C) New paragraphs (8), (9) and (10) are added to read as follows:

“(8) Comply section 512 of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, approved October 3, 2008 (Pub. L. No. 110-343; 122 Stat. 3881), as applied to the Federal Act, including covering behavioral health inpatient and outpatient services for mental health and substance use disorders without day or visit limitations;

“(9) Provide a drug formulary that includes, at a minimum, the greater of either the number of drugs listed in each category and class found in the District’s base-benchmark plan formulary, or the minimum number of drugs, by category and class, as established by the Center for Consumer Information and Insurance Oversight in the Centers for Medicare and Medicaid Services at the U.S. Department of Health and Human Services;

“(10) Provide benefits identical to the essential health benefits benchmark plan, as defined in federal regulations promulgated pursuant to section 1302(a) of the Federal Act, as defined by the District without benefit substitution.”.

(2) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended by striking the word “or”.

(B) Paragraph (3) is amended by striking the period at the end and inserting the phrase “; or” in its place.

(C) A new paragraph (4) is added to read as follows:

“(4) On the basis of the number of qualified health plans being offered.”.

(3) New subsections (g) and (h) are added to read as follows:

“(g) A qualified health plan may provide additional services that are not in the essential health benefits package required in subsection (a)(1) of this section, if the services are eligible for claims submission and reimbursement.

“(h) For purposes of the essential health benefits benchmark plan, as defined in federal regulations promulgated pursuant to section 1302(a) of the Federal Act, the term “habilitative services” includes health care services that help a person keep, learn, or improve skills and functioning for daily living, including applied behavioral analysis for the treatment of autism spectrum disorder.”.

ENROLLED ORIGINAL

(c) New sections 10a and 10b are added to read as follows:

“Sec. 10a. Distribution of individual and small group health benefit plans.

“(a) A carrier that offers individual or small group health benefit plans shall offer such plans solely through the American Health Benefit Exchange, as established pursuant to section 5(a) subject to the following transition:

“(1) Individual health benefit plans with plan years beginning on or after January 1, 2014, shall be offered solely through the American Health Benefit Exchange;

“(2) On or after January 1, 2014, small group health benefit plans offered to any small business that was not insured as of December 31, 2013, shall be offered and issued solely through the American Health Benefit Exchange;

“(3) Small group health benefit plans offered to or renewed by any small business that was insured as of December 31, 2013, may be issued or renewed during calendar year 2014 through existing distribution channels with the same carrier or a new carrier, except that such plans shall meet the qualifications for certification of a qualified health plan as provided in section 10; and

“(4) Unless the Council acts by October 1, 2014 to change the date that all small group health plans shall be offered, issued, or renewed through the American Health Benefit Exchange, on or after January 1, 2015, all small group health benefit plans shall be offered and issued or renewed solely through the American Health Benefit Exchange.

“(b) The requirements of this section shall not apply to grandfathered health plans as defined in section 1251 of the Federal Act.

“Sec. 10b. Sale, solicitation, and negotiation by insurance producers.

“(a) An insurance producer that is licensed in the District and authorized by the Commissioner to sell, solicit, or negotiate health insurance pursuant to the Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131.02 *et seq.*), may sell any qualified health plan offered in the American Health Benefit Exchange, after satisfactorily completing training developed and provided by the Authority.

“(b) An insurance producer shall be compensated directly by a health carrier for the sale of a qualified health plan offered in the American Health Benefit Exchange.”.

Sec. 3. Applicability.

This act shall apply as of September 17, 2013.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

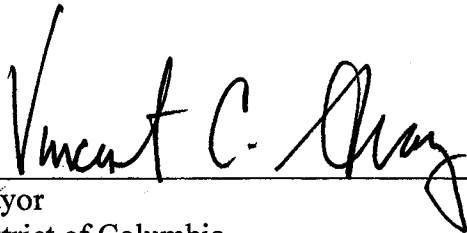
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 26, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To amend, on an emergency basis, due to Congressional review, the Vending Regulation Act of 2009 to allow the Council to vote to approve in whole or in part the proposed regulations for that act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulation Congressional Review Emergency Amendment Act of 2013".

Sec. 2. Section 11 of the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.10), is amended by striking the phrase "proposed rules, by resolution," and inserting the phrase "proposed rules, in whole or in part, by resolution" in its place.

Sec. 3. Applicability.

This act shall apply as of September 17, 2013.

Sec.4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

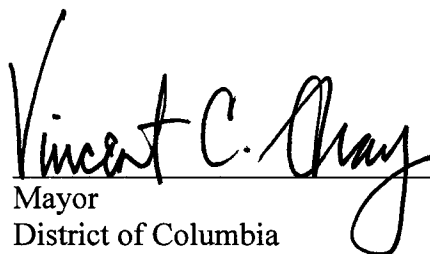
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
September 30, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 30, 2013

To amend, on an emergency basis, the Performance Parking Pilot Zone Act of 2008 to prohibit the issuance of citations to a vehicle displaying a visitor parking pass valid as of September 30, 2013 if the vehicle displaying the pass is parked legally and in the designated zone, to maintain current operating procedures by requiring the Mayor, 30 days before the expiration of visitor permit passes, to automatically, on an annual basis, mail replacement visitor permit passes to residences that were issued passes before September 30, 2013, irrespective of whether a request has been made for a pass and at no cost to the recipients, and to prohibit the issuance of a visitor permit pass to a residence that was ineligible to receive a visitor permit pass as of September 15, 2013.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Visitor Parking Pass Preservation Emergency Amendment Act of 2013".

Sec. 2. The Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*), is amended by adding new sections 9, 10, and 11 to read as follows:

"Sec. 9. No citation shall be issued to a vehicle displaying a visitor parking pass that has been distributed pursuant to this act or in connection with a residential permit parking sticker, as defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901); provided, that the visitor parking permit pass is valid as of September 30, 2013, and the vehicle displaying the pass is in the designated zone and parked legally.

"Sec. 10. Each year, 30 days before the expiration of visitor permit passes, the Mayor shall automatically mail replacement visitor permit passes to residences that were issued passes before September 30, 2013, irrespective of whether a request has been made for a pass and at no cost to the recipients.

"Sec. 11. A visitor permit pass shall not be issued to a residence that was ineligible to receive a visitor permit pass as of September 15, 2013."

Sec. 3. Applicability.

This act shall apply as of September 30, 2013.

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

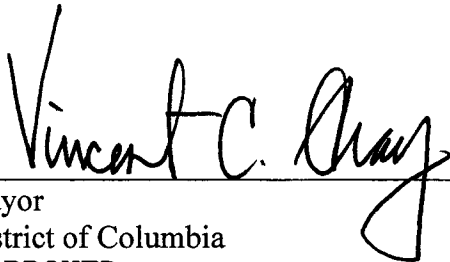
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
September 30, 2013

COUNCIL OF THE DISTRICT OF COLUMBIA
NOTICE OF INTENT TO ACT ON NEW LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at www.dccouncil.us.

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COUNCIL OF THE DISTRICT OF COLUMBIA	PROPOSED LEGISLATION
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BILLS

- | | |
|---|---|
| B20-40 | Organ Donors Save Lives Act of 2013

Intro. 01-08-13 by Councilmembers Barry and Alexander and re-referred to the Committee on Finance and Revenue |
| <hr style="border-top: 1px dashed black;"/> | |
| B20-46 | Jobs Training Act of 2013

Intro. 01-08-13 by Councilmembers Orange and Barry and re-referred to the Committee of the Whole |
| <hr style="border-top: 1px dashed black;"/> | |
| B20-284 | Employment Testing Translation Act of 2013

Intro. 05-07-13 by Councilmember Orange and re-referred to the Committee on Judiciary and Public Safety |
| <hr style="border-top: 1px dashed black;"/> | |
| B20-321 | Human Rights Act Notice Requirement Amendment Act of 2013

Intro. 06-04-13 by Councilmember Barry and re-referred to the Committee on Judiciary and Public Safety |
| <hr style="border-top: 1px dashed black;"/> | |
| B20-366 | Commission on Fathers, Men and Boys Establishment Act of 2013

Intro. 06-26-13 by Councilmembers Barry, McDuffie, Bonds, Orange, Alexander, Grosso and Bowser and re-referred to the Committee on Government Operations |
| <hr style="border-top: 1px dashed black;"/> | |

Bills Con't

- B20-367 Department of Aging and Community Living Establishment Amendment Act of 2013
Intro. 06-26-13 by Councilmembers Barry and McDuffie and re-referred sequentially to the Committee on Human Services and the Committee on Health
-
- B20-413 Residency Requirement for Government Employees Amendment Act of 2013
Intro. 07-10-13 by Councilmembers Barry, Alexander, Bonds, McDuffie, Graham, Bowser, Orange, Evans and Grosso and re-referred to the Committee on Government Operations
-
- B20-415 Workers' Compensation and Disability Compensation Amendment Act of 2013
Intro. 07-10-13 by Councilmembers Barry and re-referred sequentially to the Committee on Business, Consumer, and Regulatory Affairs and the Committee on Government Operations
-
- B20-480 Earned Sick and Safe Leave Amendment Act of 2013
Intro. 09-17-13 by Councilmembers Barry, Cheh, Bowser, Orange, Bonds, McDuffie, Wells and Chairman Mendelson and re-referred to the Committee on Business, Consumer, and Regulatory Affairs
-
- B20-523 Fire and Emergency Medical Services Major Changes Approval Amendment Act of 2013
Intro. 10-07-13 by Councilmember Wells and referred to the Committee on Judiciary and Public Safety
-
- B20-525 Annie's Way Designation Act of 2013
Intro. 10-10-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole
-
- B20-528 D.C. Promise Establishment Act of 2013
Intro. 10-15-13 by Councilmembers Catania, Barry, Alexander, Evans, Bonds, Cheh, Grosso, McDuffie, Wells and Chairman Mendelson and referred to the Committee on Education
-

Bills Con't

B20-529 Domestic Violence Criminal Justice Response Improvement Amendment Act of 2013
 Intro. 10-15-13 by Councilmember Cheh and referred to the Committee on Judiciary and Public Safety

B20-530 Animal Exhibitors Clarification Amendment Act of 2013
 Intro. 10-15-13 by Councilmember Cheh and referred to the Committee on Health

B20-531 Non-Profit Certified Business Enterprise Amendment Act of 2013
 Intro. 10-15-13 by Councilmember Cheh and referred to the Committee on Business, Consumer, and Regulatory Affairs

B20-532 Protecting Victims of Gender-Based Violence Amendment Act of 2013
 Intro. 10-15-13 by Councilmembers McDuffie, Bonds, Cheh, Grosso, Alexander, Bowser, Graham and Chairman Mendelson and referred to the Committee on Judiciary and Public Safety

Proposed Resolutions

PR20-493 Office of Employee Appeals Vera Abbott Confirmation Resolution of 2013”
 Intro. 10-07-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

PR20-494 Motor Vehicle Theft Prevention Commission Lawrence A. Richardson, Jr. Confirmation Resolution of 2013
 Intro. 10-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR20-495 J.F. Cook School Surplus Declaration Resolution of 2013
 Intro. 10-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

Proposed Resolutions Con't

PR20-496 J.F. Cook School Disposition Approval Resolution of 2013”

Intro. 10-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-497 Benning School Surplus Declaration Resolution of 2013

Intro. 10-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

PR20-498 Benning School Disposition Approval Resolution of 2013

Intro. 10-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-499 District of Columbia Sentencing and Criminal Code Revision Commission Marvin Turner Confirmation Resolution of 2013

Intro. 10-08-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PR20-505 Sense of the Council Support for the Capitol Riverside Youth Sports Park Resolution of 2013

Intro. 10-15-13 by Councilmembers Wells and Grosso and referred to the Committee on Finance and Revenue

**Council of the District of Columbia
Committee on Health
Notice of Public Hearing
1350 Pennsylvania Ave., N.W., Washington, D.C. 20004**

REVISED

**COUNCILMEMBER YVETTE M. ALEXANDER, CHAIRPERSON
COMMITTEE ON HEALTH ANNOUNCES A PUBLIC HEARING**

on

Bill 20-101, the "Patient Protection Act of 2013"

and

Bill 20-111, the "Nurse Safe Staffing Act of 2013"

**Friday, November 8, 2013
11:00 a.m., Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

Councilmember Yvette M. Alexander, Chairperson of the Committee on Health, announces a hearing on Bill 20-101, the "Patient Protection Act of 2013" and Bill 20-111, the "Nurse Safe Staffing Act of 2013". The public hearing will be held at 11:00 a.m. on Friday, November 8, 2013 in Room 500 of the John A. Wilson Building. **Please note that this notice reflects the addition of Bill 20-111 to be heard by the Committee on November 8th.**

The stated purpose of Bill 20-101 is to require an acute care general hospital or psychiatric hospital to submit to the Department of Health a staffing plan that provides sufficient, appropriately qualified nursing staff in each unit within the facility; establish and implement an acuity system for addressing fluctuations in actual patient acuity levels and nursing care requirements requiring increased staffing levels; require the Department of Health to set minimal levels of nurse staffing and registered nurse staff ratios for schools. The stated purpose of Bill 20-111 is to establish safe nursing levels at hospitals in the District of Columbia.

Those who wish to testify should contact Rayna Smith, Committee Director, at (202) 741-2111 or via e-mail at rsmith@dccouncil.us and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business on Wednesday, November 6, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Wednesday, November 6, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Rayna Smith, Room 115 of the Wilson Building, 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004. The record will close at 5:30 p.m. on Friday, November 20, 2013.

**Council of the District of Columbia
Committee on Health
Notice of Public Hearing
1350 Pennsylvania Ave., N.W., Washington, D.C. 20004**

**REVISED AND
ABBREVIATED**

**COUNCILMEMBER YVETTE M. ALEXANDER, CHAIRPERSON
COMMITTEE ON HEALTH ANNOUNCES A PUBLIC HEARING**

on

Bill 20-343, the "Expedited Partner Therapy Act of 2013"

**Wednesday, October 30, 2013
11:00 a.m., Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

Councilmember Yvette M. Alexander, Chairperson of the Committee on Health, announces a hearing on Bill 20-343, the "Expedited Partner Therapy Act of 2013". The public hearing will be held at 11:00 a.m. on Wednesday, October 30, 2013 in Room 500 of the John A. Wilson Building. **Please note that this reflects a new date and location.**

The stated purpose of Bill 20-343 is to permit health care practitioners to prescribe prescription drugs without an examination to the partners of a patient diagnosed with a sexually transmitted infection.

Those who wish to testify should contact Rayna Smith, Committee Director, at (202) 741-2111 or via e-mail at rsmith@dccouncil.us and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business on Monday, October 28, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Monday, October 28, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Rayna Smith, Room 115 of the Wilson Building, 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, November 13, 2013.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

**COUNCILMEMBER TOMMY WELLS, CHAIRPERSON
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**BILL 20-417, THE “SEXUAL ASSAULT VICTIMS’
RIGHTS AMENDMENT ACT OF 2013”**

Thursday, December 12, 2013

11 a.m.

Room 412

John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, D.C. 20004

Councilmember Tommy Wells, Chairperson of the Committee on the Judiciary and Public Safety, announces a public hearing on Thursday, December 12, 2013, beginning at 11 a.m. in Room 412 of the John A. Wilson Building.

The purpose of this hearing is to receive public comment on Bill 20-417, the “Sexual Assault Victims’ Rights Amendment Act of 2013.” This bill would: specify that the jurisdiction of the Police Complaints Board and Office of Police Complaints include MPD’s handling of complaints of sexual assault; classify a new way for the MPD to handle sexual assault victims’ cases; provide that communications between a sexual assault victim and a sexual assault victim’s advocate are confidential and privileged; and propose that all sexual assault forensic examination kits shall be processed by the MPD 90 days from when evidence was collected.

The Committee invites the public to testify. Individuals and representatives of organizations who wish to testify should contact Tawanna Shuford at 724-7808 or tshuford@dccouncil.us, and furnish their name, address, telephone number, and organizational affiliation, if any, by 5 p.m. on Tuesday, December 10, 2013. Witnesses should bring 15 copies of their testimony. Testimony may be limited to 3 minutes for individuals and 5 minutes for those representing organizations or groups.

If you are unable to testify at the public hearing, written statements are encouraged and will be made part of the official record. Written statements should be submitted by 5 p.m. on Friday, December 27, 2013 to Ms. Shuford, Committee on the Judiciary and Public Safety, Room 109, 1350 Pennsylvania Ave., NW, Washington, D.C., 20004, or via email at tshuford@dccouncil.us.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

REVISED

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING**

on

Bill 20-433, Police and Firemen's Retirement and Relief Board Amendment Act of 2013;

Bill 20-440, Retired District Employee Annuity Amendment Act of 2013;

&

Bill 20-481, Fossil Fuel Divestment Act of 2013

on

Tuesday, November 26, 2013

10:30 a.m., Hearing Room 412, John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on Bill 20-433, the "Police and Firemen's Retirement and Relief Board Amendment Act of 2013," Bill 20-440, the "Retired District Employee Annuity Amendment Act of 2013," and Bill 20-481, the "Fossil Fuel Divestment Act of 2013." The public hearing will be held Tuesday, November 26, 2013, at 10:30 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW. **This notice has been revised to reflect a new hearing date, time, and room number.**

The stated purpose of Bill 20-433 is to amend the law to change the membership of, and provide for additional alternates to serve on, the Police and Firemen's Retirement and Relief Board.

The stated purpose of Bill 20-440 is to amend the law to amend the amount of salary that may be offset against any annuity due a re-employed District employee, to comply with federal law.

The stated purpose of Bill 20-481, Fossil Fuel Divestment Act of 2013 is to require the divestment, and prohibit the investment, of public funds in the stocks, securities, or other obligations of certain companies which hold the largest fossil fuel reserves and to provide for the identification of companies with the largest fossil fuel reserves.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Jessica Jacobs, Legislative Counsel, at jjacobs@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Friday, November 22, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Friday, November 22, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. Copies of Bill 20-433, Bill 20-440, and Bill 20-481 can be obtained through the Legislative Services Division of the Secretary of the Council's office or at <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Tuesday, December 10, 2013.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs
Committee on Finance and Revenue
Notice of Joint Public Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite G-6 Washington, DC 20004

Revised and Abbreviated

**Councilmember Vincent B. Orange, Sr., Chair
Committee on Business, Consumer, and Regulatory Affairs
and
Councilmember Jack Evans, Chair
Committee on Finance and Revenue**

Announce a Public Hearing on the Following Measures

- **B20-438, the “Minimum Wage and Accrued Sick and Safe Leave Amendment Act of 2013”**
- **B20-459, the “Minimum Wage Amendment Act of 2013”**
- **B20-460, the “Living Wage for All Act of 2013”**
- **B20-463, the “Minimum Wage Revision Commission Establishment Amendment Act of 2013”**
- **B20-480, the “Earned Sick and Safe Leave Amendment Act of 2013”**

**Monday, October 28, 2013, 10 A.M.
John A. Wilson Building, Room 500
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004**

Councilmember Vincent B. Orange, Sr. and Councilmember Jack Evans announce the scheduling of a joint hearing by the Committee on Business, Consumer, and Regulatory Affairs and Committee on Finance and Revenue on Bill 20-438, the “Minimum Wage and Accrued Sick and Safe Leave Amendment Act of 2013”, Bill 20-459, the “Minimum Wage Amendment Act of 2013”, B20-460, the “Living Wage for All Act of 2013”, B20, 463, the Minimum Wage Revision Commission Establishment Amendment Act of 2013”, and B20-480, the “Earned Sick and Safe Leave Amendment Act of 2013” for Monday, October 28, 2013 at 10:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C.

This notice has been revised from one originally filed by the Committee on Business, Consumer, and Regulatory Affairs to announce that the proceedings will be conducted as a joint hearing of the Committee on Finance and Revenue and Committee on Business, Consumer, and Regulatory Affairs for the purposes of taking testimony on B20-460, the “Living Wage for All Act of 2013” and to add B20-480, the “Earned Sick and Safe Leave

Amendment Act of 2013” to the hearing agenda. The notice is being abbreviated in order to provide timely notice to the public.

B20-438, the “Minimum Wage and Accrued Sick and Safe Leave Amendment Act of 2013” proposes to amend the Minimum Wage Act Revision Act of 1992 to increase the minimum wage in the District of Columbia in three increments to \$10.50 an hour or \$1 higher than the federal minimum wage, whichever is greater, by June 2016. The bill also proposes amending the Accrued Sick and Safe Leave Act of 2008 to include restaurant wait staff and bartenders who work for a combination of wages and tips.

B20-459, “Minimum Wage Amendment Act of 2013” seeks to amend the Minimum Wage Act Revision Act of 1992 to increase the minimum wage in the District to \$12.50 an hour in four increments and to require an increase in the minimum wage in proportion to increases in the Consumer Price Index (CPI) in each successive year thereafter. The bill also proposes to increase the tip wages for workers to 70 percent of the District’s minimum wage.

B20-460, the “Living Wage for All Act of 2013” would amend the Minimum Wage Act Revision Act of 1992 to increase the minimum wage in the District to \$10.25 an hour or \$1 higher than the federal minimum wage, whichever is greater; to increase the standard deduction for District taxpayers; and to establish a small business property tax credit to reduce costs to employers.

B20-463, the “Minimum Wage Revision Commission Establishment Amendment Act of 2013” would amend the Minimum Wage Amendment Act of 2004 to establish the Minimum Wage Revision Commission with a purpose of reporting to the Council of the District of Columbia and the mayor recommendations for revising the minimum wage, establish specific functions of the Commission, and to provide for the composition and authority of the Commission.

B20-480, the “Earned Sick and Safe Leave Amendment Act of 2013” proposes to amend the Accrued Sick and Safe Act of 2008 to expand the coverage of the act to certain classes of employees currently not covered under the act, including tipped employees. It would allow for the accrual of paid leave at the beginning of an individual’s employment and provide for access to paid leave after 90 days of service with an employer. The bill would also strengthen remedies and procedures available to employees under the act and provide for an outreach program to inform the public about the act.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Ms. Faye Caldwell, Administrative Assistant to the Committee on Business, Consumer, and Regulatory Affairs, at (202) 727-6683, or via e-mail at fcaldwell@dccouncil.us or Gene Fisher, Committee Director, at gfisher@dccouncil.us and furnish their names, addresses, telephone numbers, and organizational affiliation, if any, by the close of business Monday, October 21, 2013. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of government agencies, corporate industry, and industry organizations will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the public oversight roundtable, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business November 11, 2013. Copies of written statements should be submitted to the Committee on Business, Consumer, and Regulatory Affairs, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

**Council of the District of Columbia
Committee on Finance and Revenue
Notice of Public Hearing**

John A. Wilson Building, 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004

**COUNCILMEMBER JACK EVANS, CHAIR
COMMITTEE ON FINANCE AND REVENUE**

ANNOUNCES A PUBLIC HEARING ON:

**Bill 20-462, the “Southwest Business Improvement District Amendment Act of 2013”
Bill 20-369, the “Truth in Affordability Reporting Act of 2013”**

Wednesday, November 6, 2013

10:00 a.m.

Room 500 - John A. Wilson Building

1350 Pennsylvania Avenue, NW; Washington, D.C. 20004

Councilmember Jack Evans, Chairman of the Committee on Finance and Revenue, announces a public hearing to be held on Wednesday, November 6, 2013 at 10:00 a.m., in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Bill 20-462, the “Southwest Business Improvement District Amendment of 2013” would authorize the establishment and administration of the Southwest Business Improvement District by amending the “Business Improvements Districts Act of 1996” to include boundaries and rates.

Bill 20-369, the “Truth in Affordability Reporting Act of 2013” would require the Office of the Chief Financial Officer to calculate and report on the District of Columbia median family income; would require area median income and actual income to be used when affordable housing units are marketed, and when the District of Columbia expresses data about affordable housing; would require the Mayor’s Affordable Housing Database to track affordable housing data by both area median income and District of Columbia median family income; and would require Tax Abatement and Financial Analyses to include the calculation of levels of housing affordability in terms of area median income, actual income and District of Columbia median family income.

The Committee invites the public to testify at the hearing. Those who wish to testify should contact Sarina Loy, Committee Assistant at (202) 724-8058 or sloy@dccouncil.us, and provide your name, organizational affiliation (if any), and title with the organization by 10:00 a.m. on Tuesday, November 5, 2013. Witnesses should bring 15 copies of their written testimony to the hearing. The Committee allows individuals 3 minutes to provide oral testimony in order to permit each witness an opportunity to be heard. Additional written statements are encouraged and will be made part of the official record. Written statements may be submitted by e-mail to sloy@dccouncil.us or mailed to: Council of the District of Columbia; 1350 Pennsylvania Ave., N.W.; Suite 114; Washington D.C. 20004.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING**

on

Bill 20-482, Budget Support Technical Clarification Act of 2013

and

Bill 20-506, D.C. Fiscal Year Designation Act of 2013

on

Thursday, November 7, 2013

**9:30 a.m., Council Chamber, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on Bill 20-482, the "Budget Support Technical Clarification Act of 2013" and Bill 20-506, the "D.C. Fiscal Year Designation Act of 2013." The public hearing will be held Thursday, November 7, 2013, at 9:30 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of Bill 20-482 is to amend the Fiscal Year 2014 Budget Support Act of 2013 and the Fiscal Year 2014 Budget Support Emergency Act of 2013 to clarify the priority to be given to homeless families for tenant-based housing assistance and to improve the administrability of the tax abatement financial analysis process; to amend the District of Columbia Public Assistance Act of 1982 to provide the Mayor with authority to establish the review and redetermination schedule for persons receiving POWER benefits; and to amend section 47-2005 of the District of Columbia Official Code to clarify the scope of the processing exemption from the sales tax.

The stated purpose of Bill 20-506 is to amend Title 47 of the District of Columbia Official Code to change the District fiscal year for budget and financial management purposes to July 1 of each year to June 30 of the succeeding calendar year.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at ecash@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, November 5, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on November 5, 2013, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. Copies of Bill 20-482 and Bill 20-506 can be obtained through the Legislative Services Division of the Secretary of the Council's office or at <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Tuesday, November 21, 2013.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON EDUCATION
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Suite 119, Washington, DC 20004

**COUNCILMEMBER DAVID A. CATANIA
CHAIRMAN, COMMITTEE ON EDUCATION
ANNOUNCES A PUBLIC HEARING**

on

Bill 20-528 The D.C. Promise Establishment Act of 2013

on

**Wednesday, November 13, 2013 at 10:00 a.m.
Hearing Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David A. Catania, Chairman of the Committee on Education, announces the scheduling of a Public Hearing by the Committee on Education on Bill 20-528, the D.C. Promise Establishment Act of 2013. The public hearing will take place at 10:00 a.m. in room 500 of the John A. Wilson Building.

The purpose of the hearing is to provide the public and government witnesses an opportunity to testify on the bill which is intended to encourage District students to pursue their educational goals by providing additional assistance for tuition and fees after other sources of financial aid have been exhausted. The maximum amount of the grant will depend on the student's household income and the length of time they were enrolled in a District public school. Students who were continuously enrolled between grades 6 and 12 and who are from households with incomes below 200 percent of the federal poverty level (FPL) will be eligible for the largest awards. Students who were enrolled continuously between grades 9 and 12 will be eligible for a reduced amount.

Those who wish to testify are asked to contact Mr. Jamaal Jordan with the Committee on Education at (202) 724-8061 or via email at JJordan@dccouncil.us and furnish their name, address, telephone number, and organizational affiliation, if any, by the close of business on Monday, November 11, 2013. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Education, Council of the District of Columbia, Suite 119 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, November 20, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

REVISED

COUNCILMEMBER TOMMY WELLS, CHAIRPERSON
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON
FEMS APPARATUS ASSESSMENT AND PARAMEDIC VACANCIES

Wednesday, December 4, 2013

11 a.m.

Council Chamber, Room 500

John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, D.C. 20004

Councilmember Tommy Wells, Chairperson of the Committee on the Judiciary and Public Safety, announces a public oversight roundtable on Wednesday, December 4, 2013 beginning at 11 a.m. in the Council Chamber, Room 500 of the John A. Wilson Building. **This hearing was rescheduled from Thursday, November 14, 2013.**

The purpose of this oversight roundtable is to review and discuss the results of the third-party assessment recently conducted for the Fire and Emergency Medical Services Department (FEMS). This internal audit, which was performed over the summer, is expected to produce a framework for FEMS fleet purchasing, employee hiring, and general distribution of emergency medical services for the District. The roundtable will also discuss the current state of the Department as it relates to paramedic vacancies and the emergency medical services demands of the District.

The Committee invites the public to testify. Individuals and representatives of organizations who wish to testify should contact Tawanna Shuford at 724-7808 or tshuford@dccouncil.us, and furnish their name, address, telephone number, and organizational affiliation, if any, by 5 p.m. on Monday, December 2, 2013. Witnesses should bring 15 copies of their testimony. Testimony may be limited to 3 minutes for individuals and 5 minutes for those representing organizations or groups.

If you are unable to testify at the public hearing, written statements are encouraged and will be made part of the official record. Written statements should be submitted by 5 p.m. on , Wednesday, December 18, 2013 to Ms. Shuford, Committee on the Judiciary and Public Safety, Room 109, 1350 Pennsylvania Ave., NW, Washington, D.C., 20004, or via email at tshuford@dccouncil.us.

REVISED/UPDATED

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON EDUCATION
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Suite 119, Washington, DC 20004

**COUNCILMEMBER DAVID A. CATANIA
CHAIRMAN, COMMITTEE ON EDUCATION
ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE**

on

Options Public Charter School

on

**Friday, October 25, 2013 at 1:30 p.m.
Room 500, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Councilmember David A. Catania, Chairman of the Committee on Education, announces the scheduling of a Public Oversight Roundtable by the Committee on Education Options Public Charter School. The public oversight roundtable will take place at 1:30 p.m. on Friday, October 25, 2013 in room 500 of the John A. Wilson Building. This notice has been updated and revised to reflect the new date of the hearing.

The purpose of the public oversight roundtable is to hear from District education officials about recent revelations involving Options Public Charter School and plans to ensure students at the school continue to receive the quality of educational services they are entitled to and require.

This roundtable will be open to the public; however, only invited witnesses will be permitted to provide oral statements. Members of the public may submit written testimony which will be made part of the official record. Copies of written statements should be submitted to the Committee on Education no later than 5 p.m. on Friday, November 1, 2013.

Council of the District of Columbia

Committee on Human Services

PUBLIC OVERSIGHT ROUNDTABLE

1350 Pennsylvania Avenue, N.W., Room 116, Washington, D.C. 20004

THE COMMITTEE ON HUMAN SERVICES

JIM GRAHAM, CHAIR

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

**“THE WINTER PLAN: PROTECTING THE LIVES OF HOMELESS PEOPLE
IN THE WINTER OF 2013-2014”**

TUESDAY, OCTOBER 29, 2013 -- 11:00 A.M.

**THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
ROOM 123
WASHINGTON, D.C. 20004**

Councilmember Jim Graham, Chair of the Committee on Human Services, will convene a public oversight roundtable on “The Winter Plan: Protecting the Lives of Homeless People in the Winter of 2013-2014”. The roundtable will be held on Tuesday, October 29, 2013, at 11:00 a.m., in Room 123, of the John A. Wilson Building.

The roundtable will provide the District government with the opportunity to share their plan to protect the lives and address the needs of the homeless population during hypothermia season. The Winter Plan, also referred to as the “Hypothermia Plan”, reflects the District’s effort to coordinate service delivery among local agencies and providers who participate in providing hypothermia shelter to individuals and families who are homeless. The roundtable will also cover permanent supportive housing slots being lost through attrition and concerns surrounding the provision of shelter for homeless families and unaccompanied minors.

Those who wish to testify or have questions regarding the hearing should contact Malcolm Cameron of the Committee on Human Services by e-mail at mcameron@dccouncil.us or by telephone at (202) 724-8191. E-mail contacts to Mr. Cameron should include the residential ward, full name, title, and affiliation -- if applicable -- of the person(s) testifying. Witnesses should bring 15 copies of their testimony to the hearing. Representatives of organizations will be allowed a maximum of five (5) minutes for oral presentation and individuals will be allowed a maximum of three (3) minutes for oral presentation.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be

submitted to the Committee on Human Services, 1350 Pennsylvania Avenue, N.W., Suite 116, Washington, D.C. 20004, no later than 6:00 p.m., Friday, November 8, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Room 5 Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10.
Telephone: 724-8050

Reprog. 20-111: Request to reprogram \$746,552 of Fiscal Year 2013 Local funds budget authority within the Department of Small and Local Business Development (DSLBD) was filed in the Office of the Secretary on October 11, 2013. This reprogramming is needed to allow DSLBD to repay the District's Contingency Reserve Fund.

RECEIVED: 14 day review begins October 15, 2013

Reprog. 20-112: Request to reprogram \$1,700,000 of Fiscal Year 2013 Local Funds budget authority within the District of Columbia Public Schools (DCPS) was filed in the Office of the Secretary on October 11, 2013. This reprogramming is needed to support the Memorandum of Agreement (MOA) between the Washington Teachers Union and DCPS.

RECEIVED: 14 day review begins October 15, 2013

Reprog. 20-113: Request to reprogram \$222,490 of Fiscal Year 2013 Local funds budget authority from the Short-Term Borrowing Account (STBA) to the Office of the Chief Financial Officer (OCFO) was filed in the Office of the Secretary on October 11, 2013. This reprogramming will allow payment of a tax refund to a nonprofit community organization.

RECEIVED: 14 day review begins October 15, 2013

Reprog. 20-114: Request to reprogram \$1,395,427 of Fiscal Year 2013 Local funds budget authority within the District of Columbia on Aging (DCOA) was filed in the Office of the Secretary on October 11, 2013. This reprogramming ensures that DCOA will be able to provide adequate funding for services to the District of Columbia's elderly residents.

RECEIVED: 14 day review begins October 15, 2013

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, OCTOBER 23, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson
Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Protest Hearing (Status) Case # 13-PRO-00117; BRRCO Massachusetts Ave, LLC, t/a Bolt Burger 1010 Massachusetts Ave NW, License #92541, Retailer CR, New Application	9:30 AM
Protest Hearing (Status) Case # 13-PRO-00115; Cause Operation, LLC, t/a Cause DC, 1926 9th Street NW, License #90192, Retailer CR Substantial Change (Summer Garden)	9:30 AM
Protest Hearing (Status) Case # 13-PRO-00108; BJ Enterprise, Inc., t/a JP's, 2412 Wisconsin Ave NW License #8511, Retailer CN Substantial Change	9:30 AM
Protest Hearing (Status) Case # 13-PRO-00120; Adams Morgan F & B, LLC, t/a Jack Rose, 2007 18th Street NW, License #81997, Retailer CR Renewal Application	9:30 AM
Show Cause Hearing (Status) Case # 13-AUD-00036; Panda Bear, LLC, t/a Hot N Juicy Crawfish, 2651 Connecticut Ave NW, License #86226, Retailer CR Failed to File Quarterly Statements (4rd Quarter 2012)	9:30 AM
Show Cause Hearing (Status) Case # 13-CMP-00241, Fikre Market, Inc., t/a Capitol View Market, 4920 Central Ave NE, License #76250, Retailer B Failed to Conspicuously Post ABC Window Lettering	9:30 AM

Board's Calendar
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9:30 AM

Show Cause Hearing (Status)

Case # 13-CMP-00225; Lucas & Associates, Inc., t/a Best-In Liquors, 1450 P Street NW, License #11823, Retailer A

Sold Go-Cups

9:30 AM

Show Cause Hearing (Status)

Case # 13-AUD-00044; Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge, 7331 Georgia Ave NW, License #85239, Retailer CR

Failed to Qualify as a Restaurant, Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales

10:00 AM

Show Cause Hearing*

Case # 13-AUD-00031; Partners at 723 8th Street SE, LLC t/a The Ugly Mug Dining Saloon, 723 8th Street SE, License #71793, Retailer CR

Failed to File Quarterly Statements (4th Quarter 2012)

11:00 AM

Show Cause Hearing*

Case # 13-CMP-00168; Soussi, Inc., t/a Soussi, 2228 18th Street NW, License #60448, Retailer CR

Operating After Hours

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

1:30 PM

Show Cause Hearing*

Case # 12-CMP-00734; Sami Restaurant, LLC, t/a Bistro 18, 2420 18th Street NW, License #86876, Retailer CT

Operating After Hours, Interfered with an ABRA Investigation, No Manager on Duty

2:30 PM

Show Cause Hearing*

Case # 13-CMP-00035; Sami Restaurant, LLC, t/a Bistro 18, 2420 18th Street NW, License #86876, Retailer CT

Operating After Hours, Interfered with an ABR Investigation, Failed to Make a Copy of Settlement Agreement Immediately Accessible

3:30 PM

Show Cause Hearing*

Case # 12-CMP-00679; Sami Restaurant, LLC, t/a Bistro 18, 2420 18th Street NW, License #86876, Retailer CT

Operating After Hours

Board's Calendar

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4:30 PM

Show Cause Hearing*

**Case # 12-CMP-00074 and # 12-CMP-00091; Mimi & D, LLC, t/a Vita
Restaurant and Lounge/Penthouse Nine (formerly Mood), 1318 9th Street NW
License #86037, Retailer CT**

Violation of Settlement Agreement

***The Board will hold a closed meeting for purposes of deliberating these
hearings pursuant to D.C. Official Code §2-574(b)(13).**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

THURSDAY, OCTOBER 24, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson
Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Public Hearing 9:30 AM
East Dupont Moratorium

Protest Hearing* 11:30 AM
Case # 13-PRO-00051; TBM Holdings, LLC, t/a TruOrleans, 400 H Street NE
License #86210, Retailer CR, ANC 6C
Renewal Application

BOARD RECESS AT 12:00 PM

Fact Finding Hearing 1:30 PM
Case # 13-CC-00067; Hwan P. Eun, t/a West End Market, 2424 Pennsylvania
Ave NW, License #74663, Retailer A, ANC 2A
Interfered with an ABRA Investigation

Fact Finding Hearing 2:00 PM
Showboat 2473, LLC, t/a District Lounge and Grille; 2473 18th Street NW
License #91034, Retailer CR, ANC 1C
Request to remove License from Safekeeping and to Transfer the License

Protest Hearing* 4:30 PM
Case # 13-PRO-00037; Eatonville Inc., t/a Eatonville, 2121 14th Street NW
License #78882, Retailer CR, ANC 1B
Renewal Application
*The Board will hold a closed meeting for purposes of deliberating these
hearings pursuant to D.C. Official Code §2-574(b)(13).

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: October 18, 2013
Petition Date: December 2, 2013
Roll Call Hearing Date: December 16, 2013
Protest Hearing Date: February 12, 2014

License No.: ABRA-093449
Licensee: District Falafel I, LLC
Trade Name: t/a Amsterdam Falafelshop
License Class: Retailer's Class "D" Restaurant
Address: 1830 14th Street NW
Contact: Stephen J. O'Brien, Esq. 202-625-7700

WARD 2 ANC 2B SMD 2B09

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:00pm on February 12, 2014.

NATURE OF OPERATION

New restaurant serving falafel and related foods, no entertainment, no dancing. Seating capacity is 45. Total occupancy load is 59.

HOURS OF OPERATION

Sunday and Monday 10am-12am; Tuesday and Wednesday 10am-2:30am; Thursday 10am-3am and Friday & Saturday 10am-4am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday and Monday 10am-12am; Tuesday through Thursday 10am-1am and Friday & Saturday 10am-2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-075162
License Class/Type: C Nightclub
SMD: 2F05

Applicant: Inner Circle 1420, LLC
Trade Name: Lotus
Premise Address: 1420 K ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	-
MON:	11 am - 2 am	11 am - 2 am	-
TUE:	11 am - 2 am	11 am - 2 am	-
WED:	11 am - 2 am	11 am - 2 am	-
THU:	11 am - 2 am	11 am - 2 am	-
FRI:	11 am - 3 am	11 am - 3 am	-
SAT:	11 am - 3 am	11 am - 3 am	-

License Number: ABRA-072087
License Class/Type: C Nightclub
SMD: 2B05

Applicant: Hak, LLC
Trade Name: Midtown
Premise Address: 1219 CONNECTICUT AVE NW

Endorsements: Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	-
MON:	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	-
TUE:	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	-
WED:	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	-
THU:	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	5 pm - 2 am	-
FRI:	5 pm - 3 am	5 pm - 3 am	5 pm - 3 am	5 pm - 3 am	-
SAT:	5 pm - 3 am	5 pm - 3 am	5 pm - 3 am	5 pm - 3 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-071743
License Class/Type: C Nightclub
SMD:

Applicant: Arm, LLC
Trade Name: LUX
Premise Address: 649 NEW YORK AVE NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 3 am	11 am - 2 am	-
MON:	11 am - 3 am	11 am - 2 am	-
TUE:	11 am - 3 am	11 am - 2 am	-
WED:	11 am - 3 am	11 am - 2 am	-
THU:	11 am - 3 am	11 am - 2 am	-
FRI:	11 am - 4 am	11 am - 3 am	-
SAT:	11 am - 4 am	11 am - 3 am	-

License Number: ABRA-075424
License Class/Type: C Nightclub
SMD: 5C02

Applicant: Eclipse Restaurant & Night Club, Inc.
Trade Name: Eclipse Restaurant & Nightclub
Premise Address: 2820 BLADENSBURG RD NE

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	8 am - 3 am	11 am - 2 am	-
MON:	8 am - 3 am	11 am - 2 am	-
TUE:	8 am - 3 am	11 am - 2 am	-
WED:	8 am - 3 am	11 am - 2 am	-
THU:	8 am - 3 am	11 am - 2 am	-
FRI:	8 am - 3 am	11 am - 2 am	-
SAT:	8 am - 3 am	11 am - 2 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-076906
License Class/Type: C Tavern
SMD: 2F05

Applicant: 1010 V Llc
Trade Name: Josephine
Premise Address: 1010 Vermont AVE NW

Endorsements: Cover Charge, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	5:30 pm - 3 am	5:30 pm - 2 am	6 pm - 3 am
MON:	5:30 pm - 3 am	5:30 pm - 2 am	6 pm - 3 am
TUE:	5:30 pm - 3 am	5:30 pm - 2 am	6 pm - 3 am
WED:	5:30 pm - 3 am	5:30 pm - 2 am	6 pm - 3 am
THU:	5:30 pm - 3 am	5:30 pm - 2 am	6 pm - 3 am
FRI:	5:30 pm - 4 am	5:30 pm - 3 am	6 pm - 4 am
SAT:	5:30 pm - 4 am	5:30 pm - 3 am	6 pm - 4 am

License Number: ABRA-071676
License Class/Type: C Tavern
SMD: 2C01

Applicant: RPM Restaurant, LLC
Trade Name: Shelly's Back Room
Premise Address: 1331 F ST NW

Endorsements: Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	12 pm - 2 am	12 pm - 2 am	12 pm - 12 am	12 pm - 12 am	-
MON:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-
TUE:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-
WED:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-
THU:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	-
FRI:	11 am - 3 am	11 am - 3 am	11 am - 12 am	11 am - 12 am	-
SAT:	11 am - 3 am	11 am - 3 am	11 am - 12 am	11 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-011277
License Class/Type: C Tavern
SMD: 6B04

Applicant: Backdoor Inc.
Trade Name: Bachelor's Mill/Back Door Pub
Premise Address: 1104 8TH ST SE

Endorsements: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	4 pm - 2 am	4 pm - 2 am	8 pm - 12 am
MON:	4 pm - 2 am	4 pm - 2 am	6 pm - 1 am
TUE:	4 pm - 2 am	4 pm - 2 am	6 pm - 1 am
WED:	4 pm - 2 am	4 pm - 2 am	6 pm - 1 am
THU:	4 pm - 2 am	4 pm - 2 am	10 pm - 2 am
FRI:	4 pm - 3 am	4 pm - 3 am	10 pm - 3 am
SAT:	4 pm - 3 am	4 pm - 3 am	10 pm - 3 am

License Number: ABRA-081538
License Class/Type: C Tavern
SMD: 4B01

Applicant: The Borderline, Inc.
Trade Name: Cedar Crossing Tavern & Wine Bar
Premise Address: 341 Cedar ST NW

Endorsements:

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	10 am - 12 am	10 am - 12 am	-
MON:	10 am - 12 am	10 am - 12 am	-
TUE:	10 am - 12 am	10 am - 12 am	-
WED:	10 am - 12 am	10 am - 12 am	-
THU:	10 am - 12 am	10 am - 12 am	-
FRI:	10 am - 12 am	10 am - 12 am	-
SAT:	10 am - 12 am	10 am - 12 am	-

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-086384
License Class/Type: C Tavern
SMD: 1A03

Applicant: Highland Restaurant Group LLC
Trade Name: Acre 121
Premise Address: 1400 IRVING ST NW

Endorsements: Cover Charge, Entertainment, Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Summer Garden Operation	Hours of Sales Summer Garden	Hours of Entertainment
SUN:	10am - 2am	10am -2am	10am - 2am	10am - 2am	6pm - 2am
MON:	11am - 2am	11am - 2am	11am - 2am	11am - 2am	6pm - 2am
TUE:	11am - 2am	11am - 2am	11am - 2am	11am - 2am	6pm - 2am
WED:	11am - 2am	11am - 2am	11am - 2am	11am - 2am	6pm - 2am
THU:	11am - 2am	11am - 2am	11am - 2am	11am - 2am	6pm - 2am
FRI:	11am - 3am	11am - 3am	11am - 3am	11am - 3am	6pm - 3am
SAT:	11am - 3am	11am - 3am	11am - 3am	11am - 3am	6pm - 3am

License Number: ABRA-088592
License Class/Type: C Tavern
SMD: 6A01

Applicant: HR-57, Inc.
Trade Name: HR-57
Premise Address: 1007 H ST NE

Endorsements: Cover Charge, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 12 am	11 am -12 am	2 pm - 12 am
MON:	11 am - 12 am	11 am - 12 am	2 pm - 12 am
TUE:	11 am - 12 am	11 am - 12 am	2 pm - 12 am
WED:	11 am - 1 am	11 am - 1 am	2 pm - 1 am
THU:	11 am - 1 am	11 am - 1 am	2 pm - 1 am
FRI:	11 am - 2:30 am	11 am - 2:30 am	2 pm - 2:30 am
SAT:	11 am - 2:30 am	11 am - 2:30 am	2 pm - 2:30 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
 PETITION DATE: 12/2/2013
 HEARING DATE: 12/16/2013

License Number: ABRA-088333 Applicant: A DC Restaurant Group, LLC
 License Class/Type: C Tavern Trade Name: The Pinch
 SMD: 1A01 Premise Address: 3548 - 3550 14TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	8 am - 2 am	8 am - 2 am	11am - 12am	11am - 12am	6 pm - 2 am
MON:	8 am - 2 am	8 am - 2 am	11am - 12am	11am - 12am	6 pm - 2 am
TUE:	8 am - 2 am	8 am - 2 am	11am - 12am	11am - 12am	6 pm - 2 am
WED:	8 am - 2 am	8 am - 2 am	11am - 12am	11am - 12am	6 pm - 2 am
THU:	8 am - 2 am	8 am - 2 am	11am - 12am	11am - 12am	6 pm - 2 am
FRI:	8 am - 3 am	8 am - 3 am	11am - 12 am	11am - 12 am	6 pm - 3 am
SAT:	8 am - 3 am	8 am - 3 am	11am - 12 am	11am - 12 am	6 pm - 3 am

License Number: ABRA-075811 Applicant: Liquid Inspiration Llc
 License Class/Type: C Tavern Trade Name: Solly's U Street Tavern
 SMD: 1B02 Premise Address: 1942 11TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	9 am - 2 am	9 am - 2 am	9 am - 12 am	10 am - 12 am	6 pm - 2 am
MON:	9 am - 2 am	9 am - 2 am	9 am - 12 am	9 am - 12 am	6 pm - 2 am
TUE:	9 am - 2 am	9 am - 2 am	9 am - 12 am	9 am - 12 am	6 pm - 2 am
WED:	9 am - 2 am	9 am - 2 am	9 am - 12 am	9 am - 12 am	6 pm - 2 am
THU:	9 am - 2 am	9 am - 2 am	9 am - 12 am	9 am - 12 am	6 pm - 2 am
FRI:	9 am - 3 am	9 am - 3 am	9 am - 1 am	9 am - 1 am	6 pm - 2 am
SAT:	9 am - 3 am	9 am - 3 am	9 am - 1 am	9 am - 1 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-060456
License Class/Type: C Tavern
SMD: 1B12

Applicant: Saint-Ex Group LLC
Trade Name: Cafe Saint-Ex
Premise Address: 1847 14TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
MON:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
TUE:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
WED:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
THU:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am
FRI:	11 am - 3 am	11 am - 3 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am
SAT:	11 am - 3 am	11 am - 3 am	11 am - 2 am	11 am - 2 am	6 pm - 2 am

License Number: ABRA-091276
License Class/Type: C Tavern
SMD: 2B07

Applicant: Kabin Group, LLC
Trade Name: Kabin
Premise Address: 1337 CONNECTICUT AVE NW

Endorsements: Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
MON:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
TUE:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
WED:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
THU:	11 am - 2 am	11 am - 2 am	6 pm - 2 am
FRI:	11 am - 3 am	11 am - 3 am	6 pm - 3 am
SAT:	11 am - 3 am	11 am - 3 am	6 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
 PETITION DATE: 12/2/2013
 HEARING DATE: 12/16/2013

License Number: ABRA-009870 Applicant: Pershing Associates A DC Limited Partnership
 License Class/Type: C Tavern Trade Name: The Occidental
 SMD: 2C01 Premise Address: 1475 PENNSYLVANIA AVE NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 3 pm
MON:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
TUE:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
WED:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
THU:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
FRI:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm
SAT:	11 am - 2 am	11 am - 2 am	11 am - 2 am	11 am - 2 am	5:30 pm - 9:30 pm

License Number: ABRA-077455 Applicant: Jlar LLC
 License Class/Type: C Tavern Trade Name: District 2 Bar & Grille
 SMD: 3C09 Premise Address: 3238 WISCONSIN AVE NW

Endorsements: Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe	Hours of Entertainment
SUN:	11 am - 2 am	11 am - 2 am	11 am - 11 pm	11 am - 11 pm	6 pm - 2 am
MON:	11 am - 12:45 am	11 am - 12:45 am	11 am - 11 pm	11 am - 11 pm	6 pm - 12:45 am
TUE:	11 am - 12:45 am	11 am - 12:45 am	11 am - 11 pm	11 am - 11 pm	6 pm - 12:45 am
WED:	11 am - 12:45 am	11 am - 12:45 am	11 am - 11 pm	11 am - 11 pm	6 pm - 12:45 am
THU:	11 am - 12:45 am	11 am - 12:45 am	11 am - 11 pm	11 am - 11 pm	6 pm - 12:45 am
FRI:	11 am - 12:45 am	11 am - 12:45 am	11 am - 12 am	11 am - 12 am	6 pm - 12:45 am
SAT:	11 am - 2 am	11 am - 2 am	11 am - 12 am	11 am - 12 am	6 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 10/18/2013
PETITION DATE: 12/2/2013
HEARING DATE: 12/16/2013

License Number: ABRA-024778
License Class/Type: C Tavern
SMD: 4C01

Applicant: Mec Inc
Trade Name: Turntable Restaurant
Premise Address: 5802 GEORGIA AVE NW

Endorsements: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11:30 am - 2 am	11:30 am - 2 am	8:30 pm - 2 am
MON:	11:30 am - 2 am	11:30 am - 2 am	8:30 pm - 2 am
TUE:	11:30 am - 2 am	11:30 am - 2 am	8:30 pm - 2 am
WED:	11:30 am - 2 am	11:30 am - 2 am	8:30 pm - 2 am
THU:	11:30 am - 2 am	11:30 am - 2 am	8:30 pm - 2 am
FRI:	11:30 am - 3 am	11:30 am - 3 am	8:30 pm - 3 am
SAT:	11:30 am - 3 am	11:30 am - 3 am	8:30 pm - 3 am

License Number: ABRA-076369
License Class/Type: C Tavern
SMD: 5C07

Applicant: Lace Hospitality, LLC
Trade Name: Lace
Premise Address: 2214 RHODE ISLAND AVE NE

Endorsements: Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
SUN:	11am - 3am	11am - 2am	6pm - 3am
MON:	11am - 3am	11am - 2am	6pm - 3am
TUE:	11am - 3am	11am - 2am	6pm - 3am
WED:	11am - 3am	11am - 2am	6pm - 3am
THU:	11am - 3am	11am - 2am	6pm - 3am
FRI:	11am - 3am	11am - 3am	6pm - 3am
SAT:	11am - 3am	11am - 3am	6pm - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: October 18, 2013
Petition Date: December 02, 2013
Hearing Date: December 16, 2013
Protest Date: February 12, 2014

License No.: ABRA-092426
Licensee: 3566 14th Street, NW LLC
Trade Name: La Dulce Noche
License Class: Retailer's "C" Restaurant
Address: 3566 14th Street, NW
Contact Information: Andrew Kine 202 686-7600

WARD 1 ANC 1A SMD 1A01

Notice is hereby given that this licensee has applied for a License under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, D.C. 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:00pm on February 12, 2014.

NATURE OF OPERATION

Restaurant new. Serving international food. Occupancy 95

HOURS OF OPERATON

Sunday through Saturday 9 am – 3 am

HOURS OF SALES/SERVICE/CONSUMPTION

Sunday through Thursday 9am – 2 am, Friday and Saturday 9 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: October 18, 2013
Petition Date: December 2, 2013
Hearing Date: December 16, 2013
Protest Date: February 12, 2014

License No.: ABRA-093124
Licensee: Ventura Market, LLC
Trade Name: La Joya Steakhouse Restaurant
License Class: Retailer's "C" Restaurant
Address: 201 Upshur Street, NW
Contact Information: Lillian Perdomo 202 660-3058

WARD 4 ANC 4C SMD 4C10

Notice is hereby given that this licensee has applied for a new License under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, D.C. 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 1:00pm on February 12, 2014.

NATURE OF OPERATION

New Restaurant. Full service restaurant featuring USA, Mexican and El Salvadorean food. Occupancy load is 74

HOURS OF OPERATON

Sunday through Saturday 9 am – 3 am

HOURS OF SALES/SERVICE/CONSUMPTION

Sunday through Thursday 9am – 2 am, Friday and Saturday 9 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: October 18, 2013
Petition Date: December 02, 2013
Hearing Date: December 16, 2013

License No.: ABRA-092074
Licensee: Toro Bar Corporation
Trade Name: La Troja Bar
License Class: Retailer's "D" Tavern
Address: 3708 14th Street, NW
Contact Information: Maria De Cruz 202 520-9086

WARD 4 ANC 4C SMD 4C04

Notice is hereby given that this licensee has applied for a substantial change to the License under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, D.C. 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

Licensee requests the following substantial changes to its nature of operation:

- Class change from a Retailer's D Tavern to a Retailer's C Tavern

Current Hours of Alcoholic Beverage Operations, Sales and Consumption:
Sunday 12 pm to 12 am, Monday through Thursday 3 pm to 1 am and
Friday 3 pm to 3 am Saturday, 1 pm to 3 am.

DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**PUBLIC HEARING NOTICE****Wednesday, November 20, 2013****District of Columbia's Fiscal Year 2013
Consolidated Annual Performance Evaluation Report (CAPER)**

Michael P. Kelly, Director, D.C. Department of Housing and Community Development (DHCD or the Department) will conduct a public hearing on Wednesday, November 20, 2013, to discuss the District's Fiscal Year (FY) 2013 performance in its use of funds received from the U.S. Department of Housing and Urban Development (HUD). DHCD received approximately \$33.4 million from HUD in Fiscal Year 2013 through four programs: the Community Development Block Grant (CDBG) Program; the HOME Investment Partnerships Program; the Emergency Shelter Grant (ESG) Program; and the Housing for Persons with AIDS (HOPWA) Program. DHCD administers the CDBG and HOME funds directly; the Department entered into an agreement with the D.C. Department of Human Services (DHS) to administer the ESG grant; and transferred the HOPWA grant to the D.C. Department of Health.

In preparation for the submission of the FY 2013 Consolidated Annual Performance and Evaluation Report (CAPER) to HUD, DHCD is soliciting public comment on the District's effectiveness during

FY 2013 at using federal funds to meet the District's housing and community development needs. These comments will form part of DHCD's and the District's evaluation, as required by federal regulations

(24 CFR 91.520). This hearing is reserved for a discussion of the District's FY 2013 performance.

The hearing will be held on **Wednesday, November 20, 2013**, at the Department of Housing and Community Development, 1800 Martin Luther King Jr., Avenue, SE, 1st floor conference room at 6:30 pm. If you would like to testify, you are encouraged to register in advance either by e-mail at DHCDEVENTS@dc.gov or by calling (202) 442-6993. Please provide your name, address, telephone number, and organization affiliation, if any.

Telecommunications Device for the Deaf (TDD) relay service will be provided by calling (800) 201-7165. Sign language interpretation and language translation services will be available upon request by calling Ms. Pamela Hillsman, seven days prior to the hearing on (202) 442-7251.

Persons, who require interpretation or language translation, must specify the language of preference (i.e. Spanish, Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French). Language interpretation service will be provided to pre-registered persons only.

Written statements may be submitted for the record at the hearing, or until close of business, Friday, November 29, 2013. Mail written statements to: Michael P. Kelly, Director, DHCD, 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, DECEMBER 17, 2013
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

9:30 A.M. MORNING HEARING SESSION

A.M.

WARD TWO

18678 **Application of Rock Creek – 1100 16th LLC, on behalf of Embassy of**
ANC-2B **the Sultanate of Oman**, pursuant to 11 DCMR § 1002, to permit the
location of a chancery annex (Sultan Qaboos Cultural Center) in a vacant
building in the SP-2 District at premises 1100 16th Street, N.W. (Square 183,
Lot 106).

WARD SIX

18674 **Application of William and Catherine Durbin**, pursuant to 11 DCMR
ANC-6B §§ 1202.1 and 3104.1, for a special exception under section 223, for an
addition to an existing one-family row dwelling not meeting the lot occupancy
(section 403), court (section 406) and nonconforming structure (subsection
2001.3) requirements in the CAP/R-4 District at premises 508 4th Street, S.E.
(Square 812, Lot 822).

WARD THREE

18680 **Application of Michael R. Lewis**, pursuant to 11 DCMR § 3104.1, for a
ANC-3E special exception to allow an accessory basement apartment within a one-
family dwelling under subsection 202.10, in the R-1-B District at premises
4434 Tindall Street, N.W. (Square 1597, Lot 25).

WARD ONE

18679 **Application of Richard and Janet Barnes.**, pursuant to 11 DCMR §
ANC-1D 3103.2, for a variance from the nonconforming structure provisions under
subsection 2001.3, a variance from the lot occupancy requirements under
section 403, and a variance from the rear yard requirements under section 404,
to allow a rear deck addition to an existing row dwelling in the R-4 District at
premises 3150 17th Street, N.W. (Square 87, Lot 2600).

BZA PUBLIC HEARING NOTICE

DECEMBER 17, 2013

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WARD SEVEN

18681 **Application of Shirley H. Cox**, pursuant to 11 DCMR § 3104.1, for a
ANC-7A special exception to establish a child development center (15 children and
 3 staff) under section 205, (last approved under BZA Order No. 18079) in the
 R-2 District at premises 3008 K Street, S.E. (Square 5482, Lot 8).

WARD TWO

18677 **Appeal of James P. Hill and Edward V. Hanlon**, pursuant to 11 DCMR
ANC-2B §§ 3100 and 3101, from a July 26, 2013, decision by the Zoning
 Administrator to permit a rear deck addition serving a flat under Building
 Permit No. B1309278, in the DC/R-4 District at premises 1536 T Street, N.W.
 (Square 191, Lot 98).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than**

14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form. This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning’s website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**LLOYD J. JORDAN, CHAIRMAN, S. KATHRYN ALLEN, VICE CHAIRPERSON, JEFFREY L. HINKLE AND A MEMBER OF THE ZONING COMMISSION -----
-- BOARD OF ZONING ADJUSTMENT, CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, December 19, 2013, @ 6:30 p.m.**
 Jerrily R. Kress Memorial Hearing Room
 441 4th Street, N.W., Suite 220-S
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 11-15B -- Howard University (Amendment to and Further Processing of an Approved Campus Plan)

THIS CASE IS OF INTEREST TO ANC 1B

Application of Howard University, pursuant to 11 DCMR §§ 3104.1 and 507, seeking (1) an amendment of an approved Campus Plan for its Central Campus ("Campus Plan") to include an addition to the Bethune Hall Annex ("Bethune Annex"), and (2) further processing under the Campus Plan, as amended, to permit the construction of an addition to the Bethune Annex that allows for the expansion of its dining facility from 227 seats to 550 seats. The Bethune Annex is located at 2225 Fourth Street, N.W., in Square 3068, Lot 30. The site is in the SP-2 Zone District.

PLEASE NOTE:

- Failure of the Applicant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Commission.
- Failure of the Applicant to be adequately prepared to present the application to the Commission, and address the required standards of proof for the application, may subject the application to postponement, dismissal, or denial.

The public hearing in this case will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to § 3117.4 of the Regulations, the Commission will impose time limits on the testimony of all individuals.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 11-15B
PAGE 2

personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3106.2.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 11-15B
PAGE 3**

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. Written statements may be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF SECOND PUBLIC HEARING**

TIME AND PLACE: **Monday, December 2, 2013, @ 6:00 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 13-06 (Office of Planning – Text Amendments to Define and Regulate Retaining Walls in R-1 through R-4 Districts)

THIS CASE IS OF INTEREST TO ALL ANCs

The Office of Planning (“OP”), in a report dated March 29, 2013, petitioned the Zoning Commission for the District of Columbia (“Zoning Commission” or “Commission”) for text amendments to the Zoning Regulations to define and regulate retaining walls in the R-1 through R-4 Residence Zone Districts. The OP report also served as a prehearing statement.

At its regular public meeting on April 8, 2013, the Zoning Commission set the case down for a public hearing. A public hearing was scheduled for and held on July 22, 2013. At the hearing, the Zoning Commission heard testimony from the public and suggested revisions that would clarify the proposed regulations, including how to measure the rear yard restrictions, how to measure a retaining wall of varying height, and to allow greater flexibility in the R-3 and R-4 Zone Districts along alleys.

In a supplemental report dated August 29, 2013, and then a corrected supplemental report dated September 4, 2013, OP proposed revised text to clarify how to measure the height of a retaining wall, where such structures may be placed in relationship to the rear property line, and removed the proposal to include a retaining wall in the lot occupancy requirements for the R-3 and R-4 Zone Districts.

At the public meeting on September 9, 2013, the Zoning Commission noted comments from a member of the public and offered additional changes to the regulations that would allow greater flexibility for retaining walls located adjacent to alleys, and would permit relief from the regulations as a special exception. The Commission decided not to take proposed action and authorized a notice of second public hearing to allow additional review and public comment of the requested revisions.

Since the supplemental OP reports, OP has incorporated revisions to the text and the proposed amendments to the Zoning Regulations, Title 11 DCMR, are as follow:

**Z.C. NOTICE OF SECOND PUBLIC HEARING
Z.C. CASE NO. 13-06
PAGE 2**

AMEND CHAPTER 1 by adding the following definition to § 199 in alphabetical order:

Retaining Wall – a vertical, self-supporting structure constructed of concrete, durable wood, masonry or other material, designed to resist the lateral displacement of soil or other materials. The term shall include concrete walls, crib and bin walls, reinforced or mechanically stabilized earth systems, anchored walls, soil nail walls, multi-tiered systems, boulder walls or other retaining structures.

AMEND CHAPTER 4 by adding a new § 413, Retaining Walls, to read as follows:

413 RETAINING WALLS

- 413.1 In R-1, R-2, R-3, and R-4 Districts a retaining wall may be erected in accordance with the requirements of this section.
- 413.2 The height of a retaining wall shall be the vertical distance measured from the finished grade at the bottom of the wall to the finished grade at the top of the wall. When the height of a retaining wall varies, the height shall be measured at the highest point of the wall, from the finished grade at the base of the wall at that point.
- 413.3 Subject to the location-based height limitations of § 413.4 through 413.6, the maximum height of a retaining wall shall be six feet (6 ft.), with the exception of a retaining wall abutting an improved alley in the R-3 or R-4 Districts, which shall have no maximum height.
- 413.4 A retaining wall shall not exceed four feet (4 ft.) in height in the following locations, unless a lower height is required by § 413.5 and 413.6:
- (a) Along a street frontage or property line;
 - (b) Within any required side yard;
 - (c) In the R-1 Districts, within twenty-five feet (25 ft.) of the rear property line, as measured from the rear property line inward; and
 - (d) In the R-2, R-3, and R-4 Districts, within twenty feet (20 ft.) of the rear property line, as measured from the rear property line inward.
- 413.5 A retaining wall located along a street frontage with adjacent existing retaining walls shall not be greater in height than the tallest adjacent existing retaining walls up to the maximum height of four feet (4 ft.) permitted in § 413.4 (a).

**Z.C. NOTICE OF SECOND PUBLIC HEARING
Z.C. CASE NO. 13-06
PAGE 3**

- 413.6 A retaining wall located on any area between the property line and a building restriction line shall not exceed forty-two inches (42 in.) in height.
- 413.7 In the R-1 and R-2 Districts, the area of a retaining wall that is more than four feet (4 ft.) in height and that elevates the terrain and is back filled with dirt or other fill material shall be included in the calculation of lot occupancy.
- 413.8 Retaining walls may be tiered or terraced provided there shall be a four foot (4 ft.) landscape area between walls. The landscape area shall be pervious and may not be paved or otherwise covered with impervious materials. The area of a tiered or terraced retaining wall that is more than four feet (4 ft.) in height shall be included in the calculation of lot occupancy.
- 413.9 The area of a retaining wall described in § 413.7 and 413.8 shall be its length multiplied by the length of the area containing fill that is being held by the retaining wall.
- 413.10 Retaining walls not meeting the requirements of this section, may be approved by the Board of Zoning Adjustment as a special exception pursuant to § 3104.1. In addition to meeting the general conditions for being granted a special exception as set forth in that section, the applicant must demonstrate that conditions relating to the building, terrain or surrounding area would to make full compliance unduly restrictive, prohibitively costly, or unreasonable.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 *et seq.*).

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

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Z.C. CASE NO. 13-06
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Time limits.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning of their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record. Written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

DEPARTMENT OF HEALTH
NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in Section 104 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 (“the Act”), effective October 5, 1985, (D.C. Law 6-42; D.C. Official Code § 2-1801.05) (2012 Repl.), Section 4902 (a) and (b) of the Department of Health Functions Clarification Act of 2001 (Act), effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a)(8) and (b)) (2012 Repl.), and Mayor’s Order 2004-46(2) and (3)(v), dated March 22, 2004, hereby gives notice of amendments to Chapter 36 (Department of Health (DOH) Infractions), Title 16 (Consumers, Commercial Practices, & Infractions) of the District of Columbia Municipal Regulations (DCMR).

These rules establish a new Section 3626 schedule of fines for tanning facilities, to correspond with the new Notice of Final Rulemaking for Tanning Facility Regulations in Subtitle F of Title 25 of the DCMR, which were published in the *D.C. Register* on March 15, 2013 at 60 DCR 3582.

On August 16, 2013, the Notice of Proposed Rulemaking was published in the *D.C. Register* at 60 DCR 11957. The Department of Health received one comment but no changes were made to the proposed rules. These rules were adopted by the Director on October 10, 2013 and will take effect immediately upon publication of this notice in the *D.C. Register*.

Chapter 36 (Department of Health (DOH) Infractions) of Title 16 (Consumers, Commercial Practices, & Infractions) DCMR is amended as follows:

3626 TANNING FACILITY INFRACTIONS

3626.1 Reserved

3626.2 Violations of the following provisions shall be a Class 2 infraction:

- (a) Operating with extensive fire damage that affects the tanning facility’s ability to comply with these regulations;
- (b) Operating with serious flood damage that affects the tanning facility’s ability to comply with these regulations;
- (c) Operating with loss of electrical power to critical systems, including but not limited to lighting, heating, cooling, or ventilation controls for a period of two (2) or more hours;
- (d) Operating with incorrect hot water temperatures that cannot be corrected during the course of the inspection in violation of Section 502.1;
- (e) Operating with no hot water, or an unplanned water outage, or the water supply is cut off in its entirety for a period of one (1) or more hours in violation of Sections 412.2 and 502.1;

- (f) Operating with a plumbing system supplying potable water that may result in contamination of the potable water;
- (g) Operating with a sewage backup or sewage that is not disposed of in an approved and sanitary manner;
- (h) Operating with a cross-connection between the potable water and non-potable water distribution systems, including but not limited to landscape irrigation, air conditioning, heating, or fire suppression system;
- (i) Operating with a back siphonage event;
- (j) Operating with toilet or handwashing facilities that are not properly installed;
- (k) Operating with the presence of toxic or noxious gases, vapors, fumes, mists or particulates in concentrations immediately dangerous to life or health, or in concentrations sufficient to cause an environmental disease or public nuisance;
- (l) Operating with the presence of any unapproved pesticide residues in the interior building areas of a tanning facility, in food storage or service areas contained within the tanning facility, or in the presence of any food in the facility; or in the presence of excessive restricted-use pesticide in any outdoor area of a tanning facility; or any evidence of the indiscriminate use of a pesticide or herbicide which may be injurious to the health of humans;
- (m) Operating with equipment that by condition, design, construction, or use poses an immediate risk of entrapment, fall, puncture, pinch, crush, trip, or other injuries;
- (n) Operating with environmental surfaces, including but not limited to tanning beds, stand-up tanning booths, cabinets, or vertical tanning devices, supplies, pillows, linens, garments, other items within a tanning facility that are stained with blood or bodily fluids, or soiled; or infested with vermin; or are in an otherwise unsanitary condition;
- (o) Operating with gross insanitary occurrence or condition that may endanger public health including but not limited to an infestation of vermin;
- (p) Failing to eliminate the presence of insects, rodents, or other pests on the premises in violation of Sections 612 or 613;
- (q) Operating a tanning facility without a license in violation of Section 800.1;

- (r) Operating a tanning facility with an expired license in violation of Section 800.2;
- (s) Operating a tanning facility with a suspended license in violation of Section 800.2;
- (t) Operating a tanning facility without a valid Certificate of Occupancy in violation of Section 800.3;
- (u) Selling, leasing, transferring, loaning, assembling, certifying, recertifying, upgrading, installing, servicing, or repairing tanning equipment or devices without a valid tanning service provider registration in violation of Section 800.4;
- (v) Furnishing or offer to furnish tanning equipment, devices, or associated components, such as bulbs and filters, in the District without a valid tanning service provider registration issued by the Mayor in violation of Section 800.5;
- (w) Using a tanning service provider company that is not registered in the District in violation of Section 800.6;
- (x) Operating a tanning facility in the District without obtaining a valid District-issued Tanning Facility Manager Identification Card issued by the Department in violation of Section 800.7;
- (y) Operating a tanning facility without required warning statements in violation of Section 804.4;
- (z) Operating a tanning facility without a manager or operator who is on duty and on the premises during all hours of operation in violation of Section 200.2;
- (aa) Failing to allow access to DOH representatives during the facility's hours of operation and other reasonable times as determined by the Department in violation of Section 900.2;
- (bb) Hindering, obstructing, or in any way interfering with any inspector or authorized Department personnel in the performance of his or her duty; and
- (cc) Operating in violation of any provision specified in Chapter 12.

3626.3

Violations of any of the following provisions in Chapter 2 (Supervision and Training) of Subtitle F, Title 25 of the DCMR shall be a Class 3 infraction:

- (a) Allowing more than one (1) customer in a tanning room at a time in violation the authorized exceptions in Section 201.2;
- (b) Maintaining the interior temperature of the tanning facility in excess of one hundred degrees Fahrenheit (100 °F) (thirty-eight degrees Celsius (38 °C)) at any time in violation of Section 201.3;
- (c) Failing to maintain protective eyewear in optimal condition or properly sanitized in violation of Section 201.5;
- (d) Failing to set timers on ultraviolet tanning equipment or devices within plus or minus ten percent ($\pm 10\%$) of any selected time interval in violation of Section 201.7;
- (e) Maintaining timer at a remote location so that customers cannot set their own exposure time in violation of Section 201.7;
- (f) Failing to limit the maximum exposure time on ultraviolet tanning equipment or devices recommended by the manufacturer in violation of Section 201.8;
- (g) Failing to provide a copy of the "Warning Statement" identified in Section 302.4 to customers during their initial visit, and annually in violation of Sections 201.9, 300.6(a), and 300.7(a);
- (h) Failing to require customers' review, sign and date the required Acknowledgment before using the facility's tanning equipment or devices in violation of Section 201.10;
- (i) Failing to obtain a signed and dated "Parental/Legal Guardian Authorization Form" provided to them by the facility before a minor's use of the facility's tanning equipment or devices as specified in Section 201.11; and
- (j) Failing to have staff read to the "Warning Statement" and "Parental/Legal Guardian Authorization Form" to customers who are illiterate, or visually impaired prior to the customer's use or a customer's minor child's use of the facility's tanning equipment or devices in violation of Section 201.12.

3626.4

Violations of any of the following provisions in Chapter 3 (Standard Policies & Operating Procedures and Recordkeeping) of Subtitle F, Title 25 of the DCMR shall be a Class 3 infraction:

- (a) Failing to prohibit minors younger than fourteen (14) years of age from using ultraviolet tanning equipment or devices in violation of Section 300.4;

- (b) Failing to prohibit minors between fourteen (14) and seventeen (17) years of age from using ultraviolet tanning equipment or devices without a valid “Parental/Legal Guardian Authorization Form” on file in violation of Section 300.5;
- (c) Failing to require a minor’s parent or legal guardian to sign and date the “Parental/Legal Guardian Authorization Form” in the presence of the tanning facility operator in violation of Sections 300.6(b) and 300.7(b);
- (d) Failing to require a parent or legal guardian accompany a minor when using the facility’s tanning equipment or devices in violation of Section 300.7(c);
- (e) Permitting an infant or other minor in a tanning area being used by a parent or legal guardian in violation of Section 300.8;
- (f) Failing to post the required Age Restriction Sign at or near the reception area in violation of Section 301.1;
- (g) Failing to post the required warning sign with capital letters at least five millimeters (5 mm) high and all lower case letters at least three millimeters (3 mm) high in violation of Section 302.4;
- (h) Failing to maintain a procedural manual with required contents at the tanning facility which is available at all times to operators and the Department during inspections in violation of Sections 303.1 and 303.2; and
- (i) Failing to maintain customer files, maintenance records, and Incident Logs in violation of Sections 303.3, 303.4, 303.5, 304, 305, and 306.

3626.5

Violations of any of the following provisions in Chapter 4 (Construction, Sanitation & Maintenance, Prevention of Contamination, and Water Source, Quality and Capacity) of Subtitle F, Title 25 of the DCMR shall be a Class 3 infraction:

- (a) Failing to use only tanning equipment and devices that comply with the District’s Tanning Facility Regulations and all applicable District and Federal laws and regulations, including those promulgated by the Federal Trade Commission and the United States Food and Drug Administration in violation of Section 400.1, 400.2, and 400.3;
- (b) Providing tanning equipment and devices without ground fault protection on the electrical circuit, or other methods for preventing shock in violation of Section 400.2;
- (c) Failing to provide an emergency shut-off mechanism on tanning equipment and devices to allow the consumer to manually terminate radiation emission

at any time without disconnecting the electrical plug or removing any ultraviolet lamp in violation of Section 400.4;

- (d) Providing tanning equipment and devices without physical barriers to protect consumers from injury induced by touching or breaking the lamps in violation of Section 400.6;
- (e) Failing to prevent line-of-sight, accidental ultraviolet radiation exposure of persons not using the tanning equipment or devices with the required physical barriers in violation of Section 400.7;
- (f) Failing to have compliant protective eyewear for consumers desiring to use tanning equipment or devices but who do not have their own in violation of Section 401.1;
- (g) Permitting a consumer who has refused to accept compliant protective eyewear offered by the licensee when he or she does not have his or her own or who has vocalized a refusal to use compliant protective eyewear offered by the licensee or his or her own compliant protective eyewear to use any tanning equipment in violation of Section 401.2;
- (h) Possessing protective eyewear that does not meet FDA requirements stated in 21 C.F.R. § 1040.20(c)(4) (Sunlamp products and ultraviolet lamps intended for use in sunlamp products, Protective eyewear) in violation of Section 401.3;
- (i) Failing to provide tanning equipment and devices with timers that comply with the requirements of 21 C.F.R. § 1040.20(c)(2) (Sunlamp products and ultraviolet lamps intended for use in sunlamp products, Timer system in violation of Section 402.1;
- (j) Providing tanning equipment and devices with timers that exceed manufacturer's recommended exposure schedule or that exceed plus or minus ten percent ($\pm 10\%$) of the maximum timer interval for the product in violation of Sections 402.2 and 402.3;
- (k) Providing tanning equipment and devices with timers that automatically reset and cause radiation emission to resume for a period greater than the unused portion of the timer cycle when emission from the tanning device has been terminated in violation of Section 402.4;
- (l) Failing to provide an override timer control outside of the room in which tanning equipment or device is located in violation of Section 402.5;
- (m) Operating a new tanning facility without remote timers installed in violation of Section 402.8;

- (n) Permitting the operation of a remote timer by staff that is not trained in violation of Section 402.6;
- (o) Permitting consumers to set or reset their own exposure time with the convenient location of the remote timer in violation of Section 402.6;
- (p) Failing to install remote timer control system on existing tanning equipment or devices not equipped with a remote timer control system within one (1) year of the effective date of the Tanning Facility Regulations in violation of Section 402.9;
- (q) Providing stand-up tanning booths without physical barriers or other means compliant with 21 C.F.R. § 1040.20 (Sunlamp products and ultraviolet lamps intended for use in sunlamp products, such as floor markings, to indicate the manufacturer's recommended exposure distance between the ultraviolet lamps and the consumer's skin) in violation of Section 403.1;
- (r) Failing to maintain temperatures inside of enclosed tanning booths or cabinets or vertical tanning devices below one hundred degrees Fahrenheit (100 °F) (thirty-eight degrees Celsius (38 °C)) in violation of Section 403.2;
- (s) Failing to construct stand-up tanning booths or cabinets or vertical tanning devices to withstand the stress of use and the impact of a falling person in violation of Section 403.3;
- (t) Failing to construct stand-up tanning booths or cabinets or vertical tanning devices with doors that are non-locking, and that open outwardly in violation of Section 403.4;
- (u) Failing to construct stand-up tanning booths or cabinets or vertical tanning devices with non-slip floors that are easily clean and sanitized in violation of Sections 403.5, 403.6, and 403.7;
- (v) Failing to maintain stand-up tanning booths or cabinets or vertical tanning devices in good condition in violation of Section 403.8;
- (w) Making, selling, leasing, transferring, lending, repairing, assembling, recertifying, upgrading, or installing tanning equipment, devices, or lamps, or providing supplies used in connection with such equipment, devices or lamps that properly installed and used do not meet the requirements specified in Sections 405, 406, 407, and 408 in violation of Section 404.1;
- (x) Failing to shield ultraviolet lamp contained within a sunlamp with two (2) one-piece covers (top and bottom) without cracks or breaks in the acrylic surfaces to prevent contact with the user in violation of Section 405.1;

- (y) Failing to use only replacement lamps certified by the FDA as “equivalent” lamps in compliance with 21 C.F.R. § 1040.20 (Sunlamp products and ultraviolet lamps intended for use in sunlamp products, and shall be in the form of user instructions) in violation of Section 406.1;
- (z) Using tanning equipment or devices with defective lamps or filters in violation of Section 406.3;
- (aa) Failing to replace ultraviolet lamps, bulbs or filters as recommended by the manufacturer or as soon as they become defective or damaged in violation of Section 406.5;
- (bb) Failing to use only lamps, bulbs, or filters that meet the requirements of the FDA for a particular tanning bed may be used in tanning facilities in violation of Section 406.6;
- (cc) Failing to maintain tanning equipment and devices in good condition or sanitized tanning equipment and devices after each use in violation of Sections 201.4, 407.1, 408.1, 408.2, and 408.3;
- (dd) Failing to perform quarterly maintenance tests on each assembly of tanning equipment or device, and document in writing timer calibrations and consumers ability to manually terminate radiation emissions in violation of Sections 407.2, 407.3, and 407.4;
- (ee) Failing to measure the strength of the sanitizing solution at least twice per day of tanning facility operation to ensure sufficient strength of the sanitizing solution in violation of Section 408.4;
- (ff) Failing to maintain adequate supplies for cleaning and sanitizing of all tanning equipment and devices in violation of Section 408.5;
- (gg) Operating with a water supply that is not approved by the Department in violation of Section 409;
- (hh) Operating with insufficient water capacity to meet the water demands of the tanning facility in violation of Section 412.1; and
- (ii) Operating with insufficient hot water capacity to meet the peak hot water demands throughout the tanning facility in violation of Section 412.2.

3626.6

Violations of the District’s Tanning Facility Regulations in Subtitle F, Title 25 of the DCMR, which are not cited elsewhere in Section 3626 shall be deemed Class 4 infractions.

DEPARTMENT OF HEALTH**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Health, pursuant to the authority set forth in Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of his intent to adopt the following amendments to Chapter 75 (Massage Therapy), Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking will repeal the tuberculin testing requirement for massage therapy licensure in the District of Columbia.

These rules were previously published in the *D.C. Register* as a proposed rulemaking on May 17, 2013, at 60 DCR 7022. No written comments were received from the public in connection with this publication during the thirty (30)-day comment period and no changes have been made to the rulemaking.

Final action to adopt the rules took place on September 19, 2013. These rules will be effective upon publication of the notice in the *D.C. Register*.

CHAPTER 75, MASSAGE THERAPY, of TITLE 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS, OF THE DCMR is amended as follows:

Section 7516, TUBERCULIN TEST REQUIRED, is amended to read as follows:

7516 REPEALED.

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of the intent to take action to adopt the following amendments to Chapter 79 (Speech-Language Pathology) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking will update the requirements for clinical fellowship in speech-language pathology and practice by graduate students.

These rules were previously published in the *D.C. Register* as a proposed rulemaking on July 12, 2013, at 60 DCR 10098. No written comments were received from the public in connection with this publication during the thirty (30)-day comment period and no changes have been made to the rules.

Final action to adopt the rules took place on September 16, 2013. These rules will be effective upon publication of the notice in the *D.C. Register*.

Chapter 79, SPEECH-LANGUAGE PATHOLOGY, of Title 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS, of the DCMR is amended as follows:

SECTION 7903, CLINICAL FELLOWSHIP REQUIREMENTS, is amended as follows:

Subsection 7903.4 is amended to read as follows:

- 7903.4 To complete a clinical fellowship, the clinical fellow shall be employed, with or without direct compensation, as a professional in the field of speech-language pathology under general supervision for a period of not less than nine (9) months with a minimum of thirty (30) hours of work per week. This requirement may also be met with part-time employment as follows:
- (a) Fifteen (15) to nineteen (19) hours a week, for a period of eighteen (18) months;
 - (b) Twenty (20) to twenty-four (24) hours a week, for a period of fifteen (15) months; or
 - (c) Twenty-five (25) to twenty-nine (29) hours a week, for a period of twelve (12) months.

Subsection 7903.5 is amended to read as follows:

7903.5 At least eighty percent (80%) of the clinical fellow's clinical fellowship shall involve direct client contact, which includes the following:

- (a) Assessment, diagnosis, evaluation, and treatment;
- (b) Screening;
- (c) Habilitation and rehabilitation; and
- (d) Activities related to case management.

Subsection 7903.8 is amended to read as follows:

7903.8 Clinical fellow supervisor shall:

- (a) Hold a valid District of Columbia license in speech-language pathology, a license in another jurisdiction with requirements substantially similar to the licensure requirements in the District, or, if in a state that does not require licensure, a Certificate of Clinical Competence in speech-language pathology from the American Speech-Language-Hearing Association;
- (b) Have been in practice for a minimum of two (2) years after licensure or certification;
- (c) Not supervise more than three (3) clinical fellows at one (1) time;
- (d) Not have been disciplined by a board or regulating body within the previous five (5) years; and
- (e) Provide a minimum of thirty-six (36) hours of supervisory activities during the clinical fellowship, including a minimum of two (2) hours of monitoring activities each month.

Subsection 7903.9 is amended to read as follows:

7903.9 A clinical fellow supervisor in the District of Columbia shall be responsible for the services and care provided by the clinical fellow, and shall also be subject to disciplinary action for any violation of federal or District of Columbia laws or regulations by the clinical fellow.

Subsection 7903.10 is amended to read as follows:

7903.10 An applicant for a license shall demonstrate qualifications required by §§ 7903.3–7903.6 by submitting, with the application, a signed statement from each clinical

fellow supervisor who supervised the applicant during the required clinical fellowship period, which sets forth the following:

- (a) The number of hours of the applicant's supervised practice of speech-language pathology;
- (b) The number of hours of general supervision of the applicant;
- (c) The specific nature of responsibilities included in the applicant's practice;
- (d) The rating of the applicant's performance;
- (e) Where and when the supervision occurred; and
- (f) The license number and jurisdiction in which the clinical fellow supervisor was licensed during the supervised period, or proof that the clinical fellow supervisor has a Certificate of Clinical Competence if the clinical fellowship was in a state that does not require licensure.

Subsections 7903.11, 7903.12, 7903.13, and 7903.14 are added to read as follows:

7903.11 A clinical fellow supervisor in the District of Columbia shall:

- (a) Submit a notification of supervision to the Board at least two (2) weeks prior to the commencement of the clinical fellowship;
- (b) Notify the Board, in writing, if the clinical fellow leaves the clinical fellowship prior to completing training and specify the reason for leaving. Notification shall be provided to the Board no later than ten (10) business days after the date the clinical fellow leaves the clinical fellowship; and
- (c) Notify the Board, in writing, if the clinical fellow changes his or her clinical fellow supervisor and specify the reason for the change. Notification shall be provided to the Board no later than ten (10) business days after the change of the clinical fellow supervisor.

7903.12 A clinical fellow may participate in patient care activities under the general supervision of a speech-language pathologist who is licensed in the District of Columbia, if clinical fellow's supervisor properly submitted notification to the Board in accordance with § 7903.11(a).

7903.13 A clinical fellow in speech-language pathology shall identify himself or herself as a clinical fellow at all times when providing speech-language pathology services.

7903.14 A clinical fellow in speech-language pathology may practice in the District of Columbia, pursuant to this Section, for a maximum of eighteen (18) months, unless the Board extends the period for good cause shown.

SECTION 7912, PRACTICE OF SPEECH-LANGUAGE PATHOLOGY BY GRADUATE STUDENTS, is amended as follows:

Subsection 7912.10 is added to read as follows:

7912.10 Practice of speech-language pathology by graduate students in the District of Columbia shall comply with the American Speech-Language-Hearing Association's current Standards for Accreditation of Graduate Programs in Audiology and Speech-Language Pathology.

SECTION 7913, STANDARDS OF CONDUCT, is amended as follows:

Subsection 7913.1 is amended to read as follows:

7913.1 A licensee, graduate student, or clinical fellow shall adhere to the standards set forth in the most current publication of the "Code of Ethics" as published by the American Speech-Language-Hearing Association, as it may be republished from time to time.

SECTION 7999, DEFINITIONS, is amended as follows:

Subsection 7999.1 is amended to include:

Board – the Board of Audiology and Speech-Language Pathology.

Clinical fellow – a person who is completing the clinical fellowship requirements set forth under 17 DCMR § 7903.

Clinical fellow supervisor – a person who is the supervisor of a clinical fellow.

Dual licensure renewal – renewal of both an audiology and a speech-language pathology license in the District of Columbia, within the same renewal period.

General supervision – supervision in which the supervisor is available to the person supervised, either in person or by a communications device.

Graduate student – a person enrolled in a Master's or Doctoral degree program in speech-language pathology.

DEPARTMENT OF HEALTH**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Health, pursuant to the authority set forth in Section 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (Act), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of the intent to adopt the following amendments to Chapter 79 (Speech-Language Pathology) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking will establish continuing education requirements for the profession of speech-language pathology.

These rules were previously published in the *D.C. Register* as a proposed rulemaking on September 16, 2011, at 58 DCR 8074. Written comments were received from the American Speech-Language Hearing Association in connection with this publication during the 30-day comment period. The suggestions to clarify the criteria for approved continuing education as well as credits allowed for approved activities were adopted and the rules published as proposed rulemaking for the second time on May 25, 2012, at 59 DCR 5753. Written comments were received from Kaiser Permanente suggesting an addition of the International Hearing Society as an approved continuing education provider and an addition of a rule requiring an individual with dual licensure in both audiology and speech-language pathology to complete a total of thirty (30) hours of continuing education instead of a combined total of forty (40). The suggestions were adopted and the proposed rulemaking was published for the third time on July 19, 2013 at 60 DCR 10747. No written comments were received from the public in connection with this publication during the thirty (30)-day comment period, and no changes have been made to the rules.

Final action to adopt the rules took place on September 16, 2013. These rules will be effective upon publication of the notice in the *D.C. Register*.

Chapter 79, SPEECH-LANGUAGE PATHOLOGY, of Title 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS, of the DCMR is amended as follows:

Section 7906 is amended as follows:

7906 CONTINUING EDUCATION REQUIREMENTS

7906.1 This section shall apply to renewal, reactivation, or reinstatement of a license.

7906.2 This section shall not apply to applicants for an initial license by examination, reciprocity, or endorsement, nor shall it apply to applicants for the first renewal of a license granted by examination.

7906.3 An applicant for renewal of a license, who is not subject to Subsection 7906.4, shall submit proof of having completed twenty (20) hours of approved continuing education hours during the two (2) year period preceding the date the license

expires, including one (1) hour of ethics. The hours must be related to speech-language pathology.

- 7906.4 An applicant for dual licensure renewal shall submit proof of having completed thirty (30) hours of approved continuing education hours during the two year period preceding the date the license expires, including one (1) hour in ethics. Of the thirty (30) hours, the applicant shall have completed at least five (5) hours in both the audiology and speech-language pathology disciplines. The intent of this paragraph is likewise shared by, and may be cross-referenced with, Subsection 7808.4 of Chapter 78 of Title 17 of the District of Columbia Municipal Regulations, which govern the continuing education requirements of audiologists.
- 7906.5 An applicant for reinstatement of a license shall submit proof of having completed ten (10) hours of continuing education for each year during which the license was not valid, provided that:
- (a) If an applicant seeks to be licensed more than five (5) years after the date that the applicant's license expires, the applicant shall meet the requirements for obtaining an initial license; and
 - (b) In order to reinstate a license, an applicant for reinstatement must have met all continuing education requirements for the licensure period immediately prior to the expiration of the license in addition to ten (10) hours for each year the applicant was unlicensed.
- 7906.6 An applicant for reactivation of a license shall submit proof of having completed twenty (20) hours of continuing education per renewal period.
- 7906.7 A license is not valid until it is renewed or reinstated.
- 7906.8 A holder of an expired or sanctioned license shall only be eligible to apply for renewal or reinstatement of the sanctioned or expired license by meeting any legal and regulatory requirements applicable to the expired license in addition to the requirements set forth in any applicable order of the Board.
- 7906.9 The Board shall periodically conduct a random audit of at least ten percent (10%) of its active licensees to determine continuing education compliance. Any licensee selected for the audit shall return the completed continuing education compliance audit form and all supporting documentation to the Board within thirty (30) days of receiving notification of the audit. Failure to comply with the continuing education requirements may subject the licensee to disciplinary action by the Board.

Section 7907 is repealed and replaced with:

7907 CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

- 7907.1 A continuing education hour shall be valid only if it is part of a program or activity approved by the Board.
- 7907.2 The Board may approve a continuing education program if it meets the following criteria:
- (a) It is current in its subject matter;
 - (b) It has been developed and will be taught by qualified individuals; and
 - (c) The program provider submits for the Board's review, no less than thirty (30) days prior to the date of the presentation, the following documentation:
 - (1) A copy of the official program or syllabus;
 - (2) The presentation title;
 - (3) The date of the presentation;
 - (4) The contact hours or credits awarded for the presentation; and
 - (5) The type of audience for which the program is intended.
- 7907.3 The Board shall accept for credit, programs or activities conducted by the following organizations (provided that the applicant submits verification of attendance):
- (a) The Speech-Language Hearing Association of the District of Columbia or similar speech-language hearing association of another state;
 - (b) The American Academy of Audiology;
 - (c) The American Speech-Language Hearing Association (ASHA) and its approved continuing education providers;
 - (d) An accredited provider of The Accreditation Council on Continuing Medical Education of the American Medical Association offering Category I continuing medical education;
 - (e) The International Association of Continuing Education and Training (IACET) and its authorized providers;
 - (f) A health care organization accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO); or

(g) The International Hearing Society.

7907.4 The Board may accept for credit the following activities:

- (a) A course given at an accredited college or university;
- (b) A seminar or workshop;
- (c) An educational program given at a conference;
- (d) In-service training;
- (e) Serving as a presenter or speaker at a conference, seminar, workshop, or in- service training; or
- (f) Publishing an article in a professional journal or publication of a book or a chapter in a book or publication of a book review in a professional journal related to audiology or speech-language pathology.

7907.5 The Board may, in its discretion, approve additional continuing education programs and activities that contribute to the growth of professional competence in the practice of audiology or speech-language pathology and meet the other requirements of this section.

7907.6 The Board shall not grant credit for work done in the course of a renewal, reinstatement, or reactivation applicant's normal occupation or incident to the performance of his or her regular duties, such as teaching courses, research, or course preparation in the case of a teacher or professor.

7907.7 A renewal, reinstatement, or reactivation applicant shall have the burden of verifying whether a program is approved by the Board.

7907.8 A renewal, reinstatement, or reactivation applicant shall prove completion of required continuing education hours by submitting upon request the following information with respect to each program:

- (a) The name and address of the provider of the program;
- (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
- (c) The dates on which the applicant attended the program;
- (d) The hours of credit claimed; and

- (e) Verification by the course provider or accreditor of completion, by signature, stamp, or official transcript in the case of accreditors.

Section 7908 is amended as follows:

7908 CONTINUING EDUCATION CREDITS

7908.1 For the purposes of this chapter, one (1) credit hour shall mean sixty (60) minutes of learning time.

7908.2 The Board may grant credit for Board-approved activities as specified below:

- (a) The Board shall grant credit for a course given at an accredited college or university provided that:

- (1) Each three (3)-credit-hour academic course constitutes thirty (30) hours of continuing education; and

- (2) For each approved three (3)-credit-hour academic course that is audited, two (2) continuing education hours shall be granted.

- (b) The Board may grant a maximum of six (6) continuing education hours per renewal period to an applicant who attends a pre-approved in-service education program.

7908.3 The Board may grant credit for serving as a presenter or speaker at a conference, seminar, workshop, or in- service training, or electronic or web-based course subject to the following restrictions:

- (a) Hours granted pursuant to this section shall not exceed six (6) hours per renewal period;

- (b) If a licensee or a renewal, reinstatement, or reactivation applicant has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject;

- (c) The presentation was completed during the period for which credit is claimed; and

- (d) The maximum amount of credit which may be granted for preparation time is twice the amount of the associated presentation time or twice the amount of contact hours awarded for participants.

- 7908.4 The Board may grant credit for publication of an article in a professional journal or publication of a book or a chapter in a book or publication of a book review in a professional journal related to audiology or speech-language pathology, subject to the following:
- (a) The Board may grant eight (8) hours of continuing education credit per renewal period to an author or sole editor of a published book, if the book was published or accepted for publication during the period for which credit is claimed and the applicant submits proof of this fact in the application;
 - (b) The Board may grant four (4) hours of continuing education per renewal period to the sole author or co-author of a peer-reviewed published original paper; and
 - (c) The Board may grant one (1) continuing education hour of credit per renewal period to the sole author of a published book review.

Section 7909 is repealed and replaced with:

7909 [RESERVED]

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD**

NOTICE OF FINAL RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth under Section 4 of the Law to Legalize Lotteries, Daily Numbers, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1306 (2012 Repl.)); District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22, issued November 18, 1996, hereby gives notice of the intent to adopt the following amendments to Chapters 6 (Claims and Prize Payments) and 9 (Description of On-Line Games) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

These amendments are necessary to implement the changes to the MEGA MILLIONS® game pursuant to the Multi-State Lottery Association (“MUSL”) MEGA MILLIONS Game Group Agreement. The game changes are scheduled to take place on October 22, 2013.

The Notice of Proposed Rulemaking was published in *D.C. Register* on September 13, 2013, at 60 DCR 12954. No comments were received, and no substantive changes were made to the rulemaking. These rules were adopted as final on October 14, 2013 and will become effective upon publication of this notice in the *D.C. Register*.

Title 30 (Lottery and Charitable Games), Chapter 6 (Claims and Prize Payments), Section 606 (Annuitized Prizes) of the DCMR is amended as follows:

Subsection 606.7 is amended to read as follows:

606.7 The MEGA MILLIONS® annuitized prize shall be paid in thirty (30) graduated annual installments upon completion of internal validation procedures. The initial payment shall be paid upon completion of internal validation procedures. The subsequent twenty-nine (29) payments shall be paid graduated annually to coincide with the month of the Federal auction date at which the bonds were purchased to fund the annuity with graduated annual installments defined in the Mega Millions Lotteries’ Finance and Operations Procedures. Payments shall escalate by a factor of five percent (5%) annually, and annual payments shall be rounded down to the nearest even one thousand dollar (\$1,000.00) increment. All such payments shall be made within seven days of the anniversary of the annual auction date.

Add Subsections 606.8 and 606.9 to read as follows:

- 606.8 If individual shares of the cash held to fund an annuity is less than two hundred fifty-thousand dollars (\$250,000.00), the Mega Millions Product Group, in its sole discretion, may elect to pay the winners their share of the cash held in the Grand Prize Pool.
- 606.9 All Mega Millions annuitized prizes shall be paid graduated annually in thirty (30) payments with the initial payment being made in cash, to be followed by twenty-nine (29) payments funded by the annuity. Prize payments may be rounded down to the nearest one thousand dollars (\$1,000.00).

Title 30 (Lottery and Charitable Games), Chapter 9 (Description of On-Line Games) of the DCMR is amended as follows:

Section 917 (Description of the Mega Millions® Game) is amended to read as follows:

917 DESCRIPTION OF THE MEGA MILLIONS® GAME

- 917.1 MEGA MILLIONS® is a five (5) out of seventy-five (75) plus one (1) out of fifteen (15) online lottery game which pays out the Grand Prize, at the player's election, as provided in this chapter either on an annuitized pari-mutuel basis or as a cash lump sum payment of the total cash held for this prize pool on a pari-mutuel basis. Except as provided in these rules, all other prizes are paid on a fixed cash basis.
- 917.2 To play MEGA MILLIONS®, a player shall select five (5) different numbers, between one (1) and seventy-five (75) and one additional number between one (1) out of fifteen (15) for input into a terminal.
- 917.3 The price of each MEGA MILLIONS® play shall be \$1.00. A player may purchase up to five plays on one ticket. Multiple draws are available for up to 20 consecutive draws beginning with the current draw. From time to time, the Executive Director may authorize the sale of MEGA MILLIONS® tickets at a discount for promotional purposes. Additionally, a multiplier feature, MEGAPLIER®, is available for an additional \$1.00 per play. Each bet and the respective prize payouts are listed in Section 918 of this chapter.
- 917.4 MEGA MILLIONS® tickets may be purchased in the District of Columbia only at a licensed location from the D.C. Lottery Agent. No MEGA MILLIONS® ticket purchased outside of the District of Columbia may be presented to a D.C. Lottery Agent for payment within the District of Columbia.

- 917.5 MEGA MILLIONS® drawings shall be held at the time(s) and location set out in the MUSL MEGA MILLIONS Game Group Agreement.
- 917.6 In a single drawing, a player may win in only one prize category per single MEGA MILLIONS® play in connection with MEGA MILLIONS® winning numbers, and shall be entitled only to the highest prize.
- 917.7 For purpose of prize calculation with respect to any MEGA MILLIONS® pari-mutuel prize, the calculation shall be rounded down so that prizes shall be paid in multiples of one dollar.
- 917.8 With respect to the MEGA MILLIONS® grand/jackpot prize, the prize amount paid shall be the advertised grand/jackpot prize amount. However, the advertised grand/jackpot prize amount is subject to change based on sales forecasts and/or actual sales. Additionally, this prize amount may be rounded up to the next highest affordable multiple of one million dollars, at the discretion of the party lotteries.
- 917.9 Subject to the laws and rules governing each party lottery, the number of prize categories and the allocation of the prize fund among the prize categories may be changed at the discretion of the directors, for promotional purposes. Such change shall be announced by public notice.
- 917.10 Prize liability cap. Notwithstanding any provision in the rule to the contrary, should total prize liability (exclusive of jackpot prize carry forward) exceed 300 percent of draw sales or 50 percent of draw sales plus \$50,000,000, whichever is less, (both hereinafter referred to as the "liability cap"), the second through fifth prizes shall be paid on a pari-mutuel rather than guaranteed prize basis, provided, however, that in no event shall the pari-mutuel prize be greater than the guaranteed prize. The amount to be used for the allocation of such pari-mutuel prizes (two through five) shall be the liability cap less the amount paid for the jackpot prize and prize levels six through nine.
- 917.10 Subscription sales. A subscription sales program may be offered, at the discretion of the Executive Director.
- 917.11 MEGA MILLIONS® tickets shall show the player's selection of numbers or Quick Pick (QP) numbers, election of the multiplier feature, MEGAPLIER®, boards played, drawing date, jackpot payment option, and validation and reference numbers.
- 917.12 It shall be the exclusive responsibility of the player to verify the accuracy of the player's selection(s) and other data printed on the ticket. A ticket is a bearer instrument until signed. Neither a party lottery nor its sales agents shall be responsible for lost or stolen tickets.

- 917.14 In purchasing a ticket issued for MEGA MILLIONS®, the player agrees to comply with and be bound by all applicable statutes, administrative rules and regulations, and procedures of the party lottery of the Jurisdiction in which the MEGA MILLIONS® ticket is issued, and by directives and determinations of the director of that party lottery. Additionally, the player shall be bound to all applicable provisions in the MEGA MILLIONS® Finance and Operations Procedures. The player agrees, as its sole and exclusive remedy that claims arising out of a MEGA MILLIONS® ticket can only be pursued against the party lottery of ticket purchase. Litigation, if any, shall only be maintained within the state in which the MEGA MILLIONS® ticket was purchased and only against the party lottery that issued the ticket. Nothing in this rule shall be construed as a waiver of any defense or claim the D.C. Lottery may have in the event a player pursues litigation against the D.C. Lottery, its officers, or employees.
- 917.15 A ticket subject to the validations requirements of this title shall be the only proof of a wager.
- 917.16 Each drawing shall determine, at random, the six winning numbers in accordance with the MEGA MILLIONS® drawing procedures. Any numbers drawn are not declared winning numbers until the drawing is certified by the commission in accordance with the drawing procedures. The winning numbers shall be used in determining all MEGA MILLIONS® winners for that drawing.
- 917.17 For winning MEGA MILLIONS® tickets for which no claim or redemption is made within the specified claim period for each respective party lottery, the corresponding prize monies shall be returned to the other party lotteries in accordance with procedures for the reconciliation of prize liability pursuant to the MUSL MEGA MILLIONS Game Group Agreement and as may be agreed to from time to time by the directors of the party lotteries.
- 917.18 The Executive Director shall announce each incentive or bonus program prior to its commencement. The announcement shall specify the beginning and ending time, if applicable, of the incentive or bonus program and the value for the award(s).
- 917.19 The Prize Pool shall consist of up to fifty-five percent (55%) of each drawing period's sales.

Section 918 (Mega Millions® Fixed Prize Structure and Probability) is amended to read as follows:

918 MEGA MILLIONS® FIXED PRIZE STRUCTURE AND PROBABILITY

918.1 Provided the prize pools are fully funded, the fixed prize payments for MEGA MILLIONS® based on a one dollar (1) bet are as follows:

Number of Matches Per Play

	Grand Prize
(a) All five (5) of the first set and Mega Ball	
(b) All five (5) of the first set and no Mega Ball	\$ 1,000,000.00
(c) Any four (4) of the first set plus the Mega Ball	\$ 5,000.00
(d) Any four (4) of the first set and no Mega Ball	\$ 500.00
(e) Any three (3) of the first set plus the Mega Ball	\$ 50.00
(f) Any two (2) of the first set plus the Mega Ball	\$ 5.00
(g) Any three (3) of the first set and no Mega ball	\$ 5.00
(h) Any one (1) of the first set plus The Mega Ball	\$ 2.00
(i) None of the first set plus the Mega Ball	\$ 1.00

918.2 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in MEGA MILLIONS®:

PROBABILITY DISTRIBUTION

Number of Matches Per Ticket	Winners	Probability	Probable Set Prize Amount
All five (5) of first set plus the Mega Ball	1	1: 258,890,850	GRAND PRIZE*
All five (5) of the first set and NO Mega Ball	14	1: 18,492,203.57	\$1,000,000.00*
Any four (4) of the first set plus the Mega Ball	350	1: 739,688.14	\$5,000.00
Any four (4) of the first set and no Mega Ball	4,900	1: 52,834.87	\$500.00
Any three (3) of the first set plus the Mega Ball	24,150	1: 10,720.12	\$50.00*
Any two (2) of the first set plus the Mega Ball	338,100	1: 765.75	\$5.00
Any three (3) of the first set plus no Mega Ball	547,400	1: 472.95	\$5.00
Any one (1) of the first set plus the Mega Ball	4,584,475	1: 56.47	\$2.00
None of the first set plus the Mega Ball	12,103,014	1: 21.39	\$1.00
Overall Odds	17,602,404	1:14.71	

918.3 Except as provided in these rules, all prizes awarded shall be paid as lump sum set prizes. Instead of the MEGA MILLIONS® set prize amounts, qualifying MEGAPLIER® plays will pay the amounts shown below when matched with the MEGAPLIER® number drawn:

Prize Levels Standard With Megaplier Purchase					
	Standard	2x	3X	4X	5X
Match 5+0	\$1,000,000.00	\$2,000,000.00	\$3,000,000.00	\$4,000,000.00	\$5,000,000.00
Match 4+1	\$5,000.00	\$10,000.00	\$15,000.00	\$20,000.00	\$25,000.00
Match 4+0	\$500.00	\$1,000.00	\$1,500.00	\$2,000.00	\$2,500.00
Match 3+1	\$50.00	\$100.00	\$150.00	\$200.00	\$250.00
Match 3+0	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
Match 2+1	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
Match 1+1	\$2.00	\$4.00	\$6.00	\$8.00	\$10.00
Match 0+1	\$1.00	\$2.00	\$3.00	\$4.00	\$5.00

Multiplier numbers do not apply to the Mega Millions Grand Prize.

918.4 In certain rare instances, the Mega Millions set prize amount may be less than the amount shown. In such case, the MEGAPLIER® prizes will be a multiple of the changed Mega Millions prize amount announced after the draw. For example, if the Match 4+1 Mega Millions set prize amount of five thousand dollars (\$5,000.00) becomes two thousand dollars (\$2,000.00) under the rules of the Mega Millions game, then a MEGAPLIER® player winning that prize amount with a 4X multiplier would win eight thousand dollars (\$8,000): two thousand dollars multiplied by four (\$2,000.00 x 4).

918.5 The following table sets forth the probability of the various MEGAPLIER® numbers being drawn during a single MEGA MILLIONS® drawing, The MEGA MILLIONS® and/or MUSL Group may elect to run limited promotions that may increase the multiplier numbers.

<u>MEGAPLIER®</u>	<u>Probability of Prize Increase</u>
5X - Prize Won Times 5	6 in 15
4X - Prize Won Times 4	3 in 15
3X - Prize Won Times 3	4 in 15
2X - Prize Won Times 2	2 in 15

Multiplier numbers do not apply to the Mega Millions Grand Prize.

Title 30 (Lottery and Charitable Games), Chapter 99 (Definitions) of the DCMR is amended as follows:

Section 9900 is amended by amending the definition for “Megaplier” to read as follows:

MEGAPLIER-A Mega Millions game feature by which a player, for an additional wager of \$1 per play, can increase the guaranteed prize amount

or pari-mutuel prize amount, as applicable, excluding the Grand/Jackpot prize by a factor of two, three, four or five times depending upon the multiplier number that is drawn prior to the Mega Millions drawing.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD**

NOTICE OF FINAL RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §§ 3-1306 and 3-1321 (2012 Repl.); District of Columbia Financial Responsibility and Management Assistance Authority Order, issued September 21, 1996; and Office of the Chief Financial Officer Financial Management Control Order No. 96-22, issued November 18, 1996, hereby gives notice of the intent to adopt amendments to Chapters 9 (Description of On-Line Games) and 99 (Definitions) of Title 30 (Lottery and Charitable Games) of the District of Columbia Municipal Regulations (DCMR).

These amendments are necessary to reflect new bets for the DC3 and DC4 PLUS or MINUS NUMBERS game enhancement.

The Notice of Proposed Rulemaking was published in *D.C. Register* on September 13, 2013, at 60 DCR 12946. The agency re-worded the language in Subsection 980.7 to further clarify its intent; this change does not substantively alter the nature or application of the rules. No comments were received, and no substantive changes were made to the rulemaking.

These rules were adopted as final on October 14th, 2013 and will become effective upon publication of this notice in the *D.C. Register*.

Sections 980 and 981 of Chapter 9, DESCRIPTION OF ON-LINE GAMES, of Title 30, LOTTERY AND CHARITABLE GAMES, of the DCMR are amended to read as follows:

980 DC3 and DC4 PLUS OR MINUS

980.1 The Agency may conduct a game enhancement for the DC3 and DC4 games called DC3 or DC4 PLUS or MINUS. DC3 and DC4 PLUS or MINUS may be offered to the public and for such time periods as the Executive Director determines.

980.2 The DC3 and DC4 PLUS or MINUS option(s) are available as a separate bet type on DC3 and DC4 Games.

980.3 Each DC3 and DC4 PLUS or MINUS option shall cost fifty cent (\$.50) or one (\$1) dollar.

- 980.4 Multi-draw tickets can be purchased and the DC3 and DC4 PLUS or MINUS option cost fifty cent (\$.50) or one (\$1) dollar.
- 980.5 There will only be one (1) play per ticket.
- 980.6 A player selects a three (3) digit number manual entry or quick pick (the player's selection). The ticket is assigned twenty - seven (27) unique number combinations (the player's DC3 PLUS or MINUS NUMBERS).
- 980.7 A player selects a four (4) digit number manual entry or quick pick (the player's selection). The ticket is assigned eighty - one (81) unique number combinations (the player's DC4 PLUS or MINUS NUMBERS).
- 980.8 All DC3 PLUS or MINUS NUMBERS the players selected numbers and the twenty - seven (27) DC3 PLUS or MINUS NUMBERS will be printed on the ticket.
- 980.9 All DC4 PLUS NUMBERS the players selected numbers and the eighty - one (81) DC4 PLUS or MINUS NUMBERS will be printed on the ticket.
- 980.10 The twenty - seven (27) PLUS or MINUS NUMBERS represent all number combinations where one or more of the numbers is either one (1) digit higher or lower than the players selected numbers.
- 980.11 The eighty - one (81) PLUS or MINUS NUMBERS represent all number combinations where one or more of the numbers is either one (1) digit higher or lower than the players selected numbers.
- 980.9 The DC3 and DC4 PLUS or MINUS NUMBERS for nine (9) are zero (0) and eight (8), respectively.
- 980.10 The DC3 and DC4 PLUS or MINUS NUMBERS for zero (0) are one (1) and nine (9), respectively.
- 980.11 If a player's number is sold out, then DC3 or DC4 PLUS or MINUS will not be allowed.
- 980.12 If the player's selected number is not sold out, the play is allowed even if one (1) or more of the DC3 or DC4 PLUS or MINUS NUMBERS are sold out.
- 980.13 If the player matches their number exactly they win three hundred dollars (\$100) for DC3 PLUS or MINUS or five hundred dollars (\$500) for DC4 PLUS or MINUS based off a one (\$1) dollar bet.

For Example: If a player purchases a one dollar bet (\$1.00) DC3 PLUS or MINUS ticket, with numbers three (3), four (4), and five (5), the player will win \$100 if the numbers drawn come out straight as three(3), four (4), and five (5). If any of the player’s numbers of the three digits are off by one, one number lower or higher than the drawn numbers, the player will win \$20.

For Example: If a player purchases a one dollar bet (\$1.00) DC4 PLUS or MINUS ticket, with numbers three (3), four (4), five (5), and six (6), the player will win \$1000 if the numbers drawn come out straight as three(3), four (4), five (5), and six(6). If any of the player’s numbers of the four digits are off by one, one number lower or higher than the drawn numbers, the player will win \$66.

981 DC3 and DC4 PLUS OR MINUS NUMBERS OVERALL ODDS & PRIZE STRUCTURE(S)

981.1 The overall odds for DC3 PLUS or MINUS are 1:37.04

981.2 The overall odds for DC4 PLUS or MINUS are 1:23.46

981.2 DC4 PLUS or MINUS PRIZE STRUCTURE

DC3 PLUS or MINUS NUMBERS (Prizes Structure)								
Plays		1,000						
Cost		\$ 1.00						
Sales		\$ 1,000.00						
Tier	Tier Definition	Example: Winning Numbers	Ways	1 / Probability	Winners	Prize	Allocation	% Pool
1	Exact	0-5-9	1	1,000.00	1.0	\$100.00	\$ 100.00	10.00%
2	1 Miss	9-5-9, 0-4-9, 0-5-8, 0-5-0, 0-6-9, 1-5-9	6	166.67	6.0	\$ 20.00	\$ 120.00	12.00%

3	2 Miss	9-4-9, 9-5-8, 9-5-0, 9-6-9, 0-4-8, 0-4-0, 0-6-8, 0-6-0, 1-4-9, 1-5-8, 1-5-0, 1-6-9	12	83.33	12.0	\$ 20.00	\$ 240.00	24.00%
4	3 Miss	9-4-8, 9-4-0, 9-6-8, 9-6-0, 1-4-8, 1-4-0, 1-6-8, 1-6-0	8	125.00	8.0	\$ 20.00	\$ 160.00	16.00%
Over-All Odds 1:			27	37.04	27.0		\$ 620.00	62.00%

**DC4 PLUS or MINUS NUMBERS
(Prizes Structure)**

Plays		10,000						
Cost		\$ 1.00						
Sales		\$ 10,000.00						
Tier	Tier Definition	Example: Winning Numbers	Ways	1/Probability	Winners	Prize	Allocation	% Pool
1	Exact	1-0-0-9	1	10,000.00	1	\$1,000.00	\$1,000.00	10.00%
2	1 Miss	1-0-0-0, 1-0-0-8, 1-0-1-9, 1-0-9-9, 1-1-0-9, 1-9-0-9, 2-0-0-9, 0-0-0-9	8	1,250.00	8	\$ 65.00	\$ 520.00	5.20%
3	2 Miss	1-0-1-0, 1-0-1-8, 1-0-9-0, 1-0-9-8, 1-1-0-0, 1-1-0-8, 1-1-1-9, 1-1-9-9, 1-9-0-0, 1-9-0-8, 1-9-1-9, 1-9-9-9, 2-0-0-0, 2-0-0-8, 2-0-1-9, 2-0-9-9, 2-1-0-9, 2-9-0-9, 0-0-0-0, 0-0-0-8, 0-0-1-9, 0-0-9-9, 0-1-0-9, 0-9-0-9	24	416.67	24	\$ 66.00	\$1,584.00	15.84%
4	3 Miss	1-1-1-0, 1-1-1-8, 1-1-9-0, 1-1-9-8, 1-9-1-0, 1-9-1-8, 1-9-9-0, 1-9-9-8, 2-0-1-0, 2-0-1-8, 2-0-9-0, 2-0-9-8, 2-1-0-0, 2-1-0-8, 2-1-1-9, 2-1-9-9, 2-9-0-0, 2-9-0-8, 2-9-1-9, 2-9-9-9, 0-0-1-0, 0-0-1-8, 0-0-9-0, 0-0-9-8, 0-1-0-0, 0-1-0-8, 0-1-1-9, 0-1-9-9, 0-9-0-0, 0-9-0-8, 0-9-1-9, 0-9-9-9	32	312.50	32	\$ 66.00	\$2,112.00	21.12%
5	4 Miss	2-1-1-0, 2-1-1-8, 2-1-9-0, 2-1-9-8, 2-9-1-0, 2-9-1-8, 2-9-9-0, 2-9-9-8, 0-1-1-0, 0-1-1-8, 0-1-9-0, 0-1-9-8, 0-9-1-0, 0-9-1-8, 0-9-9-0, 0-9-9-8	16	625.00	16	\$ 66.00	\$1,056.00	10.56%
Over-All Odds 1:			81	123.46	81		\$6,272.00	62.72%

Sections 982 and 983, of Chapter 9, DESCRIPTION OF ON-LINE GAMES, of Title 30, LOTTERY AND CHARITABLE GAMES, of the DCMR, are deleted in their entirety.

Chapter 99, DEFINITIONS, of Title 30, LOTTERY AND CHARITABLE GAMES, of the DCMR is amended by adding the following definition, in alphabetical order, to Subsection 9900.1:

DC3 PLUS or MINUS NUMBERS – The twenty seven (27) unique number combinations based on the player’s DC3 selection. The twenty - seven (27) PLUS or MINUS Numbers represent all of the number combinations where one (1) or more of the numbers is either one (1) digit higher or lower than the players selected numbers.

DC4 PLUS or MINUS NUMBERS – The eighty (81) unique number combinations based on the player’s DC4 selection. The eight (81) PLUS or MINUS Numbers represent all of the number combinations where one (1) or more of the numbers is either one (1) digit higher or lower than the players selected numbers.

DEPARTMENT OF MOTOR VEHICLES**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Motor Vehicles (Director), pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2012 Repl.); Section 801 of the Motor Vehicle and Safe Driving Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-289; D.C. Official Code § 50-921 (2012 Repl.)); and Sections 6 and 7 of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03 and 50-1401.01 (2012 Repl.)), hereby gives notice of the adoption of the following rulemaking that will amend Chapter 1 (Issuance of Driver's Licenses) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

The amendment will extend the time period for waiver of the written or road test after a non-commercial driver's license has expired, and repeal the provision pertaining to an applicant who has points on his or her record.

Pursuant to D.C. Official Code § 50-921 (2012 Repl.), the proposed rules were submitted to the Council of the District of Columbia for a forty-five (45) day review period, excluding Saturdays, Sundays, legal holidays, and days of Council recess. The proposal rules are deemed approved except that if within the 45-day period a resolution of disapproval has been introduced by three (3) members of the Council, the regulations shall not be deemed approved. The forty-five (45) day review period has expired and no resolution of disapproval has been introduced by three (3) members of the Council. Therefore, the rules are deemed approved.

No comments were received and no changes were made to the text of the proposed rules, as published with a Notice of Proposed Rulemaking in the *D.C. Register* on June 7, 2013 at 60 DCR 8676. The final rules will be effective upon publication of this notice in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 1, ISSUANCE OF DRIVER'S LICENSES, is amended as follows:

Section 104, EXAMINATION OF APPLICANTS FOR DRIVER'S LICENSES, is amended as follows:

Subsection 104.9 is amended to read as follows:

- 104.9 Except as provided in Section 111, the Director or his or her designee may waive the requirement that an applicant take a written test or road test in the following circumstances:
- (a) The written examination may be waived if the applicant presents a District driver's license that has expired for three hundred sixty five (365) days or

less, or at any time successfully completes an online course as designated by the Department; and

- (b) The road test, including the motorcycle road test in the case of a motorcycle endorsement holder, may be waived if the applicant presents a driver's license issued by the District that has expired for five hundred and forty-five (545) days or less.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles, pursuant to the authority set forth in Section 1825 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 50-904 (2012 Repl.)), Section 6 of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03 (2012 Repl.)), and Section 107 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law. 2-104; D.C. Official Code § 50-2301.07 (2012 Repl.)), hereby gives notice of the adoption of the following amendments to Chapter 26 (Civil Fines for Moving and Non-Moving Infractions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

A Notice of Proposed Rulemaking was published in the *D.C. Register* on August 30, 2013 at 60 DCR 12432. No comments were received. No changes were made to the text of the proposed rules. The final rules will become effective on the date of publication of this notice in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 26, CIVIL FINES FOR MOVING AND NON-MOVING INFRACTIONS, is amended as follows:

Section 2600, CIVIL FINES FOR MOTOR VEHICLE MOVING INFRACTIONS, is amended as follows:

Subsection 2600.1 is amended as follows:

The following is repealed:

“Minibikes”

The following infraction and fine are repealed:

“Motorized bicycles operating in excess of 20 miles per hour [§ 9901] \$100”

The following infraction and fine are added after the category “Motor-driven cycle (see also violations for other vehicles)” and its associated infractions and fines:

“Motorized bicycles operating in excess of 20 miles per hour [§ 9901] \$100”

Under the category of “Speedometer”, the following infraction and the associated fine are repealed:

“Minibike violation [§ 735] \$15”

The infraction labeled “One-way street violation” is amended to read as follows (the amendment modifies the regulatory citation; there is no amendment to the title of the infraction or the amount of the fine):

“One-way street violation [§ 2201.4]”

Section 2601, PARKING AND OTHER NON-MOVING INFRACTIONS, is amended as follows:

Subsection 2601.1 is amended as follows:

The table header row is amended to read as follows:

INFRACTION (Regulatory/Statutory Citation)	FINE
--	------

The following infractions are amended to read as follows (the amendments modify or add the statutory or regulatory citation; there are no amendments to the titles of the infractions, unless otherwise noted, or to the amounts of the fines):

“Abandoned vehicle on public space or private property [DC Official Code § 50-2421.03]”

“Abandoned vehicle with solid waste or rat harborage [DC Official Code § 50-2421.03]”

“Bridge, tunnel, freeway, viaduct or other elevated structure or ramps, on or under [§ 2405.1(d)]”¹

“Curb, failing to turn wheels to [§ 2418.2]”

“Dangerous vehicle on public space or private property [DC Official Code § 50-2421.03]”

“Dangerous vehicle with solid waste or rat harborage [DC Official Code § 50-2421.03]”

“Driveway or alley, within 5 feet [§ 2405.2(a)]”

“Emergency no parking [§ 2407.23]”

“Fire lane, in [§ 2405.2(i)]”

“No standing [§§ 2400.6, 2405.1, 2405.2]”

¹ This amendment also corrects a typographical error by replacing the word “tinder” with “under”.

“No standing rush hour [§§ 2400.6; 4020]”

“No stopping [§§ 2000.4; 2405.1]”

“Official parking permit space, in [§ 2406.1]”

“Private Property, vehicle on without consent of property owner [DC Official Code § 50-2421.03]”

Under the category “Meter”, the following infraction is amended to read as follows (the amendment modifies the regulatory citation; there is no amendment to the title of the infraction or to the amount of the fine):

“Failure to deposit payment [§ 2404.6, § 2424.12]”

Under the category, “Residential Parking Permit”, the following infractions are amended to read as follows (the amendments modify or add the statutory or regulatory citation; there are no amendments to the titles of the infractions or to the amounts of the fines):

“Fail to properly display current sticker [§ 2411.13, § 2424.12]”

“Fail to remove expired sticker [§ 2411.13, § 2424.12]”

The infraction labeled “Entrance, obstructing: coal chute, garage, parking lot, service door or gate” and the associated regulatory citation are amended to read as follows:

“Entrance, obstructing: garage, parking lot, service door or gate [§ 2405.3(f)]”

The infraction labeled “Reserved residential space of persons with disabilities unauthorized use of” and the associated regulatory citation are amended to read as follows:

“Individual with disabilities, reserved residential space of; unauthorized use of [§ 2715.3]”

The infraction labeled “No parking zone, in” and the associated regulatory citation are amended to read as follows:

“No parking [§§ 2400.6, 2400.7, 2405.1, 2405.2, 2405.3]”

The infraction labeled “Reserved or restricted space or zone at embassy or chancery in [§ 2406.5]” and the associated regulatory citation are amended to read as follows:

“Embassy or chancery, reserved or restricted space or zone; unauthorized vehicle in [§ 2406.5]”

The following infractions and their associated fines are repealed:

“Bridle path, on (park area) [36 CFR § 50.33c]	\$20.00”
“Lawn, on (park area) [36 CFR § 50.33b]	\$20.00”
“Sidewalk, on [§ 2405.1(h)]	\$100.00” ²
“Undesignated space (park area) [36 CFR § 50.33a(1)]	\$20.00”
“Unlighted area (park area) [36 CFR § 50.33a(3)]	\$20.00”
“Vehicle, less than 3 feet from another [§ 2405.2(j)]	\$20.00”

The following infractions and their associated fines are relocated within the chart as follows:

The infraction labeled “Private Property, vehicle on without consent of property Owner [DC Official Code § 50-2421.03]”, as amended above, and its associated fine are relocated within the chart to appear after the infraction labeled “Parallel, fail to park (except where permitted) [§ 2400.1]”, and its associated fine.

The infraction labeled “Embassy or chancery, reserved or restricted space or zone; unauthorized vehicle in [§ 2406.5]”, as amended above, and its associated fine are relocated within the chart to appear before the infraction labeled “Emergency no parking [§ 2407.9]”, and its associated fine.

Subsection 2601.2 is amended as follows:

The following infractions are amended to read as follows (the amendments modify or add the statutory or regulatory citation; there are no amendments to the titles of the infractions or the amounts of the fines):

“Emergency (hand) brake failure to set when parked [§§ 2418.1; 720.3]”

“Glass or debris, failure to remove from street [§§ 2418.4; 2418.5; 2418.6]”

“Handicapped (disabled) parking privileges unauthorized use of [§ 2406.9]”

“Ignition failure to lock and remove key when parked [§ 2418.1]”

“Motor running unattended [§ 2418.1]”

² There are currently two rows in the infractions chart that are labeled as “Sidewalk on”. This amendment repeals only the second, duplicate row.

“Reciprocity sticker, failure to display [§ 429.2]”

Under the category of “Tags”, the following infraction is amended to read as follows (the amendment modifies the regulatory citation; there is no amendment to the title of the infraction or the amount of the fine):

“No rear [§ 422.1- 422.3]”

DEPARTMENT OF HEALTH**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Health, pursuant to the authority set forth in § 302(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2012 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of the intent to take proposed rulemaking action by adopting the following amendments to Chapter 42 (Dentistry) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from date of publication of this notice in the *D.C. Register*.

The purpose of this rulemaking is to clarify that the requirement for dental licensure in the District includes a passing score on the periodontal portion of the Northeast Regional Board (NERB) or American Board of Dental Examiners (ADEX) Examination.

Chapter 42 (DENTISTRY) of Title 17 (BUSINESS, OCCUPATIONS, AND PROFESSIONS) is amended as follows:

Section 4204, LICENSURE BY EXAMINATION, is amended as follows:

Section 4204.1 is amended to read as follows:

4204.1 To qualify for a license by examination, an applicant shall:

- (a) Meet the education requirements set forth under § 4202 of this chapter; and
- (b) Receive a passing score on the following:
 - (1) Part I and Part II of the examination of the Joint Commission on National Dental Examinations;
 - (2) The Northeast Regional Board (NERB) or the American Board of Dental Examiners (ADEX) Examination, which shall include a passing score on the Periodontal Examination; and
 - (3) The District of Columbia Dental Law Examination.

4209, LICENSURE BY ENDORSEMENT, is amended as follows:

Section 4209.1 is amended to read as follows:

4209.1 An applicant is eligible to apply for licensure by endorsement in the District of

Columbia if the applicant:

- (a) Meets the education requirements set forth under § 4202 of this chapter;
- (b) Has successfully completed Part I and Part II of the examination of the Joint Commission on National Dental Examinations;
- (c) Is currently licensed, in good standing, to practice dentistry in another state of the United States; and
- (d) Has passed the NERB or ADEX examination, which shall include a passing score on the Periodontal Examination;
- (e) Has passed a regional board examination, other than the NERB examination, and meets the active practice requirements set forth in § 4209.3(f) of this chapter; or
- (f) Has passed a state dental examination determined by the Board to be substantially equivalent, and meets the active practice requirements set forth in § 4209.3(f) of this chapter.

All persons desiring to comment on the subject of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*. Comments should be sent to the Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 5th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained during the hours of 9 a.m. to 5 p.m., Monday through Friday, excluding holidays, at the address listed above, or by contacting Angli Black, Administrative Assistant, at Angli.Black@dc.gov, (202) 442-5977.

DEPARTMENT OF BEHAVIORAL HEALTH**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Acting Director of the Department of Behavioral Health (Department), pursuant to the authority set forth in Sections 5113, 5115, 5117, and 5118 of the Department of Behavioral Health Emergency Establishment Act of 2013 (Act), effective July 30, 2013 (D.C. Act 20-130; 60 DCR 11384), and any substantially identical temporary or permanent versions of the Act, hereby gives notice of the adoption, on an emergency basis, of a new Chapter 62, "Reimbursement Rates for Services Provided by the Department of Behavioral Health- Certified Substance Abuse Providers" to Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The purpose of these proposed and emergency rules is to set forth the reimbursement rates for services provided to eligible District residents by Department-certified substance abuse treatment facilities and programs which have an active Human Care Agreement with the Department to provide such services.

Issuance of these rules on an emergency basis is necessary to ensure the continued provision of essential substance abuse treatment services under a uniform rate structure. The Department was created effective October 1, 2013 by a merger between the Department of Mental Health and the Addiction, Prevention and Recovery Administration of the Department of Health in order to allow for better integrated services for individuals with mental health and substance abuse issues. The merger required changes in provider Human Care Agreements and the development of uniform rates to avoid disparate rates across the provider network. Delay in promulgating the published reimbursement rates would result in interruption of substance abuse services. Therefore, emergency action is necessary for the immediate preservation of the critical substance abuse treatment services that will ensure the health, welfare, and safety of individuals with substance abuse disorders.

The emergency rulemaking was adopted on October 1, 2013 and is effective for services rendered on or after October 1, 2013. The emergency rules will remain in effect for one hundred twenty (120) days or until January 28, 2014, unless superseded by publication of another rulemaking notice in the *D.C. Register*.

The Acting Director also gives notice of intent to take final rulemaking action to adopt the proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations is amended by adding a new Chapter 62 to read as follows:

**CHAPTER 62 REIMBURSEMENT RATES FOR SERVICES PROVIDED BY THE
DEPARTMENT OF BEHAVIORAL HEALTH CERTIFIED
SUBSTANCE ABUSE PROVIDERS**

6200 PURPOSE

6200.1 This chapter establishes the reimbursement rate for services provided to eligible District residents by Department of Behavioral Health (Department) certified substance abuse providers, as this term is defined in Chapter 23 (Certification Standards for Substance Abuse Treatment Facilities and Programs) of Title 29 (Public Health) of the District of Columbia Municipal Regulations (DCMR).

6200.2 Nothing in this chapter grants to a certified substance abuse provider the right to reimbursement for costs of substance abuse services and supports. Eligibility for reimbursement is determined solely by the Human Care Agreement between the Department and the certified substance abuse provider, and reimbursement is subject to the availability of appropriated funds.

6201 REIMBURSEMENT RATE

6201.1 Reimbursement for substance abuse services shall be as follows:

SERVICE	CODE	RATE per UNIT
Breathalyzer Urinalysis	H0003	15.00
Breathalyzer Specimen Collection	H0048	8.80
Case Management	H0006	20.02
Case Management (HIV)	H0006V8	20.02
Treatment Planning	T1007	22.00
Treatment Planning - Complex IP	T1007TG	24.00
Counseling Group	H0005	10.45
Counseling Group - Psycho-educational	H2027	3.51
Counseling Group - Psycho-educational (HIV)	H2027V8	3.51
Counseling On-site -	H0004	20.31

SERVICE	CODE	RATE per UNIT
Behavioral Health Therapy		
Crisis Intervention	H0007HF	33.57
CS Peer Support Group - Substance Abuse	H0038HFHQ	8.67
CS Peer Support - Substance Abuse	H0038HF	19.19
Detoxification - Outpatient - Ambulatory	H0014	24.53
Detoxification - Residential - Acute care	H0010	605.00
Behavioral Health Screening - Determine eligibility	H0002HF	85.00
Behavioral Health Screening - Evaluate Risk Rating	H0002TG	140.00
Diagnostic Assessment - Community-Based	H0001HF	425.00
Diagnostic Assessment - Ongoing - Modify Tx Plan	H0001TS	385.00
Diagnostic Assessment - In-depth Exam - Youth	H0001HA	240.00
Diagnostic Assessment - Ongoing Follow-up - Youth	H0001HATS	85.00
Intensive Outpatient - All Inclusive	H0015	74.25

SERVICE	CODE	RATE per UNIT
Intervention - Substance Abuse Recognition	H0022	27.17
Dose - Methadone - Clinic or Take-Home	H0020	8.58
Medication Assisted Therapy	H0020HF	8.58
Medication Management - Adult	H0016HF	35.72
Medication Management - Youth	H0016HAHF	38.96
Outpatient Therapy - Intensive	H0015HA	164.61
Prenatal Care, at-risk Assessment	H1000	142.56
Prenatal Care, at-risk enhanced service - Ante-partum Management	H1001	80.08
Prenatal Care, at-risk enhanced service - Care Coordination	H1002	80.08
Prenatal Care, at-risk enhanced service - Education	H1003	80.08
Prenatal Care, at-risk enhanced service - follow-up Home Visit	H1004	100.76
Residential - Long term Therapeutic	H0019	132.55

SERVICE	CODE	RATE per UNIT
Residential - Long term Room & Board	H0043	72.90
Residential Treatment - Inclusive	H0018	136.84
Residential Treatment - Women w/1 child	H0019UN	210.00
Residential Treatment - Women w/2 children	H0019UP	215.00
Residential Treatment - Women w/3 children	H0019UQ	220.00
Residential Treatment - Women w/4 or more children	H0019UR	225.00

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of General Counsel for the Department of Behavioral Health at 64 New York Avenue, N.E., 3rd Floor, Washington, D.C. 20002, or e-mailed to Rena Justice, Assistant Attorney General, at Rena.Justice@dc.gov. Copies of the proposed rules may be obtained from dbh.dc.gov or from the Department of Behavioral Health at the address above.

DEPARTMENT OF HEALTH CARE FINANCE**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2012 Repl.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of a new Section 1922, entitled “Employment Readiness Services”, of Chapter 19 (Home and Community-Based Services for Individuals with Intellectual and Developmental Disabilities), Title 29 (Public Welfare), of the District of Columbia Municipal Register (DCMR).

These emergency and proposed rules establish standards governing reimbursement of employment readiness services provided to participants in the Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. Employment readiness services, referred to as “Prevocational Services” in the previous waiver, are those services that provide learning and work experiences, including volunteer work, where the person can develop general, non-job, task-specific strengths and skills that contribute to employability in paid employment in integrated community settings. These rules amend the previously published rules by: (1) deleting Section 920 and codifying the rules in Section 1922, entitled “Employment Readiness Services”; (2) establishing guidelines for the delivery of employment readiness services; (3) requiring providers to follow specific service delivery requirements to promote more efficient service utilization management practices; and (4) providing updated definitions for terms and phrases used in this chapter.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of employment readiness services. Based upon current reporting and record maintenance requirements, there are insufficient safeguards in place to make sure that providers are taking the necessary steps to ensure that beneficiaries are receiving high quality, appropriate services from qualified providers. By taking emergency action, this emergency and proposed rule will clarify the duties and responsibilities of employment readiness providers and increase their accountability. Therefore, in order to ensure that the residents’ health, safety, and welfare are not threatened by the lapse of access to employment readiness services provided by qualified and accountable providers, it is necessary that these rules be published on an emergency basis.

The emergency rulemaking was adopted on September 17, 2013, and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until

January 14, 2014, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director of DHCF also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Section 920 (Prevocational Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1922 (Employment Readiness Services) is added to Chapter 19 (Home and Community Based Services for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:

1922 EMPLOYMENT READINESS SERVICES

- 1922.1 This section establishes standards governing Medicaid eligibility for employment readiness services for persons enrolled in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (Waiver) and establishes conditions of participation for providers of employment readiness services.
- 1922.2 Employment readiness services occur over a defined period of time with specific outcomes to be achieved, and provide learning and work experiences, including volunteer work, where a person enrolled in the Waiver can develop general, non-job-task-specific strengths and skills that contribute to employability in paid employment in an integrated community setting.
- 1922.3 To be eligible for Medicaid reimbursable employment readiness services, the services shall be identified in a person enrolled in the Waiver's ISP, Plan of Care, and Summary of Supports, and a person shall:
- (a) Demonstrate a need for employment readiness services; and
 - (b) Have employment related goals included in the ISP.
- 1922.4 To be eligible for Medicaid reimbursement, employment readiness services shall consist of the following:
- (a) Providing opportunities for persons with disabilities enrolled in the Waiver to develop general, non-job, task-specific strengths and skills that contribute to employability and are consistent with the person's goals;
 - (b) Assessment activities, including customized employment and conducting a person-centered vocational and situational assessment and employment readiness assessments provided at community businesses and other community settings;

- (c) Social and soft skills training, including, but not limited to the following:
 - (1) Learning to follow and interpret instructions;
 - (2) Interpersonal skills;
 - (3) Communication skills with supervisors, co-workers, and customers;
 - (4) Travel training;
 - (5) Respecting the rights of others and understanding personal rights and responsibilities; and
 - (6) Decision-making skills and strategies.
- (d) Developing work skills which shall include, at a minimum, teaching the person the following workplace competencies:
 - (1) Appropriate workplace attire, attitude, and conduct;
 - (2) Work Ethics;
 - (3) Attendance and punctuality;
 - (4) Task completion;
 - (5) Job safety;
 - (6) Attending to personal needs, such as personal hygiene or medication management; and
 - (7) Interviewing skills.
- (e) Coordinating transportation to community activities utilizing the Medicaid Non-Emergency Transportation Broker; and
- (f) Coordinating volunteer experiences which shall be time limited and allow the person to develop experiences or build skills to further the person's employment goal, as identified in his or her ISP.

1922.5

A person enrolled in the Waiver may volunteer at a not-for-profit organization or an approved government agency, but may not volunteer for the provider agency or another business affiliated with the provider on an on-going basis for any task that the provider would otherwise hire a person to do; if volunteering occurs at a for-profit business, the provider shall meet any requirements released by the U.S. Department of Labor. The guidance can be found at:

<http://www.dol.gov/whd/regs/compliance/whdfs71.pdf> .

- 1922.6 To be eligible for Medicaid reimbursement, a vocational assessment, completed by a qualified professional, shall be conducted within the first ninety (90) days of participation, and shall include the following:
- (a) Employment-related goals based on a person's strengths, interests, and areas for improvement;
 - (b) Available natural or community supports;
 - (c) Personal concerns and preferences;
 - (d) Assessment of work and career interests based on exploration and/or discovery; and
 - (e) Accommodations and supports that may be required once the person is employed.
- 1922.7 To be eligible for Medicaid reimbursement, a vocational assessment shall be conducted at least annually by the provider to evaluate each person enrolled in the Waiver's acquisition of employment-related skills based on the person's career preferences and goals as specified in their ISP and Plan of Care.
- 1922.8 Each provider of Medicaid reimbursable employment readiness services shall develop an individualized service delivery plan described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR reflecting the person enrolled in the Waiver's interests, career preferences, choices, goals and prioritized needs. The plan shall:
- (a) Define the specific outcomes to be achieved over a specified period of time;
 - (b) Describe the activities in the plan which shall be functional and chosen by the person;
 - (c) Describe how the plan shall support a person in the development of employment related skills, including social skills such as interviewing skills, professionalism; and attending to one's personal needs; and
 - (d) Describe a pattern of life experiences common to other persons of the same age and the community at large.
- 1922.9 Each provider of Medicaid reimbursable employment readiness services shall submit reports to Department on Disability Services (DDS) service coordinator on a quarterly basis, consistent with the record maintenance requirements described

under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR. These reports shall also include the following information:

- (a) Volunteer activities provided; and
- (b) Employment readiness service activities provided.

1922.10 Each provider of Medicaid reimbursable employment readiness services shall maintain the following documents for monitoring and review, in addition to the record maintenance requirements described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR:

- (a) A copy of the comprehensive vocational assessment; and
- (b) A written schedule identifying the utilization of employment readiness services.

1922.11 To receive Medicaid reimbursement, employment readiness services shall be provided in the community or a facility-based setting.

1922.12 To receive Medicaid reimbursement, each provider of employment readiness services shall be a Home and Community-Based Services (HCBS) Provider agency and shall meet the following requirements:

- (a) Comply with the requirements described under Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR;
- (b) Demonstrate, through experience or academic attainment of the executive staff, the ability and qualification to provide employment readiness services for persons with intellectual and developmental disabilities with varying habilitation needs; and
- (c) Have at least one staff member with a bachelor's degree in vocational rehabilitation or a similar discipline, and one (1) year of combined supervisory and "job coaching" experience or experience providing employment services to person with disabilities.

1922.13 When employment readiness services are provided in a facility, each facility shall comply with all applicable federal, District, or state and local laws and regulations to receive Medicaid reimbursement.

1922.14 If an entity other than the Waiver provider is responsible for compensating the person for employment related training services, payment shall be in accordance with the United States Fair Labor Standards Act of 1985.

- 1922.15 The employment readiness Medicaid reimbursement rate shall include any personal care services provided by an employment readiness services provider.
- 1922.16 To be eligible for Medicaid reimbursement, each Direct Support Professional providing personal care services, under the criteria described under Section 1922.15, shall meet the following requirements:
- (a) Comply with Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 of the DCMR; and
 - (b) Have at least one (1) year of experience working with people with intellectual and developmental disabilities, or comparable experience.
- 1922.17 Services shall be authorized for Medicaid reimbursement in accordance with the following provider requirements:
- (a) DDS provides a written service authorization before the commencement of services;
 - (b) The provider conducts a vocational assessment initially and annually and develops an employment readiness plan with training goals and techniques that will assist the person to achieve employment readiness goals and outcomes. The vocational assessment shall be completed within the first ninety (90) days of service delivery;
 - (c) The service name and provider delivering services are identified in the ISP and Plan of Care;
 - (d) The ISP, Plan of Care, and Summary of Supports and Services documents the amount and frequency of services to be received; and
 - (e) Services shall not conflict with the service limitations described under Section 1922.18 (Service Limitations).
- 1922.18 In order to receive Medicaid reimbursement, services shall only be furnished to a person enrolled in the Waiver for up to eight (8) hours per day, not to exceed 40 hours per week.
- 1922.19 Medicaid reimbursable employment readiness services shall not be provided or billed for during the same hours on the same day as the following services:
- (a) Day Habilitation;
 - (b) Supported Employment;
 - (c) In-Home Supports; and
 - (d) Individualized Day Supports.

- 1922.20 The Medicaid reimbursement rate shall not be used towards a person enrolled in the Waiver's compensation, wages, or stipends.
- 1922.21 Employment readiness services are ineligible for Medicaid reimbursement if the services are available to the person through programs funded under Title I of the Rehabilitation Act of 1973, enacted September 26, 1973, as amended (Pub. L. 93-112; 29 U.S.C. § 720 *et seq.*), or the Individuals with Disabilities Education Act, enacted April 13, 1970, as amended (Pub. L. 91-230; 20 U.S.C. § 1400 *et seq.*) (hereinafter the "Acts"). Each person receiving employment readiness services under the Waiver shall submit documentation to the provider demonstrating that employment readiness services are not otherwise available pursuant to the Acts referenced above, for inclusion in their record and ISP and Plan of Care.
- 1922.22 Medicaid reimbursable employment readiness services shall be provided for a maximum of eight (8) hours a day, and shall not include time spent in transportation to and from the program.
- 1922.23 The billable unit of service for Medicaid reimbursable employment readiness services shall be fifteen (15) minutes. The reimbursement rate for employment readiness services shall be fifteen dollars and twenty cents (\$15.20) per hour or three dollars and eighty cents (\$3.80) per billable unit. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to be able to bill a unit of service.

Section 1999 (DEFINITIONS) is amended by adding the following:

Non-job, task-specific skills – General skills designed to support employment goals, such as resume writing, interviewing skills, and the ability to communicate effectively.

Stipend – Nominal fee paid to a person for participation in activities designed to achieve his or her employment goal, as identified in the person's ISP.

Travel Training- Training the waiver participant to use public transportation to travel safely to their job or training work site.

Comments on these rules should be submitted in writing to Linda Elam, Ph.D., Senior Deputy Director/Medicaid Director, Department of Health Care Finance, Government of the District of Columbia, 899 North Capitol Street, NE, 6th Floor, Washington DC 20002, via telephone on (202) 442-9115, via email at DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days of the date of publication of this notice in the *D.C. Register*. Additional copies of these rules are available from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2012 Repl.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of a new Section 1932, entitled “Speech, Hearing, and Language Services”, of Chapter 19 (Home and Community-based Waiver Services for Persons with Intellectual and Developmental Disabilities), Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules establish standards governing reimbursement of speech, hearing, and language services provided to participants in the Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. Speech, hearing, and language services are aimed at helping persons with intellectual and developmental disabilities enhance their communication and hearing skills. These rules amend the previously published rules by: (1) deleting Section 932 and re-codifying the rules in Section 1932; (2) establishing service authorization requirements for Medicaid reimbursement of speech, hearing, and language services; (3) specifying documents that the provider should maintain for monitoring and audit reviews; and (4) establishing requirements to request additional hours for services beyond the limitations.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of Waiver participants who are in need of speech, hearing and language services. Under current reporting and record maintenance requirements there are insufficient safeguards in place to ascertain that providers are taking the necessary steps to ensure that beneficiaries are receiving high quality and appropriate services from qualified providers. By taking emergency action, this rule will provide the District with the tools needed to increase oversight and to closely monitor the quality and appropriateness of services being delivered to beneficiaries.

The emergency rulemaking was adopted on August 12, 2013 and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until December 9, 2013, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Section 932 (Speech, Hearing, and Language Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1932 (Speech, Hearing, and Language Services) is added to Chapter 19 (Home and Community Based Services for Individuals with Intellectual and Development Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:

1932 SPEECH, HEARING, AND LANGUAGE SERVICES

1932.1 The purpose of this section is to establish standards governing Medicaid eligibility for speech, hearing, and language services for persons enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver) and to establish conditions of participation for providers of speech, hearing, and language services.

1932.2 Speech, hearing, and language services are therapeutic interventions to address communicative and speech disorders to maximize a person’s expressive and receptive communication skills.

1932.3 To qualify for Medicaid reimbursement, speech, hearing, and language services shall be:

- (a) Ordered by a physician, if the person has a medically-related condition such as a history of aspiration, swallowing problems, tube feeding, or a tracheotomy;
- (b) Recommended by the Support Team, if the person has a non-medical condition such as a receptive or expressive speech delay or disorder;
- (c) Delivered to person that is over the age of twenty-one (21);
- (d) Reasonable and necessary to treat the person’s medical or non-medical communicative disorder; and
- (e) Included in the person's Individual Support Plan (ISP) and Plan of Care.

1932.4 In order to be eligible for Medicaid reimbursement, speech, hearing and language services shall be used to address the following conditions:

- (a) Swallowing and feeding disorders;
- (b) Receptive and expressive communication disorders;
- (c) Voice impairments; and
- (d) Articulatory and motor speech disorders.

1932.5 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing and language services shall comply with the following service delivery requirements:

- (a) Conduct a comprehensive assessment, which shall include the following:
 - (1) A background review and current functional review of communication capabilities in different environments;
 - (2) An environmental review of communication in places of employment, residence, and other sites as necessary;
 - (3) The potential for use of augmentative and alternative speech devices, methods, or strategies;
 - (4) The potential for sign language or other expressive communication methods; and
 - (5) A needs assessment for the use of adaptive eating equipment.
- (b) Develop and implement the speech, hearing, and language treatment plan that describes treatment strategies, including direct therapy, training of caregivers, monitoring requirements and instructions, and anticipated outcomes;
- (c) Assist persons with voice disorders to develop proper control of vocal and respiratory systems for correct voice production, if applicable;
- (d) Conduct aural rehabilitation by teaching sign language and lip reading to people who have hearing loss, if applicable;
- (e) Participate in ISP and Support Team meetings to provide consultative services and recommendations specific to the expert content;
- (f) Record progress notes on each visit and submit quarterly reports;
- (g) Verify that the speech, hearing, and language assessment and treatment plan, and daily notes and quarterly reports, are delivered to the person, family or other caregiver, physician, and the Department on Disability Services (DDS) Service Coordinator prior to the person's Support Team meeting;
- (h) Assess the need for the use of adaptive equipment;

- (i) Routinely assess (at least annually and more frequently as needed) the appropriateness and quality of adaptive equipment to ensure it addresses the person's needs;
- (j) Conduct periodic examinations to modify treatments, as appropriate, for the person receiving services and ensure that the speech pathologist's or audiologist's recommendations are incorporated into the ISP; when necessary; and
- (k) Complete documentation required to obtain or repair adaptive equipment in accordance with insurance requirements and Medicare and Medicaid guidelines.

1932.6 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing, and language services shall:

- (a) Be employed by a home health agency or a Waiver provider;
- (b) Be a speech pathologist or audiologist in a private practice; or
- (c) Be an assistant working under the direct supervision of a licensed speech pathologist or audiologist.

1932.7 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing, and language services shall also comply with the following requirements:

- (a) Be a speech-language pathologist or audiologist licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201 *et seq.*) and implementing rules;
- (b) Have a minimum of two (2) years of experience as a licensed speech-language pathologist or audiologist;
- (c) Have a Certificate of Clinical Competence in the area of Audiology or Speech Pathology granted by the American Speech-Language-Hearing Association; and
- (d) Comply with Section 1904 (Provider Qualifications) and 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 DCMR.

1932.8 In order to be eligible for Medicaid reimbursement, a speech pathologist assistant or audiologist assistant shall meet the following requirements:

- (a) Be personally supervised by the speech pathologist or audiologist. Personal supervision requires the speech pathologist or audiologist to be in the room during the performance of the service; and
- (b) Be employed by the speech pathologist or audiologist or by the speech pathologist or audiologist's employer; and
- (c) Comply with Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 DCMR.

1932.9 Speech, hearing and language service providers, without regard to their employer of record, shall be selected by the person receiving services, their guardian, or legal representative and shall be answerable to the person receiving services.

1932.10 Any provider substituting professionals for more than a two (2) week period or four (4) visits due to emergency or availability events shall request a case conference with the DDS Service Coordinator to evaluate the continuation of services.

1932.11 In order to be eligible for Medicaid reimbursement, the speech pathologist or audiologist in a private practice shall meet all of the following conditions:

- (a) Maintain a private office, even if services are always furnished in the person's home;
- (b) Meet all state and local licensure laws and rules;
- (c) Maintain a minimum of one (1) million dollars in liability insurance;
- (d) Ensure that speech, hearing, and language services are provided consistent with the person's ISP and Plan of Care; and
- (e) Maintain a space that is owned, leased or rented by the private practice and is used exclusively for the purpose of operating the private practice.

1932.12 In order to be eligible for Medicaid reimbursement, services shall only be authorized for reimbursement in accordance with the following provider requirements:

- (a) DDS shall provide a written service authorization before the commencement of services;
- (b) The provider shall conduct an assessment within the first four (4) hours of service delivery and develop a speech, hearing, and language treatment plan with training goals and techniques that will assist the caregivers;

- (c) The service name and provider delivering services shall be identified in the ISP and Plan of Care;
- (d) The ISP, Plan of Care, and Summary of Supports and Services shall document the amount and frequency of services to be received; and
- (e) Services shall be provided consistent with the service limitations described under Section 1932.16.

1932.13 In order to be eligible for Medicaid reimbursement, each home health agency, Waiver provider, or licensed speech pathologist or audiologist shall maintain the following documents for monitoring and audit reviews:

- (a) A copy of the speech, hearing, and language assessment and treatment plan;
- (b) A copy of the physician's orders and other pertinent documentation of the person's progress;
- (c) A copy of the daily progress notes, containing the following information:
 - (1) Progress in meeting each goal in the ISP;
 - (2) Any unusual health or behavioral events or change in status;
 - (3) The start and end time of any services received by the person; and
 - (4) Any matter requiring follow-up on the part of the service provider or DDS.
- (d) A copy of the quarterly reports used to verify the functioning of the person's adaptive equipment; and
- (e) Any other documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR.

1932.14 In order to be eligible for Medicaid reimbursement, each provider shall comply with Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 of the DCMR.

1932.15 If the person enrolled in the Waiver is between the ages of eighteen (18) and twenty-one (21) years old, the DDS Service Coordinator shall ensure that Early Periodic Screening and Diagnostic Treatment (EPSDT) services under the District of Columbia State Plan for Medical Assistance are fully utilized before accessing speech, hearing and language services under the Waiver.

- 1932.16 Speech, hearing, and language services shall be limited to four (4) hours per day and one hundred (100) hours per year. Requests for additional hours may be approved when accompanied by a physician's order documenting the need for additional speech, hearing, and language services or if approved by a designated staff member at DDA.
- 1932.17 The reimbursement rate for a speech, hearing and language assessment shall be sixty-five dollars (\$65.00) an hour. The billable unit of service shall be fifteen (15) minutes and the reimbursement rate for each billable unit shall be \$16.25. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to bill a unit of service.
- 1932.18 The reimbursement rate for speech, hearing and language services shall be sixty-five dollars (\$65.00) per hour. The billable unit of service for speech, hearing and language therapy services shall be fifteen (15) minutes and the reimbursement rate for each billable unit shall be \$16.25. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to bill a unit of service.

Section 1999 (DEFINITIONS) is amended by adding the following:

Audiologist - A person who meets the education and experience requirements for a Certificate of Clinical Competence in the area of audiology granted by the American Speech and Hearing Association (ASHA) or is licensed or certified as an audiologist in the state where the services are provided.

Audiologist Assistant - Support personnel who, following academic or on-the-job training, perform tasks prescribed, directed, and supervised by ASHA-certified audiologists.

EPSDT - Early and Periodic Screening, Diagnostic, and Treatment Services are designed for Medicaid-eligible children under the age of twenty-one (21) that include periodic screenings to identify physical and mental conditions, vision, hearing, and dental, as well as diagnostic and treatment services to correct conditions identified during screenings.

Private Practice - An individual whose practice is an unincorporated solo practice or unincorporated partnership. Private practice also includes an individual who is practicing therapy as an employee of an unincorporated practice, a professional corporation, or other incorporated therapy practice. Private practice does not include individuals when they are working as employees of a hospital, nursing facility, clinic, home health agency, rehabilitation facility or any other entity that has a Medicaid provider agreement which includes physical therapy in the provider's reimbursement rate.

Speech Pathologist - A person who meets the education and experience requirements for a Certificate of Clinical Competence in the areas of speech pathology granted by the American Speech and Hearing Association (ASHA) or is licensed or certified as a speech pathologist in the state where the services are provided.

Speech Pathologist Assistant- Support personnel who, following academic or on-the-job training, perform tasks prescribed, directed, and supervised by ASHA-certified speech language pathologists.

Comments on the proposed rule shall be submitted, in writing, to Linda Elam, Ph.D., Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 899 North Capitol Street, NE, Suite 6037, Washington, D.C. 20002, via telephone on (202) 442-9115, via email at DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rule may be obtained from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance, pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2012 Repl.), and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.), hereby gives notice of the adoption on an emergency basis of a new Section 1934, entitled “Supported Living Services,” of Chapter 19 (Home and Community-Based Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules establish standards governing reimbursement of supported living services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. These rules amend the previously published rules by: (1) deleting Section 993 and codifying the rules in Section 1934; (2) establishing guidelines for the delivery of twenty-four (24) hour one-to-one supported living services for persons living in a single occupancy supported living residence (SLR); (3) establishing guidelines for the delivery of twenty-four (24) hour supported living services with skilled nursing; (4) requiring providers to follow specific service delivery requirements to promote more efficient service utilization management practices; and (5) providing updated definitions for terms and phrases used in this chapter.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of ID/DD Waiver participants who are in need of supported living services. The ID/DD Waiver serves some of the District’s most vulnerable residents. Supported living services are provided to persons with an assessed need for assistance with acquisition, retention, or improvement in skills related to activities of daily living, and the social and adaptive skills necessary to enable persons enrolled in the Waiver to reside and successfully participate in the community. The addition of new guidelines for the delivery of twenty-four (24) hour one-to-one supported living services for persons living in a SLR and twenty-four (24) hour supported living services with skilled nursing will enable the provider organization to oversee supported living services more efficiently, and subsequently improve the quality of the overall services received by the person. In order to ensure that the residents’ health, safety, and welfare are not threatened by the lapse in enhanced quality of service delivery, it is necessary that that these rules be published on an emergency basis.

The emergency rulemaking was adopted on September 10, 2013 and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until January 8, 2014, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director of DHCF also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Section 993 (Supported Living Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1934 (Supported Living Services) is added to Chapter 19 (Home and Community Based Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:

1934 SUPPORTED LIVING SERVICES

- 1934.1 The purpose of this section is to establish standards governing Medicaid eligibility for supported living services under the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver) and to establish conditions of participation for providers of supported living services for Medicaid reimbursement.
- 1934.2 Supported living services are provided to persons enrolled in the Waiver who have limited informal supports and have an assessed need for assistance with acquisition, retention, or improvement in skills related to activities of daily living, and who require assistance with the development of social and adaptive skills that are necessary to enable the person to reside in the community and successfully participate in community activities.
- 1934.3 To be eligible for Medicaid reimbursable supported living services, each person shall:
- (a) Have a documented need for assistance with acquisition, retention or improvement in skills related to activities of daily living;
 - (b) Require assistance with the development of social and adaptive skills necessary to enable the person to reside in the community and successfully participate in community activities; and
 - (c) Have an Individual Support Plan (ISP) and Plan of Care that identifies the need for supported living services.
- 1934.4 To be eligible for Medicaid reimbursement, twenty-four (24) hour one-to-one supported living services in a single occupancy supported living residence (SLR), each person shall:

- (a) Have a history of challenging behaviors that may put others at risk;
 - (b) Require intensive supports as determined by a psychological assessment which is updated annually or pursuant to a court order; and
 - (c) Have a behavior support plan (BSP) that identifies the challenging behaviors and the need for one-to-one supervision that was approved by the Department on Disability Services (DDS).
- 1934.5 Persons eligible for Medicaid reimbursable twenty-four (24) hour supported living services with skilled nursing must have a circulatory, respiratory, gastro-intestinal, or neurological condition or any other serious medical condition that requires frequent monitoring or at least hourly care.
- 1934.6 To be eligible for Medicaid reimbursable twenty-four (24) hour supported living services, the following documents shall be required:
- (a) A physician's order or an advanced practice registered nurse's (APRN) order documenting the scope, frequency, and duration of skilled nursing services; and
 - (b) A concise statement which sets forth the presenting problem that requires supported living with skilled nursing services and includes the responsibilities of the nurse.
- 1934.7 In order to be eligible for Medicaid reimbursable supported living periodic services in a supported living residence (SLR), each person shall:
- (a) Demonstrate a need for the acquisition, and improvement of skills related to activities of daily living and the social and adaptive skills necessary for community residence, as indicated in the ISP; and
 - (b) Be willing to be supported in their own home or SLR's without twenty four (24) hour supports and supervision.
- 1934.8 Medicaid reimbursable supported living services shall be provided in one of the following types of residence:
- (a) An SLR owned or leased by a Waiver provider; or
 - (b) A home owned or leased by the person receiving supported living services.
- 1934.9 In order to be eligible for Medicaid reimbursement, each provider, including an out-of-state provider of supported living services, shall be a Waiver provider agency and meet the following requirements:

- (a) Comply with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR;
- (b) Provide verification of passing the DDS Provider Certification Review; and
- (c) Have at least three (3) years of experience providing in-home supports services or respite services, unless waived by DDS, when applicable.

1934.10 In addition to the requirements described under § 1934.9, each out-of-state provider shall comply with the following additional requirements to receive Medicaid reimbursement:

- (a) Remain in good standing in the jurisdiction where the program is located, if licensed or certified by the host state;
- (b) Submit a copy of the annual certification or survey performed by the host state and provider's corrective action, if applicable, to DDS; and
- (c) Allow authorized agents of the District of Columbia government, federal government, and governmental officials of the host state full access to all sites and records for audits and other reviews.

1934.11 Medicaid reimbursable supported living services may be provided with or without transportation. Each Medicaid provider shall comply with the requirements set forth in Section 1904.5 of Title 29 DCMR, if transportation services are provided to enable persons to gain access to Waiver services and other community services and activities in a safe and efficient manner.

1934.12 If transportation services are provided by the Direct Support Professional (DSP), such that the DSP drives the person in the vehicle provided by the provider, the DSP shall meet the requirements governing transportation services set forth in Section 1904.5(j) and (k) (Provider Qualifications) of Chapter 19 of Title 29 of the DCMR.

1934.13 When Medicaid reimbursable supported living services are provided in a SLR, the SLR shall serve one (1) to three (3) related or unrelated persons. With the exception of couples who chose to share a bedroom, the number of persons in the SLR shall not exceed the number of bedrooms in the residence unless written approval from DDS is obtained.

1934.14 In order to receive Medicaid reimbursement, the Waiver provider shall include the person living in the residence in the lease, when the SLR is owned or leased by the Waiver provider, unless the person does not meet the leasing eligibility criteria.

- 1934.15 In order to be eligible for Medicaid reimbursement, each SLR located out-of-state shall be licensed or certified in accordance with the host state's laws and regulations and consistent with the terms and conditions set forth in an agreement between the District of Columbia and the host state.
- 1934.16 Each DSP shall meet all of the requirements set forth in Section 1906 (Requirements for Persons Providing Direct Services) of Chapter 19 of Title 29 of the DCMR.
- 1934.17 Each provider of Medicaid reimbursable supported living services shall assist persons in the acquisition, retention, and improvement of skills related to activities of daily living, and other social and adaptive skills necessary to enable the person to become a fully integrated member of their community. To accomplish these goals, the provider shall:
- (a) Use observation, conversation, and other interactions guided by a person-centered planning process to develop a functional assessment of the person's capabilities within the person's first month of service;
 - (b) Develop a support plan with measurable outcomes using the functional assessment that was developed using a person-centered planning process, the ISP and Plan of Care, and other available information;
 - (c) Develop and submit a quarterly report to the person, guardian, other members of the Support Team, and the DDS Service Coordinator describing the activities and support provided to help the person achieve identified outcomes and include progress to date; and
 - (d) Develop and implement the Health Management Care Plan, when necessary.
- 1934.18 Each provider of Medicaid reimbursable supported living services shall ensure that each person receives the level of support he/she needs for habilitation and other supports, when appropriate, which shall include, but not be limited to, support for the following categories:
- (a) Eating and food preparation;
 - (b) Personal hygiene;
 - (c) Dressing;
 - (d) Monitoring medication administration and healthcare needs;
 - (e) Communications;
 - (f) Interpersonal and social skills;

- (g) Household chores;
- (h) Mobility;
- (i) Financial management;
- (j) Motor and perceptual skills;
- (k) Problem-solving and decision-making;
- (l) Human sexuality;
- (m) Opportunity for individual social, recreational, and religious activities utilizing community resources based on the person's interests, beliefs, culture, and preferences; and
- (n) Ensuring that adaptive equipment is appropriate, functioning and well maintained.

1934.19 Each provider of Medicaid reimbursable supported living services shall ensure that staff delivering day habilitation, employment readiness, or supported employment services shall receive training about the person's health care needs as identified by the nurse, and are informed about any needs identified in the person's Health Management Care Plan and BSP.

1934.20 Each provider of Medicaid reimbursable supported living services shall ensure that each person enrolled in the Waiver receives the professional services required to meet his or her goals as identified in the person's ISP and Plan of Care. Professional services may include, but are not limited to, the following disciplines:

- (a) Medicine;
- (b) Dentistry;
- (c) Education;
- (d) Nutrition;
- (e) Nursing;
- (f) Occupational therapy;
- (g) Physical therapy;

- (h) Psychology;
- (i) Social work; and
- (j) Speech, hearing, and language therapy.

1934.21 Each provider of Medicaid reimbursable twenty-four (24) hour supported living services with skilled nursing shall:

- (a) Provide skilled nursing services and supports to the person living in the SLR;
- (b) Complete any skilled nursing assessment and document hourly nursing interventions and treatments; and
- (c) Provide as appropriate, all of the supported living activities listed in Sections 1934.18 and 1934.19, and Section 1934.20.

1934.22 In order to be eligible for Medicaid reimbursement, the duties of a registered nurse delivering twenty-four (24) hour supported living services with skilled nursing shall be consistent with the scope of practice standards for registered nurses set forth in § 5414 of Title 17 of the DCMR. At a minimum, they may include the following duties:

- (a) Prepare an initial routine physical assessment, including an individualized service nursing plan and evaluation;
- (b) Assist in the development of the Health Management Care Plan;
- (c) Coordinate the person's care and referrals;
- (d) Administer medications and treatment as prescribed by a legally authorized healthcare professional licensed in the District of Columbia or consistent with the requirements of the appropriate jurisdiction;
- (e) Provide oversight of non-licensed medication administration personnel;
- (f) Provide wound care, tube feeding, diabetic care, and other treatment regimens prescribed by the physician, as needed;
- (g) Provide oversight and supervision to a licensed practical nurse, when delegating and assigning nursing interventions;
- (h) Record progress notes during each visit and complete quarterly reports; and

- (i) Provide training to the day habilitation, employment readiness, and supported employment staff on the person's healthcare needs by the nurse, including needs identified in the Health Management Care Plan, if applicable.

1934.23 In order to be eligible for Medicaid reimbursement, the duties of a licensed practical nurse delivering twenty-four (24) hour supported living services with skilled nursing, shall be consistent with the scope of practice standards for a licensed practical nurse set forth in Chapter 55 of Title 17 of the DCMR. At a minimum, they may include the following duties:

- (a) Record progress notes during each visit and quarterly reports;
- (b) Report immediately, any changes in the person's condition, to the supervising registered nurse;
- (c) Provide wound care, tube feeding, diabetic care, and other treatment regimens prescribed by the physician; and
- (d) Administer medications and treatment as prescribed by a legally authorized healthcare professional licensed in the District of Columbia or consistent with the requirements of the jurisdiction in which the healthcare professional is licensed.

1934.24 Medicaid reimbursable supported living one-to-one services in a single occupancy means services provided to one person exclusively by a supported living service provider who has been trained in all general requirements and possesses all training required to implement the person's specific behavioral and/or clinical protocols and support plans for a pre-authorized length of time.

1934.25 Medicaid reimbursable supported living one-to-one services in a single-occupancy SLR shall only be permitted with prior annual approval by the DDS Human Rights Committee and Restrictive Control Review Committee, or a medical treatment plan signed by the person's physician. Providers delivering one-to-one services shall require the person to have a BSP that reflects the need for one-to-one supervision.

1934.26 The BSP shall be developed according to the requirements set forth in the DDA/DDS Behavioral Supports Policy and Procedure available at <http://dds.dc.gov/DC/DDS/Developmental+Disabilities+Administration/Policies?nav=1&vgnextrefresh=1>

1934.27 If providers of Medicaid reimbursable supported living services are delivering one-to-one supported living services pursuant to a BSP, the assessment shall be updated on an annual basis to determine if the services are necessary.

- 1934.28 If one-to-one supported living services are delivered pursuant to a court order, the order shall be verified on an annual basis, to determine if the services are necessary.
- 1934.29 Services shall only be authorized for Medicaid reimbursement in accordance with the following provider requirement procedures:
- (a) DDS shall provide a written service authorization before the commencement of services;
 - (b) The service name and Waiver provider delivering services must be identified in the ISP and Plan of Care;
 - (c) The ISP, Plan of Care, and Summary of Supports and Services must document the amount and frequency of services to be received; and
 - (d) The services to be provided shall not conflict with the service limitations described under Section 1934.33.
- 1934.30 Each provider of Medicaid reimbursable supported living services shall maintain the records as prescribed under Section 1909 of Chapter 29 DCMR for monitoring and audit purposes for each person receiving services and shall also maintain the following documents:
- (a) If providing twenty-four (24) hour supported living services in a single occupancy or one-to-one supports, a copy of the annual BSP or court order;
 - (b) A daily log of scheduled activities to include those activities participated in by the person and a schedule of when the person is in his or her home;
 - (c) The records of any nursing care, procedures, and other supports related to the development and management of the Health Management Care Plan;
 - (d) A record of monitoring and maintenance of adaptive equipment, if applicable;
 - (e) A copy of the physician's order or an APRN's order specifying the type, frequency, scope, and duration of the skilled nursing services, if applicable;
 - (f) A copy of the job description detailing the duties of the nurse delivering the service, if applicable; and
 - (g) A copy of each assessment that the nurse has conducted and documentation of the hourly nursing interventions and treatments, if applicable.

- 1934.31 Each provider of Medicaid reimbursable supported living services shall meet the requirements described under Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 DCMR.
- 1934.32 Each provider of Medicaid reimbursable supported living services shall comply with the following requirements:
- (a) Provide access and information as requested for service coordination visits and reviews;
 - (b) Review the person's ISP and Plan of Care goals, objectives, and activities at least quarterly and more often, as necessary and submit the results of these reviews to the DDS Service Coordinator within thirty (30) days of the end of each quarter;
 - (c) Submit a quarterly report to the person, guardian, other members of the Support Team, and the DDS Service Coordinator describing the activities and support provided to help the person achieve his/her identified outcomes and his/her progress to date;
 - (d) Propose modifications to the ISP and Plan of Care, as appropriate;
 - (e) Participate in ISP and Plan of Care development;
 - (f) Assist in the coordination of all services that a person may receive by ensuring that all recommended and accepted modifications to the ISP are amended to the current ISP; and
 - (g) Coordinate the delivery of necessary behavioral support services, skilled nursing services, and other services, such as occupational therapy, physical therapy, from approved Waiver providers of those services based on the requirements of the ISP and Plan of Care.
- 1934.33 Reimbursement for Medicaid reimbursable supported living services shall not include:
- (a) Cost of room and board;
 - (b) Cost of facility maintenance, upkeep and improvement, modifications or adaptations to a SLR or home to meet the requirements of the applicable life safety code;
 - (c) Safety monitoring as a stand-alone task;
 - (d) Activities for which payment is made by a source other than Medicaid;
 - (e) Time when the person is in school or employed; and

- (f) Time when the person is hospitalized, on vacation, or any other time in which the person does not sleep in the home and is provided with direct care staff support from a provider.
- 1934.34 Medicaid reimbursable supported living services shall not include services delivered by the person's relative.
- 1934.35 Medicaid reimbursable supported living skilled nursing services shall not include custodial care.
- 1934.36 Medicaid reimbursable supported living services shall not be authorized concurrently with the following Waiver services:
- (a) Residential Habilitation;
 - (b) Respite;
 - (c) Host Home;
 - (d) Shared Living;
 - (e) In-Home Supports; and
 - (f) Transportation, when the provider chooses to provide supported living services with transportation services.
- 1934.37 The reimbursement rate for Medicaid reimbursable supported living services shall be calculated based on the staff on duty and shall include:
- (a) All supervision of the Direct Support Professional;
 - (b) All nursing provided in the residence for medication administration, physician ordered protocols and procedures, charting, other supports as per physician's orders, and maintenance of a Health Management Care Plan;
 - (c) All transportation, if applicable;
 - (d) Programmatic supplies and fees;
 - (e) Functioning adaptive equipment as ordered by a clinician;
 - (f) Quality assurance costs, such as incident management systems and staff development; and
 - (g) General administrative fees for Waiver services.

- 1934.38 Supported living services shall be Medicaid reimbursable for emergency situations when the person is not physically residing at the SLR or home, but is temporarily residing in a hotel or other facility and continues to receive support from the provider.
- 1934.39 An acuity evaluation to set levels of support shall be determined by the Support Team and approved by the DDS Waiver Unit through review of current staffing levels; available health and behavioral records; and any available standardized acuity instrument results to determine if a person has a health or behavioral acuity that requires increased supports. A person may be assessed at a support level that is consistent with their current staffing level if other acuity indicators are not in place.
- 1934.40 Skilled nursing that is incorporated into the supported living Medicaid reimbursement rate is for routine physical assessment, the development of the Health Management Care Plan, nursing assessment, oversight of adaptive equipment, assistance with medication administration by non-licensed personnel, or actual administration of medication.
- 1934.41 The Medicaid reimbursement rate for supported living services without transportation shall be as follows:
- (a) Basic Support Level 1: Provides asleep overnight support for a home with three (3) residents and a direct care staff support ratio of 1:3 during all hours when individuals are awake and receiving services. The reimbursement rate shall be two hundred thirty-three dollars (\$233.00) per day;
 - (b) Basic Support Level 2: Provides awake overnight support for a home with three (3) residents and a direct care staff support ratio of 1:3 for staff awake overnight and 1:3 during all awake hours when the residents are receiving services. The reimbursement rate shall be two hundred fifty-two dollars (\$252.00) per day;
 - (c) Moderate Support Level 1: Provides asleep overnight support for a home with three (3) residents and a direct care staff support ratio of 2:3 for eight (8) hours a day, 1:3 during the remaining awake hours, and 1:3 staff asleep overnight coverage. The reimbursement rate shall be two hundred eighty-six dollars (\$286.00) per day;
 - (d) Moderate Support Level 2: Provides awake overnight support for a home with three (3) residents and a direct care staff support ratio of 2:3 for eight (8) hours a day, 1:3 during remaining awake hours, and 1:3 staff awake coverage overnight. The reimbursement rate shall be three hundred eleven dollars (\$311.00) per day;

- (e) Intensive Support Level 1: Provides support for a home with three (3) residents and a direct care staff support ratio of 1:3 for staff awake overnight and 2:3 during all awake hours when the residents are receiving services and adjusted for increased absenteeism from day and employment programs. The reimbursement rate shall be three hundred forty-eight dollars (\$348.00) per day;
- (f) Intensive Support Level 2: Provides support for a home with three (3) residents and a direct care staff support ratio of 2:3 for staff awake overnight and 2:3 during all awake hours when the residents are receiving services and adjusted for increased absenteeism from day and employment programs. The reimbursement rate shall be four hundred three dollars (\$403.00) per day;
- (g) Basic Support Level 1: Provides asleep overnight support for a home with two (2) residents and a direct care staff support ratio of 1:2 during all hours when individuals are awake and receiving services. The reimbursement rate shall be two hundred and ninety dollars (\$290.00) per day;
- (h) Basic Support Level 2: Provides awake overnight support for a home with two (2) residents and a direct care staff support ratio of 1:2 for staff awake overnight and 1:2 during all awake hours when the residents are receiving services. The reimbursement rate shall be three hundred and eighteen dollars (\$318.00) per day;
- (i) Moderate Support Level 1: Provides awake overnight support for a home with two (2) residents and a direct care staff support ratio of 2:2 for four (4) hours a day, 1:2 during remaining awake hours and 1:2 staff awake coverage over night. The reimbursement rate shall be three hundred and seventy-seven dollars (\$377.00) per day;
- (j) Moderate Support Level 2: Provides support in a SLR with two (2) residents and a direct care staff support ratio of 1:2 for staff awake overnight and 2:2 for eight (8) hours a day, 1:2 during remaining awake hours when residents are in the home and adjusted for increased absenteeism. The rate shall be four hundred and fifty-six dollars (\$456.00) per day;
- (k) Intensive Support Level 1: Provides support in a home with two (2) residents and a direct care staff support ratio of 1:2 for staff awake overnight and 2:2 for all awake hours when residents are in the home and adjusted for increased absenteeism. The rate shall be four hundred and ninety-one dollars (\$491.00) per day;

- (l) Supported living periodic services, as described under Section 1934.6, shall be authorized up to sixteen (16) hours per day without transportation. The hourly rate shall be twenty-one dollars and eighty-four cents (\$21.84) billable in quarter hour units (fifteen minutes) of five dollars and forty-six cents (\$5.46) per billable unit;
- (m) There shall be a specialized service rate for supported living with skilled nursing services, described under Section 1934.5. The rate shall be five hundred and fifty-three dollars and seventy-nine cents (\$553.79) per day without transportation, when there are at least three (3) people living in the SLR or residing in a home that require skilled nursing services and demonstrate extraordinary medical needs; and
- (n) There shall be a specialized service rate for twenty-four hour one-to-one supported living service for a person living in a single occupancy SLR, described under Section 1934.4. The rate shall be five hundred eleven dollars and forty nine cents (\$511.49) for asleep overnight staff and five hundred and seventy-four dollars (\$574.00) for one-to-one awake overnight staff.

1934.42 The Medicaid reimbursement rate for supported living services with transportation shall be as follows:

- (a) Basic Support Level 1: Provides asleep overnight support for a home with three (3) residents and a direct care staff support ratio of 1:3 during all hours. The reimbursement rate shall be two hundred fifty one dollars (\$251.00) per day;
- (b) Basic Support Level 2: Provides awake overnight support for a home with three (3) residents and a direct care staff support ratio of 1:3 for staff awake overnight and 1:3 during all awake hours. The reimbursement rate shall be two hundred and seventy dollars (\$270.00) per day;
- (c) Moderate Support Level 1: Provides asleep overnight support for a home with three (3) residents and a direct care staff support ratio of 2:3 for eight (8) hours a day, 1:3 during the remaining awake hours, and 1:3 staff asleep overnight coverage. The reimbursement rate shall be three hundred and four dollars (\$304.00) per day;
- (d) Moderate Support Level 2: Provides awake overnight support for a home with three (3) residents and a direct care staff support ratio of 2:3 for eight (8) hours a day, 1:3 during remaining awake hours, and 1:3 staff awake coverage overnight. The reimbursement rate shall be three hundred and twenty nine dollars (\$329.00) per day;

- (e) Intensive Support Level 1: Provides support for a home with three (3) residents and a direct care staff support ratio of 1:3 for staff awake overnight and 2:3 during all awake hours when the residents are receiving services and adjusted for increased absenteeism from day and employment programs. The reimbursement rate shall be three hundred and sixty six dollars (\$366.00) per day;
- (f) Intensive Support Level 2: Provides support for a home with three (3) residents and a direct care staff support ratio of 2:3 for staff awake overnight and 2:3 during all awake hours when the residents are receiving services and adjusted for increased absenteeism from day and employment programs. The reimbursement rate shall be four hundred and twenty-one dollars (\$421.00) per day;
- (g) Basic Support Level 1: Provides asleep overnight support for a home with two (2) residents and a direct care staff support ratio of 1:2 staff asleep overnight coverage and 1:2 staff awake coverage when residents are receiving services. The reimbursement rate shall be three hundred and eight dollars (\$308.00) per day;
- (h) Basic Support Level 2: Provides overnight support for a home with two (2) residents and a direct care staff support ratio of 1:2 for staff awake overnight and 1:2 during all awake hours when the resident is receiving services. The reimbursement rate shall be three hundred and thirty six dollars (\$336.00) per day;
- (i) Moderate Support Level 1: Provides awake overnight daily rate for a home with two (2) residents and a direct care staff support ratio of 2:2 for four (4) hours a day, 1:2 during remaining awake hours and 1:2 staff awake coverage over night shall be three hundred and ninety-five dollars (\$395.00) per day;
- (j) Moderate Support Level 2: Provides support a home with two (2) residents and a direct care staff support ratio of 1:2 for staff awake overnight and 2:2 for eight (8) hours a day, 1:2 during remaining awake hours when residents are receiving services and adjusted for increased absenteeism from day and employment programs. The reimbursement rate shall be four hundred and seventy four dollars (\$474.00) per day;
- (k) Intensive Support Level 1: Provides support in a home with two (2) residents and a direct care staff support ratio of 1:2 for staff awake overnight and 2:2 for all awake hours when residents are receiving services and adjusted for increased absenteeism from day and employment programs. The reimbursement rate shall be five hundred and nine dollars (\$509.00) per day;

- (l) Supported Living periodic services, described under Section 1934.6, shall be authorized up to sixteen (16) hours per day. The hourly rate shall be twenty four dollars and thirty six cents (\$24.36) per hour billable in quarter hour units of six dollars and nine cents (\$6.09) per fifteen (15) minute unit; and
- (m) There shall be a specialized service rate for supported living with skilled nursing services, described under Section 1934.5. The reimbursement rate is five hundred and seventy-four dollars and thirteen cents (\$574.13) per day, when there are at least three (3) people living in the SLR or home that require Skilled Nursing Services and demonstrate extraordinary medical needs.
- (n) There shall be a specialized service rate for twenty-four hour one-to-one supported living service for a person living in a single occupancy SLR, described under Section 1934.4. The reimbursement rate is five hundred thirty-one dollars and eighty-three cents (\$531.83) for asleep overnight staff and five hundred ninety two dollars (\$592.00) for one-to-one awake overnight staff.

- 1934.43 For purposes of staffing and determining the Medicaid reimbursement rates for supported living services, awake hours of the day with absence from day program, weekend, or holiday shall be the time period between 6:00 a.m. to 10:00 p.m., and for purposes of awake hours for all other days shall be the time period from 6:00 a.m. to 10:00 a.m. and 2:00 p.m. to 10:00 p.m.
- 1934.44 For purposes of staffing and determining the Medicaid reimbursement rates for supported living services, the overnight period shall be the time period between 10:00 p.m. to 6:00 a.m.
- 1934.45 The billable unit of service for Medicaid reimbursable supported living services excluding periodic supported living services, shall be one (1) day (*i.e.* twenty-four (24) hours).
- 1934.46 The Medicaid reimbursement rate assumes a ninety-three (93%) annual occupancy and includes any unanticipated absences due to illness from any day/vocational services.
- 1934.47 Each provider of Medicaid reimbursable supported living services shall maintain the staffing ratio, described under Sections 1934.40 and 1934.41, associated with the approved acuity rate for the residence. The DDA Service Coordinator shall generate an incident report if it is discovered that the staffing ratio is not maintained during DDA's quarterly visits to the SLR.

- 1934.48 The Medicaid provider shall notify the DDS Service Coordinator to schedule a meeting to address the cause of any unanticipated absences that may result in a less than 93% occupancy rate or a reduced staffing ratio.
- 1934.49 Daily activities including participation in day programs such as day habilitation services, individualized day supports services, employment readiness or supported employment services, and are typically scheduled for five (5) hours per day, five (5) days per week. The reimbursement rate for Medicaid reimbursable supported living periodic services shall not include any period of time during which the person is enrolled in a day program.
- 1934.50 Medicaid reimbursable supported living periodic services are calculated based on the time the person is scheduled to be in their place of residence, except the provider may include the time the person is being transported by the provider to day programs, employment, professional appointments, community activities, and events.

Section 1999 (DEFINITIONS) is amended by adding the following:

Couples - A couple refers to those married or unmarried persons in a relationship, including same-sex relationships.

Health Management Care Plan- A written document designed to evaluate a person's health care status and to provide recommendations regarding the treatment and amelioration of health care issues by identifying types of risk, interventions to manage identified risks, persons responsible for carrying out interventions, and persons responsible for providing an evaluation of outcomes and timeframes.

Person – An individual enrolled in the Home and Community Based Services Waiver for Individuals with Intellectual and Developmental Disabilities.

Supported Living Residence (SLR) - A residence owned or leased by the provider or a residence owned or leased by the person receiving services.

Comments on the proposed rules shall be submitted, in writing, to Linda Elam, Ph.D., Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 899 North Capitol Street, NE, Suite 6037, Washington, D.C. 20002, via telephone on (202) 442-9115, via email at DHCFPubliccomments@dc.gov, or online at www.dcregs.dc.gov, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may be obtained from the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-184
October 10, 2013

SUBJECT: Designation of Special Event Areas – St. Elizabeths East Campus

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422 (6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22 (6) and (11) (2012 Repl.), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:

1. Notwithstanding any prior Order delegating the authority to designate areas of the District as Special Event Areas, the area consisting of Lots 1, 2, and 3 in Square S-5868, also known as St. Elizabeths East Campus, shall be designated as Special Event Areas to which the provisions of 19 DMCR § 1301 shall not apply.
2. The designated Special Event Areas shall be used to provide a variety of community projects, including, but not limited to, the performing arts, traditional art, music, food, festivals, etc.
3. The designated Special Event Areas shall be operated and overseen by the Office of the Deputy Mayor for Planning and Economic Development or any entity designated by the Office of the Deputy Mayor for Planning and Economic Development.
4. Any prior delegation of authority to designate areas of the District as Special Event Areas shall remain in effect.
5. This Order shall supersede all prior Mayor's Orders, including Mayor's Order 2013-104, dated June 12, 2013, to the extent of any inconsistency.
6. The use of said designated area shall be in effect until December 31, 2018.

7. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-185
October 10, 2013

SUBJECT: Delegation of Authority Under the Fiscal Year 2014 Tax Revenue Anticipation Notes Act of 2013


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) (2012 Repl.), and pursuant to section 13 of the Fiscal Year 2014 Tax Revenue Anticipation Notes Act of 2013, effective October 4, 2013, D.C. Act 20-186 (hereinafter cited as the "Notes Act"), it is hereby **ORDERED** that:

1. The Chief Financial Officer of the District of Columbia is delegated the authority vested in the Mayor pursuant to the Notes Act, to take any action, execute and deliver agreements, documents and instruments as required by or incidental to the issuance of any notes authorized by the Notes Act, perform any covenants contained in the Notes Act, and negotiate the sale of any notes pursuant to a purchase contract as authorized by the Notes Act, including any amendments to such agreements, documents, instruments, covenants or purchase contracts.
2. In the absence or disability of the Chief Financial Officer of the District of Columbia, the Deputy Chief Financial Officer and Treasurer of the District of Columbia is delegated the authority to execute the powers and duties delegated to the Chief Financial Officer as provided in this Order.
3. **EFFECTIVE DATE:** This Order shall become effective *nunc pro tunc* to October 4, 2013.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-186
October 10, 2013

SUBJECT: Amendment – Delegation of Authority to the Deputy Mayor for Planning and Economic Development to Execute Certain Documents with the District of Columbia Water and Sewer Authority

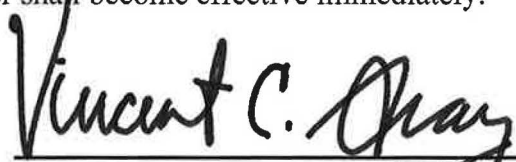
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2012 Repl.); section 1 of An Act To authorize the transfer of jurisdiction over public land in the District of Columbia, approved May 20, 1932, 47 Stat. 161, D.C. Official Code § 10-111 (2012 Repl.); and pursuant to section 1(c) of An Act to grant additional powers to the Commissioners of the District of Columbia and for other purposes, approved December 20, 1944, as amended, 58 Stat. 819, D.C. Official Code § 1-301.01(c) (2012 Repl.), it is hereby **ORDERED** that:


1. Section 1 of Mayor's Order 2012-20, dated February 9, 2012, is hereby amended to read as follows:

1. The Deputy Mayor for Planning and Economic Development ("Deputy Mayor") is delegated the authority to execute agreements and other associated documents relating to the District of Columbia Water and Sewer Authority's ("DC Water") access to and use of certain real property owned by or under the administrative jurisdiction of the District of Columbia for DC Water's activities relating to the D.C. Clean Rivers project and Long Term Control Plan project, which real property includes: (1) U.S. Reservation 251, (2) U.S. Reservation 128, (3) U.S. Reservation 343-D, (4) U.S. Reservation 343-E, (5) Lot 800 in Square 3128, and (6) pursuant to D.C. Official Code §10-501.01, wharf property within the pierhead lines located in Lot 0802 in Square 0771.

2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-187
October 10, 2013

SUBJECT: Establishment – Mayor's Inter-Agency Council on Coordination and Management of the Supports and Services Delivery System for Children, From Birth to Age Eight, and Their Families

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), it is hereby **ORDERED** that:

I. ESTABLISHMENT

There is hereby established in the Executive Branch of the government of the District of Columbia a Mayor's Inter-Agency Council on Coordination and Management of the Supports and Services Delivery System for Children, From Birth to Age Eight, and Their Families ("Early Success Council").

II. PURPOSE

The Early Success Council shall oversee and coordinate those interagency actions and steps deemed necessary and appropriate with respect to improving the District of Columbia government's supports and services delivery system for children, from birth through age eight, and their families and promoting the outcomes of the Mayor's Early Success Framework.

III. FUNCTIONS

The functions of the Early Success Council shall include:

- A. Coordinating and aligning the planning, policy, program, funding and oversight structures to establish a comprehensive and coordinated early childhood system;
- B. Promoting sustainability of strategies and initiatives for children, from birth to age eight, and their families, including creating public and private partnerships and coordinating with the State Early Childhood Development Coordinating Council;

- C. Reducing duplication of efforts and maximizing efficiency of supports and services for children, from birth to age eight, and their families; and
- D. Undertaking any other functions necessary to further the stated purpose of the Early Success Council, as assigned by the Mayor, the Deputy Mayor for Health and Human Services, and the Deputy Mayor for Education.

IV. COMPOSITION

The Early Success Council shall be comprised of the following members:

- A. The Deputy Mayor for Education;
- B. The Deputy Mayor for Health and Human Services;
- C. Director, Department of Health;
- D. Director, Department of Health Care Finance;
- E. Chancellor, District of Columbia Public Schools;
- F. Executive Director, District of Columbia Public Charter School Board;
- G. Director, Department of Behavioral Health;
- H. Director, Department of Human Services;
- I. Superintendent, Office of the State Superintendent of Education;
- J. Director, Child and Family Services Agency;
- K. Director, Department of Parks and Recreation;
- L. Director, Department of Employment Services;
- M. Director, Department of Housing and Community Development;
- N. Director, District of Columbia Housing Authority;
- O. Director, District of Columbia Public Libraries;
- P. President, University of the District of Columbia;
- Q. President, District of Columbia Community College; and
- R. Director, Office of Planning.

V. MEETINGS

- A. The Early Success Council shall meet on a regular schedule at least once each month and at such other times as may be deemed necessary by the Co-Chairpersons. Non-attendance of any member at a regular meeting, other than for emergency reasons, must be excused in advance by one of the Co-Chairpersons. Participation in any meeting may be by telephone.
- B. The Early Success Council members, through one of the Co-Chairpersons or by delegation from one of the Co-Chairpersons, may invite for purposes of attending (or participating in) a meeting the participation of representatives of their respective District agencies, other District agencies, stakeholders, providers of services and supports, institutions, or any other entities or individuals deemed necessary for the Early Success Council to achieve its purpose and functions.

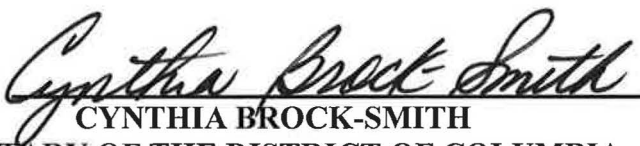
VI. ADMINISTRATION

The Deputy Mayor for Education and the Deputy Mayor for Health and Human Services shall serve as Co-Chairpersons and provide administrative support to the Early Success Council.

- VII. EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-188
October 11, 2013

SUBJECT: Delegation of Authority to the Deputy Mayor for Planning and Economic Development to Solicit Offers, Accept Unsolicited Offers, and Execute Certain Documents with Respect to Real Property known as Parcel 69

ORIGINATING AGENCY: Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2012 Repl.); section 1 of An Act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939, 53 Stat. 1211, D.C. Official Code § 10-801 *et seq.* (2012 Repl. and 2013 Supp.); and pursuant to section 1(c) of An Act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944, as amended, 58 Stat. 819, D.C. Official Code § 1-301.01(c) (2013 Supp.), it is hereby **ORDERED** that:

1. The Deputy Mayor for Planning and Economic Development (“Deputy Mayor”) is delegated the Mayor’s authority to solicit offers, accept unsolicited offers, and execute on behalf of the District of Columbia any and all documents related to the disposition, development or use of the real property known as Parcel 69, located at the southwest corner of Fourth and E Streets, S.W., and the northeast corner of Sixth and E Streets, S.W., and known for tax and assessment purposes as Lots 102, 838, 839, 840, 841, 7000, 7001, 7002, 7003, 7004, 7005 in Square 495 and Lot 36 in Square 494 (the “Property”), and to take all actions necessary or useful for or incidental to the solicitation and disposition or lease of the Property, including, but not limited to, license agreements, use agreements, lease agreements, easements, covenants, and/or other associated documents.
2. The authority delegated herein to the Deputy Mayor may be further delegated to subordinates under the jurisdiction of the Deputy Mayor.

3. This Order supersedes all previous Mayor's Orders to the extent of any inconsistency therein.
4. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 1, 2009.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, OCTOBER 23, 2013 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request to Change Hours of Operation and Sales. *Approved Hours of Operation and Sales:* Sunday-Saturday 9am to 10pm. *Proposed Hours of Operation and Sales:* Sunday- Saturday 9am to 12am. No pending investigative matters. No pending enforcement matters. No Outstanding fines/Citations. No conflict with Settlement Agreement. ANC 5E. SMD 5E07. *Bloomington Liquors*, 1836 1st Street NW, Retailer A, Lic#: 60424.

2. Review Request to Change Hours of Operation and Sales. *Approved Hours of Operation and Sales:* Sunday-Saturday 9am to 10pm. *Proposed Hours of Operation and Sales:* Sunday- Saturday 9am to 12am. No pending investigative matters. No pending enforcement matters. No Outstanding fines/Citations. No conflict with Settlement Agreement. ANC 1D. SMD 1D01. *Brown Street Market*, 3320 Brown Street, NW, Retailer B, Lic#: 90871.

3. Review Request to Add Sunday Hours of Operation. *Approved Hours of Operation:* Monday-Saturday 6am to 1am. *Approved Hours of Sales and Consumption:* Thursday-Saturday 1pm to 9pm. *Proposed Hours of Operation:* (Add) Sunday 6am to 1am. ANC 5D. SMD 5D01. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. 2052 West Virginia Avenue NE, *Atlas Brew Works*, Retailer B, Lic#: 91282.

4. Review Change of Hours Application to change Hours of Operation and Alcoholic Beverage Consumption. *Approved Hours of Operation:* Sunday 8am to 9pm. Monday-Saturday 8am to 10pm. *Approved Hours of Sales and Consumption:* Sunday 10am to 9pm. Monday-Saturday 9am to 10pm. *Proposed Hours of Operation:* Sunday 8am to 9:30pm, Monday-Saturday 8am to 10:30pm. *Proposed Hours of Sales and Consumption:* Sunday 10am to 9:30pm, Monday-Saturday 9am to 10:30pm. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Conflict with Settlement Agreement. ANC3E. SMD 3E01. *Whole Foods Market*, 4530 40th Street NW, Retailer Grocery B and DR. Lic#: 86073. *Postponed from September 25, 2013.*

5. Review Change of Hours Application to change Hours of Operation and Alcoholic Beverage Consumption. **Approved Hours of Operation:** Sunday-Saturday 8am to 10:30pm. **Approved Hours of Sales and Consumption:** Sunday 10am to 10:30pm. Monday-Saturday 9am to 10:30pm. **Proposed Hours of Operation:** Sunday-Saturday 8am to 12am. **Proposed Hours of Sales and Consumption:** Sunday-Saturday 9am to 12am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Conflict with Settlement Agreement. ANC 2F. 2F02. **Whole Foods Market**, 1440-1446 P Street NW, Retailer Grocery B and DR. Lic#: 86071. *Postponed from September 25, 2013.*

6. Review Amended Request for New Multipurpose License. Application Revised and Re-Submitted as Retailer CT. ANC 6C. SMD 6C02. **Event Concepts**, 444 North Capitol Street, NW. *Referred to Licensing on September 25, 2013.*

7. Review Request for Summer Garden Endorsement. **Proposed Hours of Operation, Sales, and Consumption:** Sunday-Thursday 10am to 2am, Friday-Saturday 10am to 3am. Settlement Agreement. No pending enforcement matters. No outstanding fines/citations. ANC 1A. SMD 1A06. **Kangaroo Boxing**, 3410 11th Street NW, Retailer CR, Lic#: 89161.

8. Review Request for Sidewalk Cafe Endorsement. **Proposed Hours of Operation, Sales, and Consumption:** Sunday-Saturday 6pm to 12am. No Settlement Agreement. Investigative History. No pending enforcement matters. No outstanding fines/citations. ANC 1C. SMD 1C07. **Little Fountain Café/Angles**, 2339 18th Street NW, Retailer CR, Lic#: 20251.

9. Review of Request to Withdraw Application from Paul L. Pascal, Counsel for CVS Pharmacy. **CVS Pharmacy # 1354**, 2601 Connecticut Avenue NW, Retailer B, Lic#: 088912.

10. Review Motion to Dismiss Status Hearing and Show Cause Hearing from Matthew LeFande, Counsel for Twelve Restaurant and Lounge. **XII**, 1123-1125 H Street NE, Retailer CT, Lic#: 076366.*

11. Review of the Government's Response to Licensee's Motion to Dismiss from Christine L. Gephardt, Office of the Attorney General of the District of Columbia. **XII**, 1123-1125 H Street NE, Retailer CT, Lic#: 076366.*

12. Review of Request dated October 10, 2013 from E & J Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500.

13. Review of Resolution to Amend the Settlement Agreement dated October 10, 2013 between ANC 1A and Mothership. *Mothership*, 3301 Georgia Ave NW, Retailer CR, Lic#: 091237.*

14. Review of Resolution to Amend the Settlement Agreement dated October 10, 2013 between ANC 1A and The Coupe. *The Coupe*, 3415 11th Street NW, Retailer CR, Lic#:086623.*

15. Review of Settlement Agreement dated October 10, 2013 between ANC 1A and Baba's Cooking School. *Baba's Cooking School*, 3607 Georgia Avenue NW, Retailer CT, Lic#: 092701.*

16. Review of Settlement Agreement dated October 12, 2013 between ANC 6B and Beuchert's Saloon. *Beuchert's Saloon*, 623 Pennsylvania Avenue SE, Retailer CR, Lic#:089616.*

*** In accordance with D.C. Official Code §2-574(b) Open Meetings Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
ORDERS TO CEASE & DESIST
CLASS B

WEDNESDAY, OCTOBER 23, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The Board is requested to issue Orders to Cease & Desist to the following Licensees for the reasons outlined below.

ABRA-017577 - **Scheele's Market**- Retail - Grocery B - 1331 29TH ST NW
[Licensee did not make 3rd Year Payment.]

ABRA-072942 - **Bella Market**- Retail - Grocery- B - 101 15TH ST NE
[Licensee did not make 3rd Year Payment.]

ABRA-073897 - **Carolina Deli and Beverage**- Retail - Grocery- B - 3429 14TH ST NW
[Licensee did not make 3rd Year Payment.]

ABRA-074723 - **Clover Market**- Retail - Grocery- B - 5014 CONNECTICUT AVE NW
[Licensee did not make 3rd Year Payment.]

ABRA-077147 - **New Star Supermarket**- Retail - Grocery- B - 2205 4TH ST NE
[Licensee did not make 3rd Year Payment.]

ABRA- 078461 - **M & M Market**- Retail - Grocery- B - 3544 EAST CAPITOL ST NE
[Licensee did not make 3rd Year Payment.]

ABRA- 084582 - **1618 Variety Market**- Retail - Grocery- B - 1618 8th ST NW
[Licensee did not make 3rd Year Payment.]

ABRA- 086103 - **Darby's Market**- Retail - Grocery- B - 1136 FLORIDA AVE NE
[Licensee did not make 3rd Year Payment.]

ABRA- 086470- **Anacostia Market**- Retail - B- 1303 GOOD HOPE RD SE
[Licensee did not make 3rd Year Payment.]

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
ORDERS TO CEASE & DESIST
CLASS CT & CN**

**WEDNESDAY, October 23, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to issue Orders to Cease & Desist to the following Licensees for the reasons outlined below.

ABRA-089177 – **Montserrat Dough Joe**- CT - 2014 9th ST NW
[Licensee did not renew.]

ABRA-088347 - **King of Kabob**- CT - 1018 VERMONT AVE NW
[Licensee did not renew.]

ABRA-088592 - **HR-57** - CT - 1007 H ST NE
[Licensee did not renew.]

ABRA-088787 - **Maraki Restaurant & Lounge** - CT- 1930 9TH ST NW
[Licensee did not renew.]

ABRA-001449 - **Camelot** - CN - 1823 M ST NW
[Licensee did not renew.]

ABRA-084711 - **Opera Ultra Lounge**- CN - 1400 I ST NW
[Licensee did not renew.]

ABRA-084726 - **Love**- CN - 1350 OKIE ST NE
[Licensee did not renew.]

ABRA-087339 - **America Eats Tavern**- CT - 405 8TH ST NW
[Licensee did not renew.]

ABRA-082969 - **Salina Restaurant**- CT - 1936 9TH ST NW
[Licensee did not renew.]

ABRA-085258 - **Yetenbi Restaurant**- CT - 1915 9TH ST NW
[Licensee did not renew.]

ABRA-089030 - **Ma Ma's Southern Cuisine**- CT - 3118 GEORGIA AVE NW
[Licensee did not renew.]

ABRA-086424 - **Sankofa Cafe**- CT - 2714 Georgia AVE NW
[Licensee did not renew.]

ABRA-090865 - **To Be Determined(Buzz)** - CT - 3911 GEORGIA AVE NW
[Licensee did not renew.]

ABRA-090527 - **Avery's Bar and Lounge** - CT - 1370 H ST NE
[Licensee did not renew.]

ABRA-022973 - **Saloun**- (*Safekeeping*) - C – 7138 River Road Bethesda, MD 20817
[Licensee did not renew.]

ABRA-079778 - **Oxygen**- (*Safekeeping*) - C – 1375 Quincy Street NW
[Licensee did not renew.]

ABRA-085722 - **Ras Restaurant & Lounge**- (*Safekeeping*) - C– 13103 Chalkstone Way Silver Spring, MD 20904
[Licensee did not renew.]

ABRA-085910 - **HR-57**- CT – 816 H Street NE
[Licensee did not renew.]

ABRA-089818 - **Roc Bar**- (*Safekeeping*) - C – 2623 Connecticut Ave NW
[Licensee did not renew.]

ABRA-088077 - **Jackie Lee's Lounge**- (*Safekeeping*) - C – 1432 Gurard Street NW #506
[Licensee did not renew.]

ABRA-086855 - **Pho DC Bar & Grill**- (*Safekeeping*) - C – 2623 Connecticut Ave NW
[Licensee did not renew.]

ABRA-070707 - **Newtown Kitchen and Lounge**- CT - 1336 U ST NW
[Licensee did not renew.]

ABRA-060475 - **The Reef** - CT - 2442 - 2446 18TH ST NW
[Licensee did not renew.]

ABRA-089292 - **First Cup Cafe**- CT - 900 M ST NW
[Licensee did not renew.]

ABRA-088924 - **Koffee's Lounge**- CT - 2632 GEORGIA AVE NW
[Licensee did not renew.]

ABRA-089716 - **Fever Bar & Lounge**- CT - 816 H ST NE
[Licensee did not renew.]

ABRA-089982 - **Rappahannock Oyster Bar**- CT - 1309 5TH ST NE
[Licensee did not renew.]

ABRA-084577 – **American Ice Company**- CT - 917 V ST NW
[Licensee did not renew.]

ABRA-073166 - **The Pug/Toki Underground**- CT - 1234 H ST NE
[Licensee did not renew.]

ABRA-078443 - **Velvet Lounge**- CT – 915 U Street NW
[Licensee did not renew.]

ABRA-080666 - **The Library Saloon**- CT - 3514 12TH ST NE
[Licensee did not renew.]

ABRA-081014 - **Cava Restaurant**- CT - 527 - 529 8TH ST SE
[Licensee did not renew.]

ABRA-081092 - **Sesto Senso/ Andalu/Spot/Lupe/M I A**- CT - 1214 18TH ST NW
[Licensee did not renew.]

ABRA-082192 - **Portico**- CT - 1914 9TH ST NW
[Licensee did not renew.]

ABRA-084241 - **Vice**- CN - 5516 NORTH CAPITOL ST NW
[Licensee did not renew.]

ABRA-083268- **To be determined (Foodie, Inc)** - CT - 1110 H ST NE
[Licensee did not renew.]

ABRA-084578 - **Martin's Restaurant & Lounge**- CT - 1919 9th ST NW
[Licensee did not renew.]

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 23, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On October 23, 2013 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#13-251-00096 Josephine, 1010 Vermont AVE NW Retailer C Tavern, License#: ABRA-076906

2. Case#13-251-00112 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510

3. Case#13-251-00109 La Villa Restaurant, 1317 14TH ST NW Retailer C Restaurant, License#: ABRA-060123

4. Case#13-251-00087 1789 Restaurant Tombs F Scotts, 1224 36TH ST NW Retailer C Restaurant, License#: ABRA-009239

5. Case#13-CMP-00465 Recess Bar, 727 15TH ST NW Retailer C Nightclub, License#: ABRA-081805

6. Case#13-CMP-00358 Bar Louie, 701 7th ST NW Retailer C Restaurant, License#: ABRA-084428

7. Case#13-251-00061 Cities, 919 19th ST NW Retailer C Restaurant, License#: ABRA-086319

8. Case#13-CMP-00471 Ethiopia Restaurant & Market, 4630 14TH ST NW Retailer C Restaurant, License#: ABRA-09137

DC MAYOR'S OFFICE ON ASIAN AND PACIFIC ISLANDER AFFAIRS**DC MAYOR'S COMMISSION ON ASIAN AND
PACIFIC ISLANDER AFFAIRS****NOTICE OF REGULAR MEETING**

The DC Mayor's Commission on Asian and Pacific Islander Affairs will be holding its regular meeting on Thursday, October 24, 2013 at 6:30 pm.

The meeting will be held in Conference Room 1114 at One Judiciary Square, 441 4th Street NW, Washington, DC 20001. The location is closest to the Judiciary Square metro station on the red line of the Metro. All commission meetings are open to the public. If you have any questions about the commission or its meetings, please contact oapia@dc.gov or Andrew Chang at andrew.chang@dc.gov. Telephone: (202) 727-3120.

The DC Commission on Asian and Pacific Islander Affairs usually convenes monthly meetings to discuss current issues affecting the DC AAPI community.

Future meetings for the remainder of the year have been scheduled for the following dates:

December 5, 2013

**OFFICE OF COMMUNITY AFFAIRS,
AFRICAN AMERICAN AFFAIRS COMMISSION**

NOTICE OF PUBLIC MEETING

**Monday-October 28 – 4:00 -6:00 PM
Dept. of Consumer & Regulatory Affairs (DCRA)
1100 4th Street SW Room 4302**

The African American Affairs Commission will hold its open public meeting on Monday October 28, 2013 from 4:00 pm to 6:00 pm located at The Dept. of Consumer & Regulatory Affairs (DCRA) 1100 4th Street, SW Room 4302. If you have any questions or concerns please feel free to contact Dr. Maurice Jackson (202)590-8555 (c) (202)687-1619 (w) Maujackson@aol.com

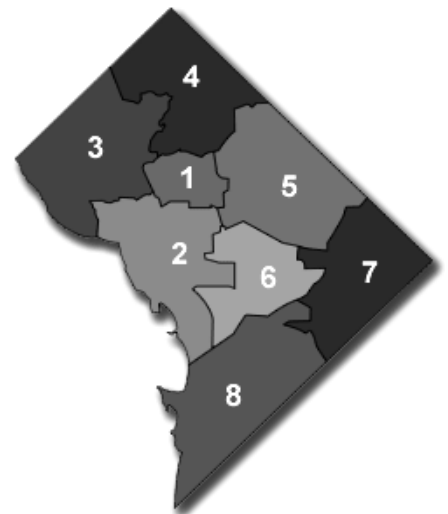
**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013**

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	42,442	2,720	778	17	142	11,726	57,825
2	29,372	5,891	231	31	140	11,545	47,210
3	37,464	7,406	374	23	115	12,199	57,581
4	48,470	2,385	555	10	150	9,259	60,829
5	50,987	2,101	572	16	149	8,666	62,491
6	49,882	6,150	537	27	172	12,469	69,237
7	51,283	1,361	468	2	120	7,146	60,380
8	47,429	1,327	443	4	173	7,378	56,754
Totals	357,329	29,341	3,958	130	1,161	80,388	472,307
Percentage By Party	75.65%	6.21%	.84%	.03%	.25%	17.02%	100.00%

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF SEPTEMBER 30, 2013

COVERING CITY WIDE TOTALS BY:
WARD, PRECINCT AND PARTY

ONE JUDICIARY SQUARE
441 4TH STREET, NW SUITE 250N
WASHINGTON, DC 20001
(202) 727-2525
<http://www.dcboee.org>



D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,310	32	7	1	7	195	1,552
22	3,540	299	34	2	8	953	4,836
23	2,640	167	58	2	4	726	3,597
24	2,347	218	32	0	7	770	3,374
25	3,571	397	66	1	6	1,115	5,156
35	3,359	206	63	0	10	1,015	4,653
36	4,113	277	70	1	13	1,147	5,621
37	3,097	146	54	0	8	712	4,017
38	2,720	142	55	2	9	735	3,663
39	4,166	222	103	3	14	1,056	5,564
40	3,897	224	110	1	24	1,196	5,452
41	3,281	207	63	3	15	1,035	4,604
42	1,782	63	28	1	6	492	2,372
43	1,699	67	25	0	5	368	2,164
137	920	53	10	0	6	211	1,200
TOTALS	42,442	2,720	778	17	142	11,726	57,825

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	707	155	7	0	10	449	1,328
3	1,413	410	14	1	13	707	2,558
4	1,686	486	10	1	7	860	3,050
5	2,159	709	17	2	10	888	3,785
6	2,567	1,082	26	2	20	1,653	5,350
13	1,407	303	7	1	1	524	2,243
14	2,823	447	25	2	10	1,031	4,338
15	2,975	328	23	6	13	919	4,264
16	3,434	381	24	4	14	932	4,789
17	4,695	654	41	6	23	1,589	7,008
129	1,856	320	10	2	6	752	2,946
141	2,160	235	15	2	7	631	3,050
143	1,490	381	12	2	6	610	2,501
TOTALS	29,372	5,891	231	31	140	11,545	47,210

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,199	418	17	0	3	562	2,199
8	2,281	649	25	2	8	751	3,716
9	1,126	521	10	2	8	483	2,150
10	1,658	444	9	1	8	631	2,751
11	3,276	937	41	3	8	1,383	5,648
12	480	202	2	0	3	212	899
26	3,073	406	33	3	5	1,065	4,585
27	2,502	302	17	2	6	654	3,483
28	2,259	561	33	3	6	805	3,667
29	1,126	231	10	0	4	380	1,751
30	1,266	242	16	0	4	287	1,815
31	2,326	355	20	0	10	587	3,298
32	2,691	354	27	0	5	649	3,726
33	2,990	397	36	3	12	823	4,261
34	3,868	593	31	1	13	1,405	5,911
50	2,043	308	14	2	9	486	2,862
136	937	150	8	1		374	1,470
138	2,363	336	25	0	3	662	3,389
TOTALS	37,464	7,406	374	23	115	12,199	57,581

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,195	77	41	3	8	447	2,771
46	2,850	72	30	0	11	535	3,498
47	2,953	158	37	3	11	736	3,898
48	2,827	146	35	0	10	600	3,618
49	857	42	18	0	4	184	1,105
51	3,247	575	23	0	8	682	4,535
52	1,259	195	5	0	2	238	1,699
53	1,219	77	20	0	4	286	1,606
54	2,375	95	37	0	4	503	3,014
55	2,482	76	26	1	10	439	3,034
56	3,128	98	39	0	13	677	3,955
57	2,545	85	33	0	14	448	3,125
58	2,392	60	18	1	3	389	2,863
59	2,729	95	36	1	9	431	3,301
60	2,220	83	23	0	7	688	3,021
61	1,625	56	14	0	2	289	1,986
62	3,235	143	29	0	4	385	3,796
63	3,419	126	56	0	11	641	4,253
64	2,301	61	15	1	6	328	2,712
65	2,612	65	20	0	9	333	3,039
Totals	48,470	2,385	555	10	150	9,259	60,829

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	3,998	192	56	5	9	933	5,193
44	2,887	229	31	3	14	649	3,813
66	4,802	127	41	0	11	526	5,507
67	3,198	127	26	0	9	429	3,789
68	1,979	153	35	2	8	423	2,600
69	2,254	80	20	0	9	286	2,649
70	1,497	70	19	1	2	233	1,822
71	2,506	68	30	1	8	369	2,982
72	4,588	124	27	0	14	753	5,506
73	1,946	102	33	2	7	375	2,465
74	4,158	187	58	0	11	796	5,210
75	3,222	125	46	0	4	663	4,060
76	1,292	55	11	0	4	251	1,613
77	2,819	102	32	0	8	488	3,449
78	2,873	78	33	0	7	429	3,420
79	1,857	66	15	1	7	302	2,248
135	3,034	178	49	1	13	555	3,830
139	2,077	38	10	0	4	206	2,335
TOTALS	50,987	2,101	572	16	149	8,666	62,491

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	4,004	395	47	1	16	1,024	5,487
18	4,130	256	43	1	14	904	5,348
21	1,163	60	18	0	4	262	1,507
81	4,793	344	47	2	15	972	6,173
82	2,540	260	28	1	9	563	3,401
83	3,577	410	33	5	10	875	4,910
84	1,918	426	26	2	8	584	2,964
85	2,617	506	25	1	8	764	3,921
86	2,325	283	28	0	7	514	3,157
87	2,778	232	25	1	12	562	3,610
88	2,152	307	17	0	8	541	3,025
89	2,503	685	27	3	6	801	4,025
90	1,613	269	13	1	6	504	2,406
91	4,164	369	43	2	18	984	5,580
127	3,741	258	49	2	13	785	4,848
128	2,120	184	31	1	7	584	2,927
130	808	334	9	0	2	301	1,454
131	1,617	408	12	3	5	561	2,606
142	1,319	164	16	1	4	384	1,888
TOTALS	49,882	6,150	537	27	172	12,469	69,237

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,564	79	14	0	7	272	1,936
92	1,684	41	12	1	10	248	1,996
93	1,662	45	16	0	4	238	1,965
94	2,126	56	19	0	2	275	2,478
95	1,812	50	21	0		315	2,198
96	2,534	72	26	0	7	380	3,019
97	1,582	35	14	0	3	205	1,839
98	1,914	42	26	0	4	266	2,252
99	1,570	46	15	0	4	245	1,880
100	2,246	43	14	0	5	278	2,586
101	1,846	36	20	0	6	203	2,111
102	2,599	56	27	0	7	324	3,013
103	3,782	96	37	0	13	578	4,506
104	3,118	80	30	0	11	454	3,693
105	2,570	64	27	0	4	398	3,063
106	3,286	80	22	0	7	466	3,861
107	1,935	60	17	0	4	294	2,310
108	1,214	32	7	0	1	126	1,380
109	1,024	36	8	0	1	100	1,169
110	3,984	117	34	1	8	449	4,593
111	2,569	62	26	0	8	372	3,037
113	2,362	70	19	0	2	291	2,744
132	2,300	63	17	0	2	369	2,751
TOTALS	51,283	1,361	468	2	120	7,146	60,380

**D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of SEPTEMBER 30, 2013**

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,175	57	11	1	7	300	2,551
114	3,342	112	29	0	20	521	4,024
115	2,971	71	19	1	10	613	3,685
116	4,043	109	43	0	14	594	4,803
117	1,882	45	14	0	9	283	2,233
118	2,775	75	29	1	9	392	3,281
119	3,050	119	42	0	12	562	3,785
120	2,006	40	20	0	5	330	2,401
121	3,423	79	37	1	13	519	4,072
122	1,865	50	19	0	5	266	2,205
123	2,299	94	25	0	12	359	2,789
124	2,772	67	16	0	4	380	3,239
125	4,946	129	46	0	13	764	5,898
126	4,006	122	39	0	19	698	4,884
133	1,523	48	11	0	5	195	1,782
134	2,260	44	28	0	6	278	2,616
140	2,091	66	15	0	10	324	2,506
TOTALS	47,429	1,327	443	4	173	7,378	56,754

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION ACTIVITY

For voter registration activity between 8/31/2013 and 9/30/2013

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	355,774	29,131	3,938	120	1,152	79,798	469,913
Board of Elections Over the Counter	16	1	0	0	0	1	18
Board of Elections by Mail	75	3	1	0	1	25	105
Board of Elections Online Registration	83	7	2	0	0	16	108
Department of Motor Vehicle	1,333	209	15	6	8	501	2,072
Department of Disability Services	2	0	0	0	0	0	2
Office of Aging	1	0	0	0	0	0	1
Federal Postcard Application	1	0	0	0	0	0	1
Department of Parks and Recreation	0	0	0	0	0	0	0
Nursing Home Program	0	0	0	0	0	0	0
Dept. of Youth Rehabilitative Services	0	0	0	0	0	0	0
Department of Corrections	3	0	0	0	0	1	4
Department of Human Services	18	3	0	0	0	5	26
Special / Provisional	0	0	0	0	0	1	1
All Other Sources	100	8	2	1	0	29	140
+Total New Registrations	1,632	231	20	7	9	579	2,478

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	127	5	2	0	1	29	164
Administrative Corrections	3	1	0	0	4	293	301
+TOTAL ACTIVATIONS	130	6	2	0	5	322	465

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	48	5	0	0	0	19	72
Moved Out of District (Deleted)	0	0	0	0	0	0	0
Felon (Deleted)	8	1	0	0	0	3	12
Deceased (Deleted)	18	4	0	0	0	2	24
Administrative Corrections	339	31	5	1	1	62	439
-TOTAL DEACTIVATIONS	413	41	5	1	1	86	547

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P	
+ Changed To Party	297	42	12	4	3	83	
- Changed From Party	-91	-28	-9	-0	-7	-308	
ENDING TOTALS	357,329	29,341	3,958	130	1,161	80,388	472,307

BOARD OF ELECTIONS**CERTIFICATION OF ANC/SMD VACANCY**

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in one (1) Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 6D03

Petition Circulation Period: **Monday, October 21, 2013 Tuesday, November 12, 2013**
Petition Challenge Period: **Friday, November 15, 2013 thru Thursday, November 21, 2013**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections
441 - 4th Street, NW, Room 250N
Washington, DC 20001**

For more information, the public may call **727-2525**.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue Permit #6352-R1 to the George Washington University to operate one Caterpillar emergency diesel generator engine, located in Washington, DC. The contact person for the facility is James Schrote, Executive Director, Facilities Services, at (202) 994-0543.

Emergency Generator to be Permitted

Equipment Location	Address	Equipment Size	Serial Number	Permit No.
Lafayette Hall	2100 I Street NW Washington, DC 20052	161 kW (217hp)	CAT00C66LN6D02223	6352-R1

The proposed emission limits are as follows:

- a. Emissions shall not exceed those found in the following table [40 CFR 60.4205(b), 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]:

Emission Standards	
Pollutant	g/kW-hr
NMHC+NO _x	4.0
CO	3.5
PM	0.20

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated emissions from the Emergency Generator are as follows:

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	1.41	0.352
Oxides of Nitrogen (NO _x)	6.54	1.63
Total Particulate Matter , PM (Total)	0.459	0.115
Volatile Organic Compounds (VOCs)	0.534	0.133
Sulfur Dioxide (SO _x)	0.00229	0.000571

The application to operate the emergency generator and the draft permit and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after November 18, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

**THE NOT-FOR-PROFIT HOSPITAL CORPORATION
BOARD OF DIRECTORS
NOTICE OF PUBLIC MEETING**

The monthly Governing Board meeting of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, will be held at 9:00 a.m. on Thursday, October 24, 2013. The meeting will be held at 1310 Southern Avenue, SE, Washington, DC 20032, in Conference Room 3/4. Notice of a location or time change will be published in the D.C. Register, posted in the Hospital, and/or posted on the Not-For-Profit Hospital Corporation's website (www.united-medicalcenter.com).

DRAFT AGENDA

- I. CALL TO ORDER**

- II. DETERMINATION OF A QUORUM**

- III. APPROVAL OF AGENDA**

- IV. CONSENT AGENDA**
 - A. READING AND APPROVAL OF MINUTES**
 - 1. September 26, 2013 Board Meeting

 - B. BOARD EDUCATION SESSION**
 - 1. "Transforming Governance in an Era of Transformation"

 - C. EXECUTIVE REPORTS**
 - 1. Dr. Cyril Allen, Chief Medical Officer
 - 2. Maribel Torres, VP of Nursing
 - 3. Pamela Lee, VP of Hospital Operations
 - 4. Jackie Johnson, VP of Human Resources
 - 5. John Wilcox, Chief Information Officer

V. NONCONSENT AGENDA**A. CHIEF EXECUTIVE REPORTS**

1. Michael Davis, CFO
2. David Small, CEO

B. MEDICAL STAFF REPORT

1. Dr. Gilbert Daniel, Chief of Staff

C. COMMITTEE REPORTS

1. Finance Committee Report
2. Strategic Steering Committee Report
3. Governance Committee Report
4. Patient Safety & Quality Committee Report

D. OTHER BUSINESS

1. Old Business
2. New Business

E. ANNOUNCEMENT

1. The next Governing Board Meeting will be held at 6:00pm, November 14, 2013 at THEARC.

F. ADJOURNMENT

NOTICE OF INTENT TO CLOSE. The NFPHC Board hereby gives notice that it may close the meeting and move to executive session to discuss contracts, settlements, collective bargaining agreements, personnel, discipline, and investigations of alleged criminal or civil misconduct. D.C. Official Code §§2-575(b)(2)(4A)(5),(9),(10),(14).

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMEND FOR APPOINTMENTS OF NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after November 15, 2013.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on October 18, 2013. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: November 15 2013

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Abishe	Matusala Y.	CitiBank, NA 5250 MacArthur Boulevard, NW	20016
Aka	Davida	Sunrise Senior Living 5111 Connecticut Avenue, NW	20008
Alexander	Basil P.	Hill International, Inc. 1225 Eye Street, NW, Suite 601	20005
Ammerman	Harris S.	Ammerman & Goldberg, Attorneys at Law 1115 Massachusetts Avenue, NW	20005
Atakora	Lawrencia	Wells Fargo Bank NA 1300 Connecticut Avenue, NW	20036
Benjamin	Marcella	Wells Fargo Bank NA 1850 M Street, NW	20036
Brazier	Merabeth	MK Technology 1823 Jefferson Place, NW	20009
Brown	Cassandra M.	The American Institute of Architects 1735 New York Avenue, NW	20006
Bryant	Angelina J.	Children's National Medical Center 111 Michigan Avenue, NW	20010
Buckhaults	Donna Q	Merrill LAD 1325 G Street, NW, Suite 200	20005
Carter	Willetta	Self 2 47th Street, NE, Unit 1	20019
Coly	Baita F. X.	American Bus Association 111 K Street, NE, 9th Floor	20002
Davidson	Kristina	Bank Fund Staff Federal Credit Union 1725 I Street, NW, Suite 150	20006
Evans	Gail E.	National Railway Labor Conference 1901 L Street, NW, Suite 500	20036

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

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Fielda	Delores R.	Office of the Attorney General for the District of Columbia 441 4th Street NW, 11th Floor North	20001
Frye	Penny	Schertler & Onorato, LLP 575 7th Street, NW, Suite 300S	20004
Geletka	Althea	Office of the Attorney General for the District of Columbia 441 4th Street, NW, Suite 1060N	20001
Goodman	Abigail	American University 4400 Massachusetts Avenue, NW	20016
Green	Arthur L.	Self 3813 Kansas Avenue, NW	20011
Harden	Anika A.	The Washington Post Company 1150 15th Street, NW, 8th Floor	20071
Harder-Washington	Alana	Caplin & Drysdale, Chartered One Thomas Circle, NW, Suite 1100	20005
Hawes	Torcelia S.	Pillsbury Winthrop Shaw Pittman LLP 2300 N Street, NW	20037
Hoffman	Gayle	Shipman & Goodwin LLP 1133 Connecticut Avenue, NW, Suite 300	20036
Jackson	Rosalind A.	U.S. House of Representatives 351 Rayburn House Office Building	20515
Johnson	Delenia A.	Self 1221 Van Buren Street, NW, #301-A	20012
Jones	Krystal	DVA Federal Credit Union 1319 F Street, NW	20004

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: November 15 2013

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Kennedy	Kimberly	American Federation of Government Employees 80 F Street, NW 20001
Kizer, II	Norman	Klein Horning, LLP 1275 K Street, NW, Suite 1200 20005
Lamar	Mildred R.	Self 1022 Hamlin Street, NE 20017
Lewis-Parsons	Michelle	Self 3098 Stanton Road, SE, Suite 302 20020
Long	Carlisa V.	Department of Human Services/Office of Human Resources 64 New York Avenue, NE, 6th Floor 20002
Long	Khadijah Alima	Self 313 Parkland Place, SE, Apt. #2 20032
Massey	Mary A.	Neal R. Gross & Company, Inc. 1323 Rhode Island Avenue, NW 20005
Mioni	Mark	Self 933 Westminster Street, NW, #B 20001
Moran	Shaunna	Diversified Reporting Services 1101 Sixteenth Street, NW, 2nd Floor 20036
Natoli	Frances	Cadeaux Taglieri & Notarius 1100 Connecticut Avenue, NW, Suite 800 20036
Parada	Nancy G.	Donahoe Kearney, LLP 1634 Eye Street, NW, Suite 500 20006
Pearrell, Jr.	Carl Richard	SunTrust Bank 3301 New Mexico Avenue, NW 20016

D.C. Office of the Secretary
 Recommended for appointment as a DC Notaries Public

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Perez	Christine M.	ADVI 1050 K Street, NW	20001
Perry	Michelle L.	First American Title Insurance Company 1825 Eye Street, NW, Suite 302	20006
Piper	Katherine C.	Law Office of Rachael A.S. Moshman 2000 P Street, NW, Suite 415	20036
Ponzoo-Lasri	Susan	Parsons 100 M Street, SE, Suite 1200	20003
Ratner	Lauren A.	Self 3201 Adams Mill Road, NW	20010
Rosario	Richard H.	Omni Land Settlement Corporation 2233 Wisconsin Avenue, NW, Suite 232	20007
Salandro	James C.	Neal R. Gross & Company, Inc. 1323 Rhode Island Avenue, NW	20005
Sanousi	Naema	Wells Fargo Bank 1300 I Street, NW, 12th Floor	20005
Sealls	Cynthia Rumford	Sidwell Friends School 3825 Wisconsin Avenue, NW	20016
Spencer	Marina C.	Burr Law Firm 1630 Connecticut Avenue, NW, Suite 400	20009
Tention	Tsharre N.	EYP, Inc. 1000 Potomac Street, NW	20007
Thames	Antonio D.	SunTrust Bank 3301 New Mexico Avenue, NW	20016
Wreath	Heather	Redfin Corp. 2001 S Street, NW, Suite 250	20009

UNIVERSITY OF THE DISTRICT OF COLUMBIA
AUDIT, ADMINISTRATION AND GOVERNANCE COMMITTEE OF THE
BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Audit, Administration and Governance Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Monday, October 21, 2013 at 6:30 p.m. The meeting will be held in the Multi-Purpose Room, First Floor, at the Community College site located at 801 North Capitol Street, N.E., Washington, D.C. 20002. The agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. Conflict of Interest Policy**
- IV. Internal Auditor Report**
- V. University Technology Report**
- VI. Human Resources Report**
- VII. New Business**
- VIII. Closing**

Adjournment

Expected Meeting Closure

In accordance with Section 405(b) (10) of the Open Meetings Act of 2010, the Board of Trustees hereby gives notice that it may conduct an executive session, for the purpose of discussing the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
COMMUNITY COLLEGE COMMITTEE OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Community College Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Monday, October 21, 2013 at 5:00 p.m. The meeting will be held in the Multi-Purpose Room, First Floor, at the Community College site located at 801 North Capitol Street, N.E., Washington, D.C. 20002. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. Overview of FY2014 UDC-CC Budget**
- IV. Follow-up Report on UDC-CC Enrollment (FY2011-FY2013)**
- V. English as Second Language (ESL) – New Program Proposal**
- VI. Update on New Grants**
- VII. Closing**

Adjournment

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Finance and Budget Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on Thursday, October 24, 2013 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dcwater.com.

For additional information please contact: Linda R. Manley, Board Secretary at (202) 787-2332 or lmanley@dcwater.com.

DRAFT AGENDA

- | | | |
|----|---------------------------------------|------------------------------|
| 1. | Call to Order | Chairman |
| 2. | September 2013 Financial Report | Director of Finance & Budget |
| 3. | Agenda for November Committee Meeting | Chairman |
| 4. | Adjournment | Chairman |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18514 of Andrew Daly and Patty Jordan, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a special exception under § 223, not meeting the lot occupancy requirements (§ 403), a variance from the parking space dimensions requirement under § 2115.1, and a variance from the garage setback requirement under § 2300.2(b), to allow a detached garage addition serving a one-family dwelling in the R-4 District at premises 1120 Park Street, N.E. (Square 987, Lot 8).

HEARING DATES: March 12, May 21, July 23, September 24, and October 8, 2013

DECISION DATE: October 8, 2013

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated December 14, 2012, from the Zoning Administrator, which stated that Board of Zoning Adjustment (“Board” or “BZA”) approval is needed for a special exception, pursuant to 11 DCMR §§ 3104.1 and 223.1, to allow the proposed one-story detached garage that does not comply with maximum lot occupancy requirements (§ 403.2) and for variances pursuant to 11 DCMR §§ 3103.2, 2115.1, and 2300.2(b), to allow a private garage that is not in compliance with minimum required dimensions for a required parking space and minimum required setback from the adjacent alley centerline. (Exhibit 4.)

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 6A, and to all owners of property within 200 feet of the property that is the subject to this application. The subject property is located within the jurisdiction of ANC 6A, which is automatically a party to this application. ANC 6A submitted a letter to deny the Applicant’s requests for special exception and variance relief, with an explanation and caveat for how and when the ANC would have supported the requests. The letter, dated September 13, 2013, indicated that at a duly noticed, regularly scheduled monthly meeting on September 12, 2013, with a quorum present, the ANC voted unanimously (0:6:0) to deny the application. The ANC also adopted a subsequent resolution, by a vote of 6:0:0, to provide an explanation for the opposition in the absence of required proof of consultation with the immediate neighbors. The ANC letter stated that the ANC would have supported the requests for relief had the Applicant provided the letters they require from the neighbors, when the ANC was not persuaded that those letters could not be obtained. The ANC specifically requested the Board grant the requested relief should the Applicant provide these letters to the Board. (Exhibit 31.) At the hearing, the Applicant submitted letters and emails from the two adjacent neighbors showing their support of the application. (Exhibit 32.) The Board found that

BZA APPLICATION NO. 18514**PAGE NO. 2**

this submission of support from both adjacent neighbors satisfied the ANC's process and by the terms of its letter, changed the ANC's position to one of support.

The Office of Planning ("OP") submitted a timely report dated July 16, 2013, recommending approval of the application. (Exhibit 30.)

Variance Relief

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary under § 3103.2, to establish the case for a variance from the parking space dimensions requirement under § 2115.1, and a variance from the garage setback requirement under § 2300.2(b). No parties appeared at the public hearing in opposition to the application. As previously discussed, the Board found that the ANC's position to deny changed to one of support, given the Applicant's submission at the hearing of letters of support from the two adjacent neighbors. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proving under 11 DCMR § 3103.2 that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a special exception pursuant to §§ 3104.1 and 223 from the strict application of the lot occupancy requirements under § 403, to allow a detached garage addition serving a one-family dwelling in the R-4 District. No parties appeared at the public hearing in opposition to the application. As previously discussed, the Board found that the ANC's position to deny changed to one of support, given the Applicant's submission at the hearing of letters of support from the two adjacent neighbors. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1, 223, and 403, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

BZA APPLICATION NO. 18514
PAGE NO. 3

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirements of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, SUBJECT TO THE REVISED PLANS AT EXHIBIT 27.**

VOTE: **3-0-2** (Lloyd J. Jordan, S. Kathryn Allen, and Anthony J. Hood, to Approve; Jeffrey L. Hinkle, not present or voting; and one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 15, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

BZA APPLICATION NO. 18514**PAGE NO. 4**

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18621 of the Laborers' International Union of North America, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for special exceptions under §§ 508, 537, 774, 777 and 2514, and variances under §§ 530, 531, and 2001 to construct additions to an existing office building in the SP-2 and C-4 Districts at premises 901 16th Street, N.W. (Square 199, Lots 61 and 824).¹

HEARING DATE: October 1, 2013

DECISION DATE: October 1, 2013

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4)

The Board of Zoning Adjustment ("Board" or "BZA") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 2B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B filed a letter report, dated September 23, 2013, which indicated that at a properly noticed, regularly scheduled public meeting held on September 11, 2013, with a quorum of Commissioners present, the ANC voted unanimously (6:0) to support the application. (Exhibit 27.) The ANC by the Single District Member appeared at the public hearing and testified in support of the project.

The Office of Planning ("OP") submitted a timely report on September 24, 2013, recommending approval of the application. (Exhibit 26.) By its letter, dated September 24, 2013, the District Department of Transportation ("DDOT") also recommended approval of the Applicant's request for the variance and special exception relief. It recommended incorporating an additional 50 bicycle spaces on the Property. (Exhibit 28.)

Variance Relief

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3103.2 for a variance from the strict requirements of the height and floor area ratio requirements for a non-conforming building under §§ 530, 531, and 2001. No parties

¹ At the public hearing the Board asked the Applicant to clarify the relief which was being requested. The Applicant indicated that they were not requesting relief under § 506 but were asking for relief from § 2001. The caption has been adjusted from that which was advertised accordingly.

BZA APPLICATION NO. 18621

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appeared at the public hearing in opposition to the application. The ANC appeared in support of the application and neighboring property owner, 1575 Eye Street Associates, withdrew its request for party status in opposition and spoke in support of the project. (Exhibit 32.) Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proving under 11 DCMR § 3103.2 that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

The Applicant also satisfied the burden of § 3119.2 in its request for relief from the office use, zone boundary line, rear yard, and roof structure requirements of §§ 508, 2514, 774, 777 and pursuant to § 3104.1 for a special exception. No parties appeared at the public hearing in opposition to the application. As noted, the neighboring property owner, 1575 Eye Street Associates, withdrew its request for party status in opposition and spoke in support of the project. (Exhibit 32.) Accordingly, a decision by the Board to grant this application would not be adverse to any party.

The Board concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1, 508, 2514, 774, 777 that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application be **GRANTED WITH THE FOLLOWING CONDITIONS**:

1. The project shall be constructed pursuant to the plans submitted as Exhibit 23 in the record and further refined by the Applicant's PowerPoint, Exhibit 30 in the record.

BZA APPLICATION NO. 18621

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2. The Applicant shall have flexibility to modify these plans pursuant to comments provided by the Historic Preservation Review Board during final review of the project so long as the modifications do not require any additional areas of zoning relief.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

FINAL DATE OF ORDER: October 10, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

BZA APPLICATION NO. 18621

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IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18631 of David and Samantha Ross, pursuant to 11 DCMR § 3104.1, for a special exception to allow a second story screened porch addition to an existing row dwelling under section 223, not meeting the lot occupancy (section 403), court (section 406), and nonconforming structure (subsection 2001.3) requirements in the R-4 District at premises 1731 Kilbourne Place, N.W. (Square 2602, Lot 98).

HEARING DATE: October 8, 2013

DECISION DATE: October 8, 2013

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 1D, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1D, which is automatically a party to this application. ANC 1D submitted a report in support of the application. The Office of Planning (“OP”) submitted a report and testified at the hearing in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under subsection 223. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 10 – Plans) be **GRANTED**.

VOTE: **3-0-2** (Lloyd J. Jordan, S. Kathryn Allen and Anthony J. Hood to APPROVE.
The NCPC member and the third Board seat vacant.)

BZA APPLICATION NO. 18631

Page No. 2

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 8, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18647 of Otto Hoernig, for a special exception for an addition to a one-family semi-detached dwelling under section 223, not meeting the lot occupancy (section 403) and nonconforming structure (subsection 2001.3) requirements in the R-3 District at premises 3301 N Street, N.W. (Square 1229, Lot 140).

DECISION DATE: October 8, 2013

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

Pursuant to 11 DCMR § 3181 this application was tentatively placed on the Board's expedited calendar for decision without hearing as a result of the applicant's waiver of their right to a hearing. The Board waived the late filing of the affidavit of posting.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 2E, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E, which is automatically a party to this application. ANC 2E submitted a report in support of the application. The Office of Planning ("OP") submitted a report and testified at the hearing in support of the application. The Department of Transportation submitted a letter of no objection.

No objections to expedited calendar consideration were made by any person or entity entitled to do by §§ 2118.6 and 2118.7 and no requests for party status were received. The matter was therefore called on the Board's expedited calendar for the date referenced above and the Board voted to grant the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under subsection 223.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibits 11– Plans) be **GRANTED**.

VOTE: **3-0-2** (Lloyd J. Jordan, S. Kathryn Allen and Anthony J. Hood to APPROVE. The NCPC member and not present, not voting, and the third Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: October 8, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

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DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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