



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council passes DC A20-273, Omnibus Health Regulation Amendment Act of 2014
- DC Council schedules a public hearing on the FY 2015 Proposed Budget and Financial Plan
- Department of Health schedules annual public hearing on the Preventive Health and Health Services Block Grant
- Department of Behavioral Health announces funding availability for the FY 2014 / 2015 Community Mental Health Services Block Grant
- Office of the State Superintendent of Education announces funding availability for the School Improvement Grant (SIG) Program
- Board of Elections announces and proposes polling place relocations
- Department of Health announces funding availability for the Treatment Adherence Counseling Services Grant

DISTRICT OF COLUMBIA REGISTER

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ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-273

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 5, 2014

To amend the Health Occupations Revision Act of 1985 to require certification for dentists and dental facilities to administer general anesthesia or sedation, to authorize the Board of Dentistry to issue teacher’s licenses in dentistry and dental hygiene, to require certification for and regulate the practice of home health care administration, to change the name of the Board of Nursing Home Administration to the Board of Long-Term Care Administration, to require licensure for and regulate the practice of assisted living administration, to require the licensure for and regulate the practice of athletic trainers and personal fitness trainers, to register and regulate assistants in the practice of audiology and speech-language pathology, to register and regulate the practice of speech-language pathology clinical fellows, and to regulate the practice of veterinary medicine, including doctors of veterinary medicine, veterinary technicians, and veterinary euthanasia technicians; to amend the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 to require home care agencies to provide a nursing service; to amend Chapter 28 of Title 47 of the District of Columbia Official Code to establish licensure procedures and requirements for veterinary facilities; and to repeal the Veterinary Practice Act of 1982.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Omnibus Health Regulation Amendment Act of 2014”.

TITLE I
HEALTH PROFESSIONAL LICENSURE

Sec. 101. Short title.

This title may be cited as the “Health Professional Licensure Amendment Act of 2014”.

Sec. 102. The Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Title II is amended as follows:

(A) Strike the phrase “Sec. 205. Board of Nursing Home Administration.” and insert the phrase “Sec. 205. Board of Long-Term Care Administration.” in its place.

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(B) New section designations 221 and 222 are added to read as follows:

- “Sec. 221. Board of Veterinary Medicine.
 “Sec. 222. Board of Veterinary Medicine executive director.”.

(2) Title V is amended by adding a new section designation 508b to read as follows:

“Sec. 508b. License for dentistry and dental hygiene.”.

(3) Add a designation for a new Title VIII-D to read as follows:

“TITLE VIII-D.

“PRACTICE OF VETERINARY MEDICINE; VETERINARY EUTHANASIA
 TECHNICIANS; VETERINARY TECHNICIANS

- “Sec. 861. Practice of veterinary medicine; license requirement.
 “Sec. 862. Qualifications for license to practice veterinary medicine.
 “Sec. 863. Certification of veterinary technicians; restrictions.
 “Sec. 864. Certification of veterinary euthanasia technicians; restrictions.”.

(4) Title IX is amended by adding new section designations 908 through 911 to read as follows:

- “Sec. 908. Personal fitness trainer.
 “Sec. 909. Audiology assistants.
 “Sec. 910. Speech-language pathology assistants.
 “Sec. 911. Speech-language pathology clinical fellows.”.

(5) Title XII is amended by adding a new section designation 1205 to read as follows:

“Sec. 1205. Individuals already practicing.”.

(b) Section 101 (D.C. Official Code § 3-1201.01) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the phrase “Board of Nursing Home Administration” and insert the phrase “Board of Long-Term Care Administration” in its place.

(B) Strike the phrase “or the Board of Social Work,” and insert the phrase “the Board of Social Work, or the Board of Veterinary Medicine” in its place.

(2) Paragraph (1A) is amended by striking the phrase “Board of Nursing Home Administration” and inserting the phrase “Board of Long-Term Care Administration” in its place.

(3) New paragraphs (16), (17), (18), and (19) are added to read as follows:

“(16) “Veterinarian” means a person who is a graduate of a school of veterinary medicine and has received a doctorate in veterinary medicine or its equivalent.

“(17) “Veterinary euthanasia technician” means a person certified by the Mayor to euthanize animals within the District.

“(18) “Veterinary facility” means a fixed or mobile establishment where veterinary medicine is practiced. The term “veterinary facility” shall not include:

“(A) Wildlife rehabilitation facilities, as defined in D.C. Official Code § 47-2888.01(3); and

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“(B) Animal shelters, as defined in D.C. Official Code § 47-2888.01(1).

“(19) “Veterinary technician” means a person certified by the Mayor to perform acts relating to maintenance of the health or treatment of an animal, except for the performance of surgery, diagnosis, or prescribing of medication for any animal.”.

(c) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

(1) New paragraphs (2A-i) and (2A-ii) are added to read as follows:

“(2A-i)(A) “Practice of assisted living administration” means planning, organizing, directing, and controlling the operation of an assisted living residence.

“(B) For the purposes of this act, the term:

“(i) “Assisted living administrator” or “ALA” means a person who oversees the day-to-day operation of the facility, including compliance with all regulations for licensed assisted living residences.

“(ii) “Assisted living residence” shall have the same meaning as provided in section 201(4) of the Assisted Living Residence Regulatory Act of 2000, effective June 24, 2000 (D.C. Law 13-127; D.C. Official Code § 44-102.01(4)).

“(2A-ii)(A) “Practice of athletic training” means any of the following:

“(i) The treatment of an athletic injury that is:

“(I) For an athlete whose condition is within the professional and educational ability of the licensed athletic trainer; and

“(II) Performed under the general supervision of a physician who has issued any written order, protocol, or recommendation for an athletic injury;

“(ii) The immediate treatment of athletic injuries, including common emergency medical situations;

“(iii) The provision of education, guidance, and counseling to athletes, coaches, parents of athletes, and athletic communities regarding athletic training and the prevention, care, and treatment of athletic injuries; and

“(iv) The organization and administration of athletic training programs.

“(B) Nothing in subparagraph (A) of this paragraph shall be construed as authorizing:

“(i) The diagnosis of a physical disability, massaging of the superficial soft tissues of the body, or the use of X rays, radium, or electricity for cauterization or surgery by an athletic trainer;

“(ii) Treatment or rehabilitation of neurologic injuries, conditions, or disease other than the preventative and emergency medical treatment authorized by subparagraphs (A)(i) and (A)(ii) of this paragraph; and

“(iii) The expansion of treatment beyond the determination of the supervising physician.

“(C) Nothing in subparagraph (A) of this paragraph shall be construed as preventing or restricting:

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“(i) The lawful practice of a licensed health care professional under the scope of his or her license; provided, that he or she does not hold himself or herself out as an athletic trainer;

“(ii) Self-care by a patient, the provision of basic first aid services by an individual, or the gratuitous care by a friend or family member who does not represent himself or herself as an athletic trainer;

“(iii) The lawful practice of a personal trainer registered with the Mayor; provided, that the person does not represent himself or herself as an athletic trainer or provide athletic trainer services, and treatment of any athletic injuries is limited to the provision of basic first aid;

“(iv) Coaches and physical education instructors, health or recreation directors, health club or spa instructors, and water safety instructors that are supervising athletic activities, exercise, aerobics, weightlifting, water safety, and other recreational physical activities; provided, that the person does not represent himself or herself as an athletic trainer or provide athletic trainer services, and if any treatment of athletic injuries is limited to the provision of basic first aid;

“(v) The activities of athletic training students acting under the direction of an athletic trainer licensed, certified, or registered in any state; provided, that the students are designated by a title that clearly indicates their status as athletic training students; or

“(vi) The activities of athletic trainers from other nations, states, or territories when performing their duties for their respective teams or organizations and only during the course of their team's or organization's stay in the District; provided, that the athletic trainers are currently licensed, certified, or registered, in any state or Canada, or are currently certified by the National Athletic Trainers Association Board of Certification, Inc., or its successor.

“(D) For the purposes of this paragraph, the term:

“(i) “Athlete” means:

“(I) A person participating in, or preparing for a competitive team or individual sport or other athletic activity being conducted by an educational institution, professional athletic organization, or a board-sanctioned amateur athletic organization; or

“(II) A member of an athletic team.

“(ii) “Athletic injury” means a musculoskeletal injury suffered by an athlete resulting from or limiting participation in or training for scholastic, recreational, professional, or amateur athletic activities.

“(iii) “Treatment” means the prevention, evaluation, recognition, management, treatment, rehabilitation, or reconditioning of an athletic injury, including the usage of appropriate preventative and supportive devices, temporary splinting and bracing, physical modalities of heat, cold, light, massage, water, electric stimulation, sound, and exercise equipment for which an athletic trainer has received appropriate training or education.

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“(E) Any person who holds a license pursuant to this act as an athletic trainer may use the letters "LAT" or "AT" in connection with the person's name to denote licensure hereunder, and unlicensed persons are prohibited from using in connection with their name or business activity the words "athletic trainer," "trainer," "certified athletic trainer," and "licensed athletic trainer.".

(2) Paragraph (2B)(B) is repealed.

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

“(2C) “Practice by an audiology assistant” means assisting a licensed audiologist in implementing audiology care and treatment plans for patients under the direct supervision and direction of the licensed audiologist.”.

(4) Redesignate paragraphs (6A) and (6B) as paragraphs (6B) and (6C), respectively.

(5) A new paragraph (6A) is added to read as follows:

“(6A)(A) “Practice of home health care administration” means planning, organizing, directing, and controlling the provision of skilled and paraprofessional home health care, including related services, to individuals in out-of-hospital settings, such as private homes, boarding homes, hospices, and shelters.

“(B) For the purposes of this act, the term “home health care administrator” means a person who oversees the day-to-day operation of the provision of home health care, including compliance with all regulations for home care agency and home health agency administration.”.

(6) Paragraph (19)(D) is repealed.

(7) New paragraphs (19A) and (19B) are added to read as follows:

“(19A) “Practice by a speech-language pathology assistant” means assisting a licensed speech-language pathologist in implementing speech-language pathology care and treatment plans for patients under the direct supervision and direction of the licensed speech-language pathologist.

“(19B) “Practice by a speech-language pathology clinical fellow” means the practice of speech-language pathology by a participant in a clinical fellowship that meets the definition set forth in section 911.”.

(8) A new paragraph (21) is added to read as follows:

“(21) “Practice of veterinary medicine” means:

“(A) The diagnosis, prognosis, prevention, testing, or treatment of a disease, pain, deformity, defect, injury, or any other physical condition of an animal;

“(B) Performing a surgical, medical, or dental procedure, or rendering surgical, medical, or dental aid to, for, or upon an animal;

“(C) The practice of another branch or specialty of medicine or health care on an animal; or

“(D) Prescribing, administering, or dispensing of drugs or medications for use on animals or for euthanasia of an animal.”.

(d) Section 103 (D.C. Official Code § 3-1201.03) is amended as follows:

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(1) Subsection (c)(3) is amended by striking the phrase “or health facility” and inserting the phrase “health facility, or veterinary facility” in its place.

(2) Subsection (e)(2) is amended to read as follows:

“(2) At a hospital, nursing home, health facility, or veterinary facility operated by the District or federal government, or other health care facility or veterinary facility considered appropriate by the Board; and”.

(e) Section 201 (D.C. Official Code § 3-1202.01) is amended as follows:

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

“(b) The Board of Dentistry shall regulate the practices of dentistry and dental hygiene and dental assistants, issue teaching licenses as provided under section 508b, and issue certifications to dentists and facilities where dentistry is practiced to permit a dentist to administer general or sedation anesthesia.”.

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

“(g) The Board of Dentistry may adopt regulations governing:

“(1) The administration of general anesthesia by a licensed dentist;

“(2) The administration of sedation by a licensed dentist;

“(3) The issuance of a certification to a facility where a dentist administers or has general anesthesia or sedation administered; and

“(4) The issuance of a certification to a dentist who administers or has general anesthesia or sedation administered.”.

(f) Section 205 (D.C. Official Code § 3-1202.05) is amended to read as follows:

“Sec. 205. Board of Long-Term Care Administration.

“(a) There is established a Board of Long-Term Care Administration to consist of 7 members appointed by the Mayor with the advice and consent of the Council.

“(b) The Board shall regulate the practice of nursing home administration, the practice of assisted living administration, and the practice of home health care administration.

“(c) Of the members of the Board, 2 shall be nursing home administrators licensed in the District, one shall be an assisted living administrator licensed in the District, one shall be an educator from an institution of higher learning engaged in teaching health care administration, one shall be an allied health professional licensed in the District who has a demonstrated interest in long-term care, one shall be a health professional licensed in the District who has experience in long-term care such as a social worker or other long-term care professional such as a home health care administrator, and one shall be a consumer member.

“(d) Except as provided in subsection (e) of this section, members of the Board shall be appointed for terms of 3 years.

“(e) Of the members initially appointed under this section, 2 shall be appointed for a term of one year, 2 shall be appointed for a term of 2 years, and 3 shall be appointed for a term of 3 years. The terms of the members first appointed shall begin on the date that a majority of the first members are sworn in, which shall become the anniversary date for all subsequent appointments.”.

(g) Section 209(b) (D.C. Official Code § 3-1202.09(b)) is amended to read as follows:

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“(b) The Board shall regulate the practice of physical therapy and the practice of athletic training, including practices by physical therapist assistants and by personal fitness trainers.”.

(h) Section 218 (D.C. Official Code § 3-1202.18) is amended as follows:

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

“(b) The Board shall regulate the practice of audiology, the practice of speech pathology, the practice of audiology and speech-language pathology assistants, and the practice of speech-language pathology clinical fellows.”.

(2) Subsection (d) is amended by striking the first sentence and inserting the sentence “Of the members of the Board, 2 shall be practicing audiologists, 3 shall be practicing speech-language pathologists, and 2 shall be consumer members with no direct affiliation with either the practice of audiology or the practice of speech-language pathology or other health profession.” in its place.

(i) New sections 221 and 222 are added to read as follows:

“Sec. 221. Board of Veterinary Medicine.

“(a) There is established a Board of Veterinary Medicine to consist of 5 members appointed by the Mayor with the advice and consent of the Council.

“(b) The Board shall regulate the practices of veterinarians, veterinary technicians, and veterinary euthanasia technicians in the District of Columbia, and shall advise the Mayor with respect to the regulation of veterinary facilities.

“(c) Of the members of the Board, 3 shall be licensed veterinarians, one shall be a veterinary technician, and one shall be a consumer.

“(d) Except as provided in subsection (e) of this section, members of the Board shall be appointed for terms of 3 years.

“(e) The members of the Board of Veterinary Examiners serving on the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), shall become members of the Board of Veterinary Medicine and shall continue to serve on the Board of Veterinary Medicine for the remainder of their terms.

“Sec. 222. Board of Veterinary Medicine executive director.

“The Mayor shall appoint an executive director to implement and administer the orders of the Board of Veterinary Medicine in accordance with this act and the rules and regulations issued pursuant to this act.”.

(j) Section 401(b)(2) (D.C. Official Code § 3-1204.01(b)(2)) is amended by adding a sentence at the end of the paragraph to read as follows: “The veterinary technician member initially appointed to the Board of Veterinary Medicine shall be eligible for and shall file a timely application for certification in the District.”.

(k) Section 501(a) (D.C. Official Code § 3-1205.01(a)) is amended to read as follows:

“(a)(1) A license issued pursuant to this act is required to practice acupuncture, advanced practice addiction counseling, assisted living administration, audiology, chiropractic, dental hygiene, dentistry, dietetics, home health care administration, marriage and family therapy, massage therapy, medicine, naturopathic medicine, nutrition, nursing home administration,

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occupational therapy, optometry, pharmaceutical detailing, pharmacy, physical therapy, podiatry, practical nursing, professional counseling, psychology, registered nursing, respiratory care, social work, speech-language pathology, veterinary medicine, or to practice as an anesthesiologist assistant, athletic trainer, personal fitness trainer, physician assistant, physical therapy assistant, polysomnographic technologist, occupational therapy assistant, or surgical assistant in the District, except as otherwise provided in this act.

“(2) Registration is required to practice as an audiology assistant, dental assistant, nursing assistive personnel, psychology associate, polysomnographic technician or trainee, speech-language pathology assistant, or speech-language pathology clinical fellow.

“(3) Certification is required to practice as an addiction counselor I, addiction counselor II, advanced practice registered nursing, veterinary technician, or a veterinary euthanasia technician.

“(4) Except for administering general or sedation anesthesia in a hospital as defined in section 2(a)(1) of the Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), a federal agency or facility, or a dental school, certification is required for a dentist, or for a facility where dentistry is practiced, to administer general or sedation anesthesia.”

(l) Section 502 (D.C. Official Code § 3-1205.02) is amended as follows:

(1) Subsection (a)(3) is amended as follows:

(A) Strike the phrase “providing care to an individual or group” and insert the phrase “providing care to an individual, an animal, or group” in its place.

(B) Strike the phrase “consultation by or on behalf of a specific patient or client to visit, examine, treat, or advise the specific patient or client in the District,” and insert the phrase “consultation by or on behalf of a specific patient, animal, or client to visit, examine, treat, or provide advice regarding the specific patient, animal, or client in the District,” in its place.

(2) Subsection (b) is amended by striking the phrase “patients or clients” and inserting the phrase “patients, animals, or clients” in its place.

(m) Section 504 (D.C. Official Code § 3-1205.04) is amended as follows:

(1) Subsection (f)(1) is amended by striking the phrase “Board of Nursing Home Administration” and inserting the phrase “Board of Long-Term Care Administration” in its place.

(2) A new subsection (r) is added to read as follows:

“(r)(1) An individual applying for a license to practice as an athletic trainer under this act shall establish to the satisfaction of the Board of Physical Therapy that the individual has:

“(A) Successfully obtained at least a baccalaureate degree from a 4-year college or university that is accredited by an agency recognized for that purpose by the United States Department of Education and has met the minimum athletic training curriculum requirements established by the Mayor by rulemaking;

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“(B) Successfully completed the certification examination administered by the National Athletic Trainers Association Board of Certification, or its successor, or an equivalent organization approved or recognized by the Board of Physical Therapy; and

“(C) Successfully completed any other requirements for licensure as determined by rules issued pursuant to section 302.

“(2) The Board of Physical Therapy shall waive the requirement of a baccalaureate degree for an applicant holding a license, certification, or registration, in good standing, in another state to engage in the practice of athletic training, if that state maintains qualifications for licensure, certification, or registration that are substantially equivalent to those required in the District, and gives similar reciprocity to the licensees of the District.”.

(n) A new section 508b (to be codified at D.C. Official Code § 3-1205.08b) is added to read as follows:

“Sec. 508b. Teaching license for dentistry and dental hygiene.

“(a) A dentist is eligible for a teacher’s license if the dentist, in addition to meeting the requirements of this title, meets the following criteria:

“(1) Is of good moral character and professionally competent;

“(2) Is at least 21 years of age;

“(3) Holds a Degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or its equivalent, from a college or university that is authorized by any state of the United States or any province of Canada to grant a degree and is recognized by the Board of Dentistry as requiring adequate professional collegiate training and as maintaining an acceptable course of dental instruction;

“(4) Is licensed to practice dentistry in any other state; and

“(5) Submits a complete application for licensure, along with the requisite fee, to the Board.

“(b) A dentist who does not meet the criteria set forth in subsection (a) of this section may be eligible for a dental teacher’s license if the dean of the dental school where the dentist will practice requests that the dentist be granted the license, circumstances exist that justify granting the request, and the dentist meets the following criteria:

“(1) Is at least 21 years of age;

“(2) Holds a Degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or an equivalent degree from a school, college, or faculty of dentistry;

“(3) Demonstrates that the applicant has had at least 2 years of clinical dental experience;

“(4) Is of good moral character and professionally competent; and

“(5) Submits a complete application for licensure, along with the requisite fee, to the Board.

“(c) An applicant for a teacher’s license in dentistry shall:

“(1) Have completed an educational program in the practice of dentistry at an institution recognized by the Commission on Dental Accreditation of the American Dental

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Association ("CODA"); or demonstrate to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this section;

"(2) Have successfully completed Part I and Part II of the examination of the Joint Commission on National Dental Examinations; and

"(3) Have an appointment or a promise of an appointment as a full-time or part-time faculty member at an accredited dental school located in the District of Columbia and the institution where the dentist is appointed provides documentation satisfactory to the Board of the appointment.

"(d) The Board may grant a teacher's license in dental hygiene if it finds that:

"(1) The applicant has completed an educational program in the practice of dental hygiene of at least 2 academic years at an institution recognized by the CODA at the time the applicant graduated; or the applicant demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this section;

"(2) The applicant submits evidence satisfactory to the Board that the applicant has been actively engaged in the practice of dental hygiene for the 3 years immediately preceding the application, and has at least 150 hours of active dental hygiene practice;

"(3) The applicant is found to be of good moral character and professionally competent;

"(4) The applicant has successfully completed the National Board of Dental Hygiene Examination; and

"(5) The applicant will be appointed to a full-time or part-time faculty position at an accredited dental school located within the District of Columbia and the institution provides documentation satisfactory to the Board of the appointment.

"(e)(1) While it is effective, a teacher's license in dentistry issued under this title authorizes the licensee to:

"(A) Teach dentistry at only the institution named on the license; and

"(B) Practice only at the institution named on the license to the same extent as other faculty members who hold general licenses to practice dentistry; provided, that a licensed dentist employed by the school provides general supervision in all clinical practice.

"(2) For the purposes of this subsection, the term "general supervision" means that a licensed dentist is physically present or available by telecommunications device to supervise the holder of a teacher's license in dentistry.

"(f)(1) While it is effective, a teacher's license in dental hygiene issued under this title authorizes the licensee to:

"(A) Teach dental hygiene only at the institution named on the license;

and

"(B) Practice dental hygiene only at the institution named on the license, and only under the direct supervision of a licensed dentist employed by the institution named on the license.

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“(2) For the purposes of this subsection, the term “direct supervision” means that a licensed dentist is physically present and reviews the work of the holder of a teacher’s license in dental hygiene before a patient leaves.

“(g) A teacher’s license in dentistry or dental hygiene shall expire on the earlier of:

“(1) The date set by the Board, unless the license is renewed for an additional term; or

“(2) The date when the licensee ceases to be a full-time or part-time faculty member at the institution named on the license.

“(h) The holder of a teacher’s license in dentistry or dental hygiene shall surrender the license to the Board within 30 days of ceasing to be a full-time or part-time faculty member at the institution named on the license.

“(i) A holder of a teacher’s license in dentistry shall comply with all the requirements for the practice of dentistry under this act and the holder of a teacher’s license in dental hygiene shall comply with all the requirements for the practice of dental hygiene under this act.”.

(o) Section 514(a) (D.C. Official Code § 3-1205.14(a)) is amended as follows:

(1) Paragraph (45) is amended by striking the word “or” at the end.

(2) Paragraph (46) is amended by striking the phrase “administrator.” and inserting the phrase “administrator;” in its place.

(3) New paragraphs (47), (48), (49), and (50) are added to read as follows:

“(47) Acts fraudulently or dishonestly in the application or reporting of a test for animal disease;

“(48) Fails to report, as required by law, or makes a false report of a contagious or infectious disease;

“(49) Willfully neglects or misrepresents the inspection of food-stuffs or the issuance of health or inspection certificates; or

“(50) Knowingly or negligently tortures, beats, or mutilates an animal, kills or injures an animal, or deprives an animal of necessary food, water, or shelter.”.

(p) Section 515(a)(1)(D) (D.C. Official Code § 3-1205.15(a)(1)(D)) is amended by striking the phrase “presents an imminent danger to the health and safety of the public” and inserting the phrase “presents an imminent danger to the health and safety of the public or to animals” in its place.

(q) A new Title VIII-D is added to read as follows:

“TITLE VIII-D.

“QUALIFICATION FOR LICENSURE TO PRACTICE VETERINARY MEDICINE;
CERTIFICATION FOR VETERINARY EUTHANASIA TECHNICIANS AND
VETERINARY TECHNICIANS

“Sec. 861. Practice of veterinary medicine; license requirement.

“(a) A person shall not engage in the practice of veterinary medicine without being licensed by the Board of Veterinary Medicine.

“(b) A license shall not be required for:

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“(1) An employee or agent of the federal or District government while performing his or her official duties provided, that a person exempt under this paragraph shall not perform surgical operations;

“(2) Experimentation and scientific research in connection with the study and the development of methods and techniques, directly or indirectly related or applicable to the problems or to the practice of veterinary medicine, when conducted by the federal or District government;

“(3) A merchant or manufacturer for the sale, at his or her regular place of business, of medicine, feed, appliances, or other products used to prevent or treat animal diseases;

“(4) A person engaging in scientific research that reasonably requires experimentation with animals as permitted under federal law;

“(5) A licensed wildlife rehabilitator licensed in any state or the District to provide wildlife rehabilitation provided, that a rehabilitator shall not perform surgery, diagnose, or prescribe medication, and may only perform services on indigenous wild animals.”

“Sec. 862. Qualifications for license to practice veterinary medicine.

“(a) The Board of Veterinary Medicine shall issue a license to practice veterinary medicine to a person who, in addition to meeting the requirements of Title V :

“(1) Is a graduate of a school of veterinary medicine approved by the Board;

“(2) Has passed an examination as prescribed by the Board to determine the person’s competence to engage in the practice of veterinary medicine; and

“(3) Has not been convicted of a crime involving moral turpitude or animal cruelty.

“(b)The Board may waive the examination requirements of this section upon the request of any applicant for licensure, when that applicant has:

“(1) Submitted a properly completed application and paid the requisite application fees; and

“(2) Demonstrated that he or she has passed an examination in a state or territory of the United States where the requirements for licensure are deemed by the Board to be substantially equivalent to those in the District; and

“(3) Demonstrated that he or she has maintained a license in good standing and has practiced continuously in the jurisdiction for the 12 months preceding the date of application.

“(c) The Board shall, upon receipt of a properly completed application , issue a license to engage in the practice of veterinary medicine in the District to a graduate of a foreign school of veterinary medicine who, in addition to meeting the requirements of Title V, has:

“(1) Graduated from a school of veterinary medicine that is accredited by the jurisdiction in which it is located;

“(2) Submitted proper credentials to the Board as may be determined in rules issued by the Mayor; and

“(3) Passed a written examination as required by the Board to determine the person’s competency to engage in the practice of veterinary medicine.

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“(d) Any person licensed to practice veterinary medicine pursuant to the Veterinary Practice Act of 1982, effective March 9, 1983 (D.C. Law 4-171; D.C. Official Code §3-501 *et seq.*), shall be considered to be licensed under this act.

“Sec. 863. Certification of veterinary technicians; restrictions.

“(a) A person shall not engage in activities related to maintaining the health or treatment of an animal unless certified by the Board of Veterinary Medicine as a veterinary technician.

“(b) A person certified as a veterinary technician may provide only veterinary technician services, as prescribed by the Mayor through rulemaking, and only under the general supervision of a veterinarian licensed in the District.

“(c) A person certified as a veterinary technician shall not receive compensation for performing veterinary technician services, except that a certified veterinary technician may receive a salary or other compensation paid by an employing veterinarian, veterinary facility, shelter, humane society, animal control facility, or wildlife rehabilitation facility.

“Sec. 864. Certification of veterinary euthanasia technicians; restrictions.

“(a) No person may euthanize an animal without first obtaining certification by the Board of Veterinary Medicine as a veterinary euthanasia technician.

“(b) A person certified as a veterinary euthanasia technician shall not provide veterinary euthanasia services except while under the general supervision of a veterinarian licensed in the District.

“(c) A certified veterinary euthanasia technician shall only provide services related to the humane euthanasia of an animal as prescribed by the Mayor through rulemaking.

“(d) A person certified as a veterinary euthanasia technician shall not receive compensation for performing veterinary euthanasia technician services, except that a certified veterinary euthanasia technician may receive a salary or other compensation paid by an employing veterinarian, veterinary facility, humane society, animal shelter, animal control facility, or wildlife rehabilitation facility.

“Sec. 865. Definitions.

“For the purposes of this title, the term “general supervision” means that the services of the technician are provided under the direction of a licensed veterinarian, and the veterinarian is accessible and available to the technician via a telephone communication device or on the premises.”

(r) New sections 908, 909, 910, and 911 are added to read as follows:

“Sec. 908. Personal fitness trainer.

“(a) For the purposes of this section, the term “personal fitness trainer” means a person who develops and implements an individualized approach to exercise, including personal training and instruction in physical fitness and conditioning for an individual and a person who performs similar physical fitness training regardless of the designation used.

“(b) A person who practices or offers to practice as a personal fitness trainer in the District shall register with the Mayor on forms prescribed by the Mayor, renew the registration at intervals the Mayor may require by rule, and pay the registration fee established by the Mayor.

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“(c) Nothing in subsection (a) of this section shall be construed as preventing or restricting:

“(1) The lawful practice of a licensed health care professional under the scope of his or her license;

“(2) Self-training by an individual or the gratuitous personal fitness training services provided by a friend or family member who does not represent himself or herself as a personal fitness trainer;

“(3) The lawful practice of an athletic trainer licensed by the Mayor provided, that the person does not represent himself or herself as a personal fitness trainer or provide personal fitness training services; or

“(4) Coaches and physical education instructors, health or recreation directors, health club or spa instructors, and water safety instructors who are supervising athletic activities, exercise, aerobics, weightlifting, water safety, and other recreational physical activities; provided, that the person does not represent himself or herself as an athletic trainer or provide personal fitness trainer services;

“(5) The activities of a personal fitness training student acting under the direction of a personal fitness trainer registered with the Mayor provided, that the student is designated by a title that clearly indicates his or her affiliation and status as a personal fitness training student.

“(d) A person registered with the Mayor pursuant to this act as a personal fitness trainer may use the letters “PFT” or “RPFT” in connection with his or her name to denote registration under this act, and an unregistered person is prohibited from using such letters in connection with his or her name and business activity, or the words “personal trainer,” “trainer,” “registered personal trainer,” and “certified personal trainer,” or “licensed personal trainer.”

“(e) A registered personal trainer may not use the letters “RPT,” or “PT” in connection with his or her name to denote registration under this act.

“(f) A person holding a valid physical therapy license under this act is exempt from the provisions of this section.”.

“Sec. 909. Audiology assistants.

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

“(1) “Audiology assistant” means an individual who is registered with the Board of Audiology and Speech-Language Pathology to engage in practice as an audiology assistant.

“(2) “Direct supervision” means on-site and personal oversight by a licensed audiologist who:

“(A) Assumes responsibility for an audiology assistant’s conduct in the audiology office or treatment facility;

“(B) Personally diagnoses the condition to be treated;

“(C) Personally authorizes procedures;

“(D) Remains in the audiology office or treatment facility while the procedures are being performed by the audiology assistant; and

“(E) Personally evaluates the performance of the audiology assistant before dismissal of the patient.

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“(b) A person who practices as an audiology assistant shall be registered with the Board according to rules adopted by the Mayor, renew the registration as required by rule, and pay the required registration fee established by the Board.

“(c) To be eligible for registration as an audiology assistant, a person shall provide proof acceptable to the Board that he or she:

“(1) Meets the minimum qualifications established by the Mayor through rulemaking;

“(2) Has graduated from an accredited college or university with at least an associate’s degree based on a program of studies primarily focusing on audiology or hearing sciences and disorders, or a program determined by the Board to be substantially equivalent in subject matter and extent of training to an associate’s degree in audiology;

“(3) Has successfully completed the clinical observation hours and supervised clinical assisting experience hours required by regulations adopted by the Mayor; and

“(4) Has paid the required registration fee.

“(d) A person shall not practice as an audiology assistant or use the title of audiology assistant unless he or she:

“(1) Is registered with the Board to practice as an audiology assistant;

“(2) Practices under the direct supervision and direction of a licensed audiologist, except as provided for in subsection (e)(2) of this section; and

“(3) Wears a name tag bearing the title “audiology assistant” while acting in a professional capacity and displays his or her current registration in a conspicuous place in the office where the audiology assistant is employed.

“(e) A registered audiology assistant shall not:

“(1) Work independently;

“(2) Practice as an audiology assistant, unless doing so while under the direct supervision of a licensed audiologist or an audiologist employed by any agency of the federal government performing the duties of that agency; or

“(3) Provide any services for which the audiology assistant has not received training to enable the audiology assistant to competently and safely perform the assigned tasks and job duties, or that cannot be delegated by an audiologist as set forth in rulemaking by the Board.

“(f) A licensed audiologist may delegate duties to an audiology assistant that are appropriate to the training and experience of the audiology assistant and within the scope of practice of the supervising audiologist; provided, that the audiologist shall not delegate to an audiology assistant any task or function identified through rulemaking as a task or function that shall not be delegated.

“(g) For a period of one year following the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), unless further time is granted by the Mayor through rulemaking, a person who has received appropriate training for the tasks assigned may practice as an audiology assistant

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regardless of registration with the Board, only while under the supervision of a licensed audiologist, except as provided for in subsection (e)(2) of this section.

“(h) For a period of one year following the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), a person practicing as an audiology assistant may register as an audiology assistant notwithstanding the educational requirements of subsection (c)(2) of this section; provided, that the person has been employed under the direct supervision of an audiologist for a minimum of 15 hours per week during at least 3 of the 5 years preceding the enactment of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153).

“Sec. 910. Speech-language pathology assistants.

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

“(1) “Direct supervision” means on-site and personal oversight by a licensed speech-language pathologist who:

“(A) Assumes responsibility for a speech-language pathology assistant’s conduct in the speech-language pathology office or treatment facility;

“(B) Personally diagnoses the condition to be treated;

“(C) Personally authorizes procedures;

“(D) Remains in the speech-language pathology office or treatment facility while the procedures are being performed by the speech-language pathology assistant; and

“(E) Personally evaluates the performance of the speech-language pathology assistant before dismissal of the patient.

“(2) “Speech-language pathology assistant” means an individual who is registered with the Board of Audiology and Speech-Language Pathology to engage in practice as a speech-language pathology assistant.

“(b) A person who practices as a speech-language pathology assistant shall:

“(1) Be registered with the Board according to rules adopted by the Mayor;

“(2) Renew the registration as required by rule; and

“(3) Pay the required registration fee established by the Board.

“(c) To be eligible for registration as a speech-language pathology assistant, a person shall provide proof acceptable to the Board that he or she:

“(1) Meets the minimum qualifications established by the Mayor through rulemaking;

“(2) Has graduated from an accredited college or university with at least an associate’s degree based on a program of studies primarily focusing on speech-language pathology or communicative sciences and disorders, or a program determined by the Board to be substantially equivalent in subject matter and extent of training to an associate’s degree in speech-language pathology;

“(3) Has successfully completed the clinical observation hours and supervised clinical assisting experience hours required by regulations adopted by the Mayor; and

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“(4) Has paid the required registration fee.

“(d) A person shall not practice as a speech-language pathology assistant or use the title of speech-language pathology assistant unless he or she:

“(1) Is registered with the Board to practice as a speech-language pathology assistant;

“(2) Practices under the direct supervision and direction of a licensed a speech-language pathologist, except as provided for in subsection (e)(2) of this section; and

“(3) Wears a name tag bearing the title “speech-language pathology assistant” while acting in a professional capacity and displays his or her current registration in a conspicuous place in the office where the speech-language pathology assistant is employed.

“(e) A registered speech-language pathology assistant shall not:

“(1) Work independently;

“(2) Practice speech-language pathology assistance unless under the direct supervision of a licensed speech-language pathologist, or a speech-language pathologist employed by any agency of the federal government performing the duties of that agency; or

“(3) Provide any services for which he or she has not received training to enable him or her to competently and safely perform the assigned tasks and job duties, or that cannot be delegated by a speech-language pathologist as set forth in rulemaking by the Mayor.

“(f) A licensed speech-language pathologist may delegate duties to a speech-language pathology assistant that are appropriate to the training and experience of the speech-language pathology assistant and within the scope of practice of the supervising speech-language pathologist; provided, that the speech-language pathologist shall not delegate to a speech-language pathology assistant any task or function identified, through rulemaking, as a task or function that shall not be delegated.

“(g) For a period of one year following the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), unless further time is granted by the Mayor through rulemaking, a person who has received appropriate training for the tasks assigned may practice as a speech-language pathology assistant regardless of registration with the Board, only while under the supervision of a licensed speech-language pathologist, except as provided for in subsection (e)(2) of this section.

“(h) For a period of one year following the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), a person practicing as a speech-language pathology assistant may register as a speech-language pathology assistant notwithstanding the educational requirements of subsection (c)(2) of this section provided, that the person has been employed under the direct supervision of a speech-language pathologist for a minimum of 15 hours per week during at least 3 of the 5 years preceding the enactment of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153).

“Sec. 911. Speech-language pathology clinical fellows.

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

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“(1) “Speech-language pathology clinical fellow” means an individual who is registered with the Board of Audiology and Speech-Language Pathology to engage in practice as a speech-language pathology clinical fellow.

“(2) “Supervision” means the on-site or other personal and direct oversight and involvement of a supervising speech-language pathologist in any and all ways that will permit the supervising speech-language pathologist to monitor, improve, and evaluate the clinical fellow's performance in professional employment according to the degree of oversight and involvement necessary to support the particular clinical fellow's development in self-recognition of clinical and professional strengths and areas requiring additional development of skill.

“(b) A person who practices as a speech-language pathology clinical fellow shall be registered with the Board according to rules adopted by the Mayor, renew the registration as required by rule, and pay the required registration fee established by the Board.

“(c) To be eligible for registration as a speech-language pathology clinical fellow, a person shall provide proof acceptable to the Board that he or she:

“(1) Meets the minimum qualifications established by the Mayor through rulemaking;

“(2) Has graduated from an accredited college or university with at least a Master's degree based on a program of studies primarily focusing on speech-language pathology or communicative sciences and disorders, or a program determined by the Board to be substantially equivalent in subject matter and extent of training to a Master's or doctoral degree in speech-language pathology;

“(3) Is enrolled in a clinical fellowship that meets the following criteria:

“(A) The clinical fellowship was completed under the supervision of a licensed speech-language pathologist, except as provided for by subsection (e)(1) of this section;

“(B) The clinical fellowship consists of direct clinical work with patients, consultations, record keeping, and other duties relevant to a program of clinical work, including clinical experience with persons who have communication disorders. The professional experience shall pertain directly to the evaluation, treatment, and case management of specific patients or clients; and

“(C) The supervising speech-language pathologist monitors and evaluates the clinical fellow's performance;

“(4) Unless an exception is approved by the Board, has begun the clinical fellowship within 2 years after the completion of the academic course work and clinical practicum requirements, and shall complete the clinical fellowship within 36 months;

“(5) Will be employed under the supervision required by this section as a professional in the field of speech-language pathology, for a period of time set forth by the rules adopted by the Board; and

“(6) Has paid the required registration fee.

“(d) A person shall not practice as a speech-language pathology clinical fellow or use the title of speech-language pathology clinical fellow unless he or she:

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“(1) Is registered with the Board to practice as a speech-language pathology clinical fellow under this act;

“(2) Practices under the supervision of a licensed speech-language pathologist, except as provided for in subsection (e)(1) of this section; and

“(3) Wears a name tag bearing the title “speech-language pathology clinical fellow” while acting in a professional capacity and displays his or her current registration in a conspicuous place in the office where the speech-language pathology clinical fellow is employed.

“(e) A registered speech-language pathology clinical fellow shall not:

“(1) Practice as a speech-language pathology clinical fellow unless practicing while under the supervision of a licensed speech-language pathologist, or, if the supervising individual is employed by any agency of the federal government, while performing the duties of that agency; or

“(2) Provide any services for which he or she has not received training to enable him or her to competently and safely perform the assigned tasks and job duties.

“(f) A licensed speech-language pathologist may delegate duties to a speech-language pathology clinical fellow that are appropriate to the training and experience of the speech-language pathology clinical fellow and within the scope of practice of the supervising speech-language pathologist; provided, that the speech-language pathologist shall not delegate to a speech-language pathology clinical fellow any task or function identified through rulemaking as a task or function that shall not be delegated.

“(g) For a period of one year following the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), unless further time is granted by the Mayor through rulemaking, a person who has received appropriate training for the tasks assigned may practice as a speech-language pathology clinical fellow, regardless of registration with the Board, while under the supervision of a licensed speech-language pathologist, except as provided for in subsection (e)(1) of this section.”

(s) Section 1003 (D.C. Official Code § 3-1210.03) is amended by adding new subsections (ee), (ff), (gg), and (hh) to read as follows:

“(ee) Unless authorized to practice assisted living administration under this act, a person shall not use or imply the use of the words or terms “assisted living administrator”, “assisted living manager”, “A.L.A.”, or any similar title or description of services with the intent to represent that the person practices assisted living administration.

“(ff) Unless authorized to practice as an athletic trainer under this act, a person shall not use or imply the use of the words or terms “athletic trainer”, “licensed athletic trainer”, “A.T.”, “L.A.T.”, or any similar title or description of services with the intent to represent that the person practices as an athletic trainer.

“(gg) Unless authorized to practice as a personal fitness trainer under this act, a person shall not use or imply the use of the words or terms “personal fitness trainer”, “personal trainer”,

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“professional fitness trainer”, “fitness instructor”, or any similar title or description of services with the intent to represent that the person practices as a personal fitness trainer.

“(hh) Unless authorized to practice veterinary medicine under this act, a person shall not use or imply the use of the words or terms “doctor of veterinary medicine”, “veterinary doctor”, “veterinarian”, “animal doctor”, “animal surgeon”, “D.V.M.” or “V.M.D.”, or any similar title or description of services with the intent to represent that the person practices veterinary medicine.”.

(t) A new section 1205 is added to read as follows:

“Sec. 1205. Individuals already practicing.

“An individual who was engaged in practice as an assisted living administrator, athletic trainer, home health care administrator, personal fitness trainer, veterinary technician, veterinary euthanasia technician, audiology assistant, speech-language pathology assistant, or a speech-language pathology clinical fellow before the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153), may engage in that practice, regardless of whether that person is licensed, for a period of one year following the effective date of the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153).”.

TITLE II

HEALTH CARE AND COMMUNITY RESIDENCE FACILITY,
HOSPICE AND HOME CARE LICENSURE

Sec. 201. Short title.

This title may be cited as the “Home Care Improvement Amendment Act of 2014”.

Sec. 202. Section 2(a) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)), is amended as follows:

(a) Paragraph (7) is amended to read as follows:

“(7) “Home care agency” means an agency, organization, or distinct part thereof, other than a hospice, that directly provides skilled nursing services and at least one other therapeutic service to an individual, in his or her home or in a community residence facility, who is sick or who has a disability.”.

(b) A new paragraph (10) is added to read as follows:

“(10) “Therapeutic service” includes physical, speech, or occupational therapy; medical social services; or personal care services.”.

TITLE III

VETERINARY FACILITY

Sec. 301. Short title.

This title may be cited as the “Veterinary Facility Act of 2014”.

Sec. 302. Subchapter IV of Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

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(a) The table of contents for the subchapter is amended by adding at the end the following:

“Part F. Veterinary Facility.

- “47-2888.01. Definitions.
- “47-2888.02. General prohibitions.
- “47-2888.03. Veterinary facility license, fees.
- “47-2888.04. Denial, suspension, or revocation of veterinary facility license.
- “47-2888.05. Inspections.
- “47-2888.06. Animal licenses.
- “47-2888.07. Penalties.
- “47-2888.08. Rules.”.

(b) A new part F is added to read as follows:

“Part F. Veterinary Facility.

“§ 47-2888.01. Definitions.

“For the purposes of this part the term:

“(1) “Animal shelter” means a private or government-owned facility established for the impoundment of stray, diseased, dangerous, sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or otherwise displaced animals, with the intent to care for, quarantine, return to an owner, adopt out, or euthanize the animals.

“(2) “Veterinary facility” means a fixed or mobile establishment where the practice of veterinary medicine is conducted. The term “veterinary facility” shall not include an establishment that is an animal shelter or a wildlife rehabilitation facility.

“(3) “Wildlife rehabilitation facility” means a location where a licensed wildlife rehabilitator treats and provides temporary care of injured, diseased, orphaned, or displaced indigenous wild animals and provides for their subsequent release into appropriate habitats. A wildlife rehabilitation facility may be an individual’s home, a triage location, or a facility dedicated to wildlife rehabilitation.

“§ 47-2888.02. General prohibitions.

“(a) It shall be unlawful for any person to own, operate, maintain, open, or establish a veterinary facility within the District without first having obtained a license from the Mayor.

“(b) It shall be unlawful for any person other than a veterinarian licensed in the District to hold a license for a veterinary facility.

“(c) This section shall not apply to a facility or agency operated by the federal government or the District.

“§ 47-2888.03. Veterinary facility license, fees.

“(a) The application for a veterinary facility license shall be made on a form to be prescribed by the Mayor and shall be accompanied by the required fee. Each application shall list each certificate of approval, authority, occupancy, and any other prerequisite required as a precondition for operation of a veterinary facility.

ENROLLED ORIGINAL

“(b) A license shall be valid for a period of one year and shall be limited to the premises or the vehicle stated on the license. A license may be renewed for additional one-year periods upon payment of the appropriate fee.

“(c) A license issued under this section shall be posted in a conspicuous place on the premises. A mobile facility license shall be posted in a conspicuous place on the vehicle.

“(d) The Mayor may issue a license that clearly specifies the scope of the facility’s operation. The specifications shall not confer or denote an area of specialty by the veterinary facility or by the holder of the license. The Mayor shall determine the terms and restrictions that apply to the specifications by rulemaking.

“(e) The initial fees shall be as follows:

“(1) Original veterinary facility license, \$195; and

“(2) Renewal of veterinary facility license, \$170.

“(f) The Mayor may periodically adjust the fees by publishing notice in the District of Columbia Register 30 days before changing the fees.

“§ 47-2888.04. Denial, suspension, or revocation of veterinary facility license.

“(a) The Mayor may deny issuance or renewal of or suspend or revoke a license issued pursuant to this part for any one of a combination of the following reasons:

“(1) Conviction of any person named on an application of any felony or any crime of moral turpitude, as defined in 3-1205.14(a)(4);

“(2) A finding, after notice and an opportunity for a hearing, that any person named on an application has violated this part or any rules issued pursuant to this part;

“(3) A finding by the Mayor that any provision of this part has been violated, or that any law or regulation of the District or of the United States relating to animals or drugs has been violated by any person named in the application for a veterinary facility; or

“(4) Furnishing false or misleading information to the Mayor, failing to furnish information required by the Mayor, or refusing to allow an inspection in accordance with § 47-2888.05.

“(b) The Mayor shall summarily suspend a license issued pursuant to this part whenever the Mayor finds that a veterinary facility’s failure to comply with a provision of this part or with any District or federal law or regulation applicable to the facility is of such a serious nature and magnitude that it presents an imminent danger to the health or safety of a person or animal. The Mayor shall impound any animals remaining at the facility without an owner present and shall care for those animals until they can be restored to their owners or adopted. The licensee shall be responsible for all costs incurred by the impoundment, care, restoration, or adoption of the impounded animals. The Mayor shall provide the licensee with written notice that states the action being taken, the basis of the action, and the right of the licensee to request a hearing within 5 days. The Mayor shall hold a hearing within 5 days of receiving a timely request, and shall issue a written decision, including findings of fact and conclusions of law, within 5 days of the conclusion of the hearing. The Mayor shall provide a copy of the decision to each party by mailing a copy to the licensee and the licensee’s counsel of record. A request for a hearing shall not act to stay the suspension pending the outcome of the hearing.

ENROLLED ORIGINAL

“§ 47-2888.05. Inspections.

“(a) A person designated by the Mayor is authorized, after presenting proper identification, to enter at reasonable times any veterinary facility for the purpose of making inspections to determine compliance with this part or other laws or regulations regarding the practice of veterinary medicine.

“(b) An inspection may include:

“(1) Examining and copying records; and

“(2) Examining operating equipment, systems, and components to determine the sanitary and safety conditions at a facility.

“(c) The Mayor may issue subpoenas to obtain records.

“§ 47-2888.06. Animal licenses.

“A licensed veterinarian may issue animal licenses. The veterinarian shall collect the required fees and may collect an additional \$2 for each license issued as reimbursement for administrative costs.

“§ 47-2888.07. Penalties.

“(a) Any person who violates any provision of this part, or rules promulgated pursuant to this part, that results in physical harm to an animal shall be subject to a fine for each offense of not more than \$10,000, imprisonment for not more than 90 days, or both. Each day of violation shall constitute a separate offense, and the penalties prescribed herein shall apply to each offense; provided, that the total fine shall not exceed \$100,000 and the aggregate imprisonment term shall not exceed 6 months.

“(b) Any person who intentionally impedes a District employee in the performance of his or her official duties shall be subject to a fine for each offense of not more than \$1,000, imprisonment for not more than 90 days, or both.

“(c) Any person who knowingly notifies a licensee or employee of a licensee, directly or indirectly, that an unannounced inspection will occur shall be subject to a fine of not more than \$5,000, imprisonment for not more than 90 days, or both.

“(d) Prosecutions for violations of this part shall be brought in the name of the District of Columbia in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.

“(e) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this part pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this part shall be pursuant to Chapter 18 of Title 2.

“§ 47-2888.08. Rules.

“The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, shall issue rules to implement the provisions of this part.”.

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TITLE IV
REPEALER; EXISTING REGULATIONS

Sec. 401. Repealer; existing regulations.

(a) The Veterinary Practice Act of 1982, effective March 9, 1983 (D.C. Law 4-171; D.C. Official Code § 3-501 *et seq.*), is repealed.

(b) Rules promulgated pursuant to the Veterinary Practice Act of 1982, effective March 9, 1983 (D.C. Law 4-171; D.C. Official Code § 3-501 *et seq.*), shall remain in effect until the Mayor promulgates rules to implement the Omnibus Health Regulation Amendment Act of 2014, passed on 2nd reading on January 7, 2014 (Enrolled version of Bill 20-153).

TITLE V. GENERAL PROVISIONS

Sec. 501. Applicability.

Sections 102(c)(2) and 102(c)(6) shall apply one year after the effective date of this act.

Sec. 502. Fiscal impact statement.

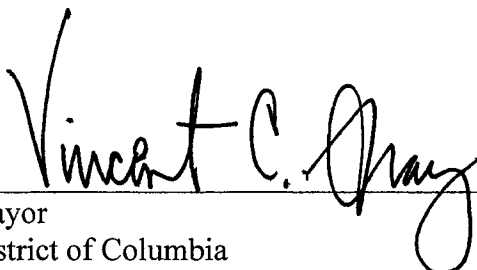
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 503. 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), 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
February 5, 2014

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-274

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 10, 2014

To amend, on an emergency basis, the Animal Control Act of 1979 to clarify that an educational institution is permitted to have animals for educational and instructional purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Classroom Animal for Educational Purposes Clarification Emergency Amendment Act of 2014".

Sec. 2. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

“(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02).”.

Sec. 3. Fiscal impact statement.

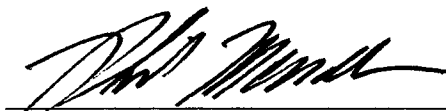
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

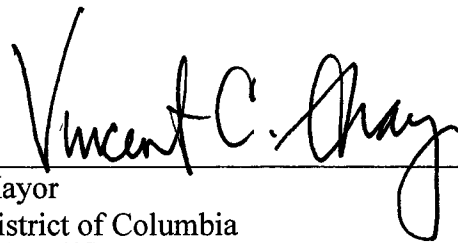
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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
February 10, 2014

ENROLLED ORIGINAL

A RESOLUTION

20-398

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 7, 2014

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCAM-14-NC-0085 with NOVEC Energy Solutions, Inc., to provide natural gas to District of Columbia government facilities at a fixed price for a 24-month period.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Proposed Multiyear Contract No. DCAM-14-NC-0085 Approval Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to approve multiyear Contract No. DCAM-14-NC-0085 with NOVEC Energy Solutions, Inc., in an amount not to exceed \$12,971,750, to provide natural gas to various District of Columbia government facilities within the real estate portfolio of the Department of General Services ("DGS"), at a fixed price for a 24-month period.

(b) The proposed multiyear contract was competitively bid on behalf of DGS and awarded to NOVEC Energy Solutions, Inc.

(c) The proposed multiyear contract requires Council approval pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(c)(3)).

(d) Emergency approval of multiyear Contract No. DCAM-14-NC-0085 is necessary due to the volatile nature of the commodity market, which makes it economically impractical for any supplier to hold commodity pricing open for an extended period of time.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Proposed Multiyear Contract No. DCAM-14-NC-0085 Emergency Approval Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 7, 2014

To approve, on an emergency basis, multiyear Contract No. DCAM-14-NC-0085 with NOVEC Energy Solutions, Inc., to provide natural gas to District of Columbia government facilities at a fixed price for a 24-month period.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Proposed Multiyear Contract No. DCAM-14-NC-0085 Emergency Approval Resolution of 2014”.

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code §1-204.51(c)(3)), the Council approves Contract No. DCAM-14-NC-0085, a multiyear agreement with NOVEC Energy Solutions, Inc., to provide natural gas to various District of Columbia facilities within the real estate portfolio of the Department of General Services, in an amount not to exceed \$12,971,750 for a 24-month period.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal statement of the Office 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 resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-400

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend , the District of Columbia Administrative Procedure Act to exempt from disclosure certain critical infrastructure information.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Critical Infrastructure Freedom of Information Congressional Review Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Critical Infrastructure Freedom of Information Emergency Amendment Act of 2013, effective November 29, 2013 (D.C. Act 20-229; 60 DCR 16788) (“Emergency Amendment Act”), is set to expire on February 27, 2014.

(b) The Critical Infrastructure Freedom of Information Temporary Amendment Act of 2013, effective December 20, 2013 (D.C. Act 20-237; 60 DCR 27) (“Temporary Amendment Act”), is projected to become law on March 6, 2014.

(c) This Congressional review emergency legislation is necessary to prevent a gap between the expiration of the Emergency Amendment Act and the enactment of the Temporary Amendment Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Critical Infrastructure Freedom of Information Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-401

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Election Code of 1955 to permit the election of officials of political parties during any regularly scheduled primary election and to extend the deadline local party committees can file written communication with the Board of Elections identifying the offices to be filled during the April 1, 2014 primary election.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Party Officer Elections Congressional Review Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Party Officer Elections Emergency Amendment Act of 2013, effective November 7, 2013 (D.C. Act 20-210; 60 DCR 15781) (“Emergency Amendment Act”), is set to expire on February 5, 2014.

(b) The Party Officer Elections Temporary Amendment Act of 2013 (D.C. Act 20-238; 60 DCR 30) (“Temporary Amendment Act”), is projected to become law on March 6, 2014.

(c) This Congressional review emergency legislation is necessary to prevent a gap between the expiration of the Emergency Amendment Act and the enactment of the Temporary Amendment Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Party Officer Elections Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-402

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Election Code of 1955 to establish that each nominating petition circulator must make and sign an affidavit that states that he or she is a qualified petition circulator as that term is defined in the Election Code.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Elections Nominating Petition Circulator Affidavit Congressional Review Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Board of Elections Nominating Petition Circulator Affidavit Emergency Amendment Act of 2013, effective November 7, 2013 (D.C. Act 20-209; 60 DCR 15779) (“Emergency Amendment Act”), is set to expire on February 5, 2014.

(b) The Nominating Petition Circulator Affidavit Temporary Amendment Act of 2013, effective December 21, 2013 (D.C. Act 20-240; 60 DCR 34) (“Temporary Amendment Act”), is projected to become law on March 6, 2014.

(c) This Congressional review emergency legislation is necessary to prevent a gap between the expiration of the Emergency Amendment Act and the enactment of the Temporary Amendment Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Board of Elections Nominating Petition Circulator Affidavit Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-403

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend section 47-1801.04 of the District of Columbia Official Code to clarify that the base year for cost-of-living adjustments related to the personal income tax standard deduction and exemption is 2011.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Cost-of-Living Adjustment Personal Income Tax Standard Deduction and Exemption Technical Clarification Congressional Review Emergency Declaration Resolution of 2014”.

Sec. 2. (a) Section 47-1801.04(11) of the District of Columbia Official Code (“§ 47-1801.04(11)”) was inadvertently amended in the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; 60 DCR 12472), to state that the base year for cost-of-living adjustments related to the personal income tax standard deduction and exemption is 2007. The current base year is 2011.

(b) In November of 2013, the Council enacted the Cost-of-Living Adjustment Personal Income Tax Standard Deduction and Exemption Technical Clarification Emergency Act of 2013, effective November 29, 2013 (D.C. Act 20-228; 60 DCR 16786) (“emergency legislation), to amend § 47-1801.04(11) to state the accurate base year of 2011. The emergency legislation will expire on February 27, 2014.

(c) A permanent amendment to § 47-1801.04(11) is in Bill 20-482, the Fiscal Year 2014 Budget Support Technical Clarification Amendment Act of 2014 (“permanent legislation”).

(d) The permanent legislation must complete the 30-day review period required by 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 will not become law before the expiration of the emergency legislation.

(e) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the permanent legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Cost-of-Living Adjustment Personal Income Tax Standard Deduction and Exemption Technical Clarification Congressional Review Emergency Act of 2014 be adopted after a single reading.

Sec. 4. The resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-404

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency, due to Congressional review, with respect to the need to clarify the Department of Corrections' authority over the management and operation of the Central Cellblock at 300 Indiana Avenue, N.W., to include persons detained at a medical facility in the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Corrections Central Cellblock Management Clarification Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to clarify recent amendments to section 2 of An Act To create a Department of Corrections in the District of Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02).

(b) The recent amendments transferred the management and operation of the Central Cellblock at 300 Indiana Avenue, N.W., from the Metropolitan Police Department to the Department of Corrections.

(c) The transfer took effect on October 1, 2013.

(d) The language establishing the transfer did not include express authority for the Department of Correction to be responsible for persons detained by MPD at medical facilities in the District prior to an initial court appearance. The proposed clarification would clearly establish that authority.

(e) Emergency legislation, the Department of Corrections Central Cellblock Management Clarification Emergency Amendment Act of 2013, effective December 6, 2013 (D.C. Act 20-215; 60 DCR 16520), expires on February 18, 2014.

(f) Temporary legislation, the Department of Corrections Central Cellblock Management Clarification Temporary Amendment Act of 2013, signed by the Mayor on December 21, 2013 (D.C. Act 20-239; 60 DCR 32), was transmitted to Congress on January 9, 2014, for the 30-day review period required by 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)).

(g) The temporary legislation is not projected to become law until March 6, 2014; therefore, a Congressional review emergency is needed to prevent a gap in the law.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Department of Corrections Central Cellblock Management Clarification Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec 4. The resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-405

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish mandatory controlled substance and alcohol testing and criminal background checks and a background investigation program for applicants, appointees, employees, volunteers, and contractual workers of the Consolidated Forensic Sciences Laboratory.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Congressional Review Emergency Declaration Resolution of 2014".

Sec. 2. (a) There exists an immediate need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et. seq.*), to establish a mandatory controlled substance and alcohol testing program, criminal background check, and background investigation program for applicants, appointees, employees, volunteers, and contractual workers who have a duty station at the Consolidated Forensic Sciences Laboratory ("CFL").

(b) The CFL officially opened on October 1, 2012, and will serve as the central location for several of the District's public health and safety lab operations, such as the Office of the Chief Medical Examiner, the Department of Forensic Sciences ("DFS"), and divisions under the Metropolitan Police Department that include the Firearms and Fingerprint Examination Division, DNA Laboratory, and the Forensic Sciences Services Division. The Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.01 *et. seq.*) ("Act"), requires that DFS provide security and protection for evidence and samples in its custody. To ensure compliance with the Act, a mandatory controlled substance and alcohol testing program, criminal background check, and background investigation program for applicants, appointees, employees, volunteers, and contractual workers who have a duty station at the CFL is necessary.

ENROLLED ORIGINAL

(c) A similar emergency measure, D.C. Act 19-582, was adopted on December 4, 2012. An identical temporary measure, D.C. Act 19-616, was also adopted by the Council, but expired on December 1, 2013. A permanent version of the legislation was introduced last council period.

(d) During Council Period 20, an identical emergency measure, D.C. Act 20-227, was adopted, but is set to expire on February 27, 2014. A corresponding temporary measure, D.C. Act 20-247, is not projected to become law until March 6, 2014.

(e) This emergency measure is necessary to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Congressional Review Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-408

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To confirm the reappointment of Mr. Charles J. Murphy to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Charles J. Murphy Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Charles J. Murphy
1000 New Jersey Avenue, S.E., Suite 513
Washington, D.C. 20001
(Ward 6)

as a neutral public member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01), for a term to end December 12, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-409

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To confirm the appointment of Ms. Patricia Hobson Wilson to the Office of Employee Appeals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Office of Employee Appeals Patricia Hobson Wilson Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Patricia Hobson Wilson
1412 Primrose Road, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Office of Employee Appeals, established by section 601 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-606.01), replacing Necola Shaw, for a term to end April 6, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-410

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To confirm the reappointment of Ms. Brenda Lee Richardson to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Brenda Lee Richardson Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Brenda Lee Richardson
3008 24th Place, S.E.
Washington, D.C. 20020
(Ward 8)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-411

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To confirm the reappointment of Mr. Donald F. Richardson to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Donald F. Richardson Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Donald F. Richardson
1630 Van Buren Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2015.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-412

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To confirm the appointment of Mr. Jesús Salvador Aguirre as the State Superintendent of Education.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "State Superintendent of Education Jesús Aguirre Confirmation Resolution of 2014".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jesús Salvador Aguirre
6818 Oregon Avenue, N.W.
Washington, D.C. 20015
(Ward 4)

as the State Superintendent of Education, established by section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601), in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve a 4-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-413

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To amend the Council of the District of Columbia Code of Official Conduct, Council Period 20, to define the phrase “usual and customary constituent services”.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Code of Official Conduct Amendment Resolution of 2014.”

Sec. 2. Rule VI(e) of the Council of the District of Columbia Code of Official Conduct, Council Period 20, effective January 2, 2013 (D.C. Res. 20-1; 60 DCR 627), is amended to read as follows:

“(e) Definitions.

“For the purposes of this Rule, the term:

“(1) “Government Resources” means any property, equipment, or material of any kind, including that acquired through lease, and the personal services of an employee during his or her hours of work.

“(2) “Usual and customary constituent services” includes an employee’s representational activities, such as advocacy, communications, inquiry, oversight, and other actions, made on another person’s behalf; provided, that the employee does not, directly or indirectly,:

“(A) Threaten reprisal or promise favoritism for the performance or nonperformance of another person’s duties; or

“(B) Request that another person abuse or exceed the discretion available to that person under law.”.

Sec. 3. This resolution supersedes, in whole or in part as appropriate, any previously issued opinion to the extent the opinion is inconsistent with this resolution.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-414

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with the respect to the need to amend the Procurement Practices Reform Act of 2010 to exempt from the act the procurements of goods and services directly related to the production of permanent supportive housing units for which the District has obligated funding and procurements by the District of Columbia Health Benefit Exchange Authority and Captive Insurance Agency , to clarify the applicability of Council review for certain contracts as required by the District of Columbia Home Rule Act, and to make technical changes; and to amend the Health Benefit Exchange Authority Establishment Act of 2011 to make conforming amendments and require publication of the procurement policies and procedures of the District of Columbia Health Benefit Exchange Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Procurement Practices Reform Exemption Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Department of Housing and Community Development (“DHCD”) and the Department of Human Services (“DHS”) have encountered difficulties procuring permanent supportive housing and related services in a timely manner and releasing an initial Consolidated Request for Proposals, which involves the District of Columbia Housing Finance Agency, District of Columbia Housing Authority, DHS, along with DHCD and the Department of Mental Health, to provide funding for the production of permanent supportive housing units for individuals and families who are homeless or at risk of homelessness.

(b) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), prevents consolidated procurements from being combined into one contract.

(c) The Patient Protection and Affordable Care Act of 2010, approved March 23, 2010 (124 Stat. 588; 42 U.S.C. § 18001, note), as amended by the federal Health Care and Education Reconciliation Act, approved March 30, 2010 (124 Stat. 1029; 42 U.S.C. § 1305, note), (collectively, the “Act”) made significant changes in the laws regulating the sale of private health insurance.

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(d) The Act calls for the creation of state-based health insurance exchanges that will allow individuals, families, and small business owners to shop for coverage, compare policies, and choose the health plan that best meets their needs and budget. States are given the option of creating their own exchanges or having the federal government establish exchanges in the states.

(e) Clarifying that the District of Columbia Health Benefit Exchange Authority (“Authority”) is exempt from the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2- 351.01 *et seq.*), will allow the Authority to continue its statutory mandate within the deadline set forth in the Act.

(f) The Procurement Practices Reform Exemption Emergency Amendment Act of 2014 would amend the Procurement Practices Reform Act of 2010 to exempt procurements related to the production of permanent supportive housing and procurements of the District of Columbia Health Benefit Exchange Authority, as well as other technical and clarifying changes related to exemptions.

(g) The Council passed Bill 20-150, the Permanent Supportive Housing Application Streamlining Emergency Act of 2013, and Bill 20-194, the Health Benefit Exchange Authority Establishment Emergency Amendment Act of 2013, as well as accompanying Congressional review emergency legislation and temporary legislation in early 2013.

(h) The temporary bills containing procurement exemptions for permanent supportive housing and the Health Benefit Exchange Authority expire on February 3, 2014, and February 22, 2014, respectively.

(i) On January 7, 2014, the Council passed Bill 20-152, the Procurement Practices Reform Exemption Amendment Act of 2013, which contains provisions identical to those found in the Procurement Practices Reform Exemption Emergency Amendment Act of 2014, in addition to a sunset provision for certain aspects. This bill is currently undergoing congressional review.

(j) The Procurement Practices Reform Exemption Emergency Amendment Act of 2014, which contains modified procurement exemptions similar to those found in the previous emergency and temporary legislation discussed above, as well as the accompanying permanent legislation, prevents a gap in authority for procurements directly related to the production of permanent supportive housing and procurements by the District of Columbia Health Benefit Exchange Authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Procurement Practices Reform Exemption Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. The resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-415

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with respect to the need to amend section 9 the Animal Control Act of 1979 to clarify that an educational institution is permitted to have animals for educational and instructional purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Classroom Animal for Educational Purposes Clarification Emergency Declaration Resolution of 2014".

Sec. 2. (a) There is an immediate need to amend section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), to make clear that animals at educational institutions are permitted for educational and instructional purposes.

(b) The Department of Health has previously notified schools across the District that they must remove animals – such as geckos, frogs, toads, tadpoles, and other species historically used for instructional purposes but not specifically cited in section 9 of the Animal Control Act of 1979 – or the District will seize and destroy them.

(c) This interpretation has caused concern among educators and school administrators and potentially disrupts the teaching and learning opportunities for students.

(d) This emergency action will prevent classroom and instructional animals from being removed and ensure that the schools can continue teaching sciences and biology with living creatures that are treated and maintained humanely and safely.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Classroom Animal for Educational Purposes Clarification Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-416

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with respect to the need to amend the Vending Regulation Act of 2009 and Chapter 5 of Title 24 of the District of Columbia Municipal Regulations to re-establish a criminal penalty provision for violating a regulation implementing the Vending Regulation Act of 2009 and to regulate the sale of tickets from public space.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Vending Regulations Emergency Declaration Resolution of 2014”.

Sec. 2. (a) In 2009, the Council passed the Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.08), which authorized the Mayor to regulate vending in the District and required any proposed rules to be submitted to the Council for review and approval.

(b) On March 8, 2013, the Vending Business License Regulation Resolution of 2013 was introduced in the Office of the Secretary by Chairman Mendelson at the request of the Mayor. These regulations were adopted in part by the Council on June 4, 2013, with the passage of the Vending Regulation Emergency Amendment Act of 2013, effective June 19, 2013 (D.C. Act 20-84; 60 DCR 9534), and the subsequent adoption of the Vending Regulation Second Emergency Amendment Act of 2013, effective June 20, 2013 (D.C. Act 20-90; 60 DCR 9551).

(c) On September 20, 2013, the Office of the City Administrator published final rules in the D.C. Register.

(d) The Vending Business License Regulation Resolution of 2013 proposed in March 2013 inadvertently removed provisions governing the sale of tickets on public space and allowing the Metropolitan Police Department to enforce violations of the vending regulations.

(e) In order to permit the Metropolitan Police Department to have the ability to conduct enforcement of vending violations occurring in the District of Columbia, it is necessary to adopt emergency legislation to enact regulatory provisions governing the sale of tickets on the District’s sidewalks, roadways, and public spaces.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Vending Regulations Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-417

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with respect to the need to approve multiyear contract No. 14-OCPS-002-01 with the Washington, DC Convention and Tourism Corporation to provide marketing services for the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Destination DC Marketing Services Contract Emergency Declaration Resolution of 2014”.

Sec. 2.(a) There exists an immediate need to approve contract No. 14-OCPS-002-01 between the Washington Convention and Sports Authority (“Authority”) and the Washington, DC Convention and Tourism Corporation (“Destination DC”) to provide marketing services to promote the District as a location for conventions, tradeshow, meetings, sports events, and for group and leisure tourism.

(b) Section 208a of the Washington Convention Center Authority Act of 1994, effective August 12, 1998 (D.C. Law 12-142; D.C. Official Code § 10-1202.08a) (“Authority Act”), requires the Authority to maintain the Washington Convention Center Marketing Fund (“Fund”) to promote conventions, tourism, and leisure travel in the District of Columbia, and the hosting of sporting events, sports teams, recreational events, and entertainment events in the District and to contract with certain entities to achieve these purposes, with payment for the services to be drawn from the Fund.

(c) Section 208a(e) of the Authority Act (D.C. Official Code § 10-1202.08a(e)) mandates that Destination DC serve as the primary contractor to manage and market the District as a premier domestic and international destination.

(d) The Authority’s present multiyear contract with Destination DC expires on February 28, 2014, and the parties want to enter into a new multiyear contract with a term from March 1, 2014, through September 30, 2018, with 5 one-year optional renewal periods. The contract is in the sum of equal to 86% of the tax collected pursuant to sections 47-2002.02(1) and 47-2202.01(1) of the District of Columbia Official Code, but in no event less than \$4 million, of which \$3 million annually as specified in in section 208a(h) and (i) and such other sums as may be paid by the Authority for additional services, but in no event for more than the amount of \$1 million.

(e) Council approval of the contract is required pursuant to section 451(c)(3) of the District of Columbia Home Rule Act D.C. Official Code § 1-204.51(c)(3)), and section 202 of

ENROLLED ORIGINAL

the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), and section 208a(g) of the Authority Act,

(f) Expeditious Council action is necessary to ensure that there is an approved marketing agreement with Destination DC so that there is no disruption in marketing the District as a domestic and international location for meetings and conventions at the Walter E. Washington Convention Center, for attending sports events, and as a destination for tourism and leisure travel and so that revenues to the District and the Authority from visitor spending may be enhanced.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Destination DC Marketing Services Contract Emergency Approval Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-418

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To approve, on an emergency basis, multiyear Contract No.14-OCPS-002-01 with the Washington, DC Convention and Tourism Corporation to provide marketing services for the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Destination DC Marketing Services Contract Emergency Approval Resolution of 2014”.

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), and 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 Contract No. 14-OCPS-002-01, a multiyear contract with Washington, DC Convention and Tourism Corporation, d/b/a Destination DC, to market the District as a location for meetings and conventions at the Walter E. Washington Convention Center and District hotels, for sports events, and as a destination for tourism and leisure travel.

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. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-419

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with respect to the need to order the closing of a portion of the public alley in Square 150, bounded by Seaton Street, N.W., Florida Avenue, N.W., and 17th Street, N.W., in Ward 1.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Closing of a Public Alley in Square 150, S.O. 13-10218, Emergency Declaration Resolution of 2014”.

Sec. 2. (a) The Council has considered on first reading on January 7, 2014, and final reading on February 4, 2014, Bill 20-439, the Closing of a Public Alley in Square 150, S.O. 13-10218, Act of 2013, following mark-up by the Committee of the Whole.

(b) For reasons lost to history, the subject alley was never constructed and exists entirely beneath a house built in 1900.

(c) The alley closing legislation will enable the homeowner to sell the house. It is clear the alley will never be built.

(d) The Advisory Neighborhood Commission (“ANC”) 1C, the ANC within which the public alley is located, supports the alley closing.

(e) Approval of emergency legislation will allow the sale of the home to proceed expeditiously.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Closing of a Public Alley in Square 150, S.O. 13-10218, Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-420

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with respect to the need to approve a contract with the National Railroad Passenger Corporation to lease certain property from the National Railroad Passenger Corporation necessary for the Kenilworth section of the Anacostia Riverwalk Trail.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Kenilworth Section of the Anacostia Riverwalk Trail Contract Approval Emergency Declaration Resolution of 2014”.

Sec. 2. (a) 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, the Mayor transmitted to the Council a request for Council approval of a contract under which the District would lease certain property owned by the National Railroad Passenger Corporation (“Amtrak”) critical for the Kenilworth section of the Anacostia Riverwalk Trail, across Parcel 180/5 for an initial term of 50 years, with options for renewal terms, and provide for a contingency fund of \$2 million for 7 years.

(b) The Anacostia Riverwalk Trail is funded in large part through a TIGER Grant from the United States Department of Transportation under the provisions of the Consolidated and Further Continuing Appropriations Act, 2012, approved November 18, 2011 (Pub. L. No. 112-55; 125 Stat. 552;). The TIGER Grant Agreement provided that the right of way across the Amtrak parcel be acquired by October 2012. Because the negotiations with Amtrak took longer than anticipated, the TIGER Grant funds will be in jeopardy unless the Council immediately approves the Kenilworth section of the Anacostia Riverwalk Trail Contract, so that construction may commence in accordance with the TIGER Grant Agreement.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Kenilworth section of the Anacostia Riverwalk Trail Contract Emergency Approval Resolution of 2014 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-421

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To approve, on an emergency basis, a contract with the National Railroad Passenger Corporation for the lease of certain property owned by the National Railroad Passenger Corporation needed for the Kenilworth section of the Anacostia Riverwalk Trail.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Kenilworth Section of the Anacostia Riverwalk Trail Contract Emergency Approval Resolution of 2014”.

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 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 the contract under which the District will lease certain property owned by the National Railroad Passenger Corporation critical for the Kenilworth section of the Anacostia Riverwalk Trail, across Parcel 180/5 for an initial term of 50 years, with options for renewal terms, and provide for a contingency fund of \$2 million for 7 years.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

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 resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-422

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

To declare the existence of an emergency with respect to the need to approve Modification No. 3 to Contract No. CW23183 for the construction of the Fort Reno Salt Dome and to authorize payment for services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification to Contract No. CW23183 Approval and Payment Authorization Declaration Resolution of 2014”.

Sec. 2. (a) There exists an immediate need to approve payment for approved change orders for the Fort Reno Salt Dome project.

(b) Contract No. CW23183 was initially awarded to General Services, Inc. in an amount of \$998,350.00. The amount of approved change orders is \$406,261.10, bringing the total revised amount of the contract to \$1,404,611.10.

(c) Council approval is necessary to allow the District to pay for the required additional work completed by General Services, Inc.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute circumstances making it necessary that the Modification to Contract No. CW23183 Approval and Payment Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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

B20-660 Transparency of Boards, Commissions, and Task Force Act of 2014

Intro. 02-03-14 by Councilmember Grosso and referred to the Committee on Government Operations

B20-670 District of Columbia Coding Camps for Kids Act of 2014

Intro. 02-04-14 by Councilmember Bowser and referred to the Committee on Transportation and the Environment

B20-671 Wage Theft Prevention Act of 2014

Intro. 02-04-14 by Councilmembers Orange, Graham and Cheh and referred to the Committee on Business, Consumer, and Regulatory Affairs

B20-672 New York Avenue Corridor Study Act of 2014

Intro. 02-04-14 by Councilmember Orange and referred to the Committee on Economic Development

B20-673 District of Columbia Insurance Transaction Modernization Electronic Delivery or Posting Act of 2014

Intro. 02-04-14 by Councilmember Orange and referred to the Committee on Business, Consumer, and Regulatory Affairs

BILLS CON'T

- B20-674 Academic Credential Fraud Amendment Act of 2014
- Intro. 02-04-14 by Councilmember Cheh and referred to the Committee on Judiciary and Public Safety
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- B20-675 Centralized Medicaid Billing Protection Amendment Act of 2014
- Intro. 02-04-14 by Councilmember Alexander and referred to the Committee on Health
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- B20-676 Behavioral Health System of Care Act of 2014
- Intro. 02-04-14 by Councilmembers Alexander and Bonds and referred to the Committee on Health
-
- B20-678 Medical Marijuana Plant Cultivation Amendment Act of 2014
- Intro. 02-04-14 by Councilmember Grosso and referred sequentially to the Committee on Health and the Committee on Judiciary and Public Safety
-
- B20-679 Homeless Services Reform Amendment Act of 2014
- Intro. 02-04-14 by Councilmembers Graham and Bonds and referred to the Committee on Human Services
-
- B20-680 Housing First Fund Amendment Act of 2014
- Intro. 02-04-14 by Councilmember Wells and referred to the Committee of the Whole
-
- B20-681 Classroom Animal for Educational Purposes Clarification Amendment Act of 2014
- Intro. 02-04-14 by Councilmembers Wells, Catania, Cheh, Barry and Bonds and referred to the Committee on Health with comments from the Committee on Education
-
- B20-682 Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Amendment Act of 2014
- Intro. 02-03-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations with comments from the Committee on Judiciary and Public Safety
-

PROPOSED RESOLUTIONS

PR20-640 Real Property Tax Appeals Commission John N. Olliviera Confirmation
Resolution of 2014

Intro. 02-03-14 by Chairman Mendelson at the request of the Mayor and referred to the
Committee on Finance and Revenue

PR20-650 Sense of the Council for Ending Chronic Homelessness Resolution of 2014

Intro. 02-04-14 by Chairman Mendelson and Councilmembers Cheh, Alexander, Barry,
Bonds, Bowser, Catania, Evans, Graham, Grosso, McDuffie, Orange, and Wells and
referred to the Committee on Human Services

PR20-651 Sense of the Council in Support of a Prohibition on Fracking in the George Washington
National Forest Resolution of 2014

Intro. 02-04-14 by Chairman Mendelson and Councilmembers Cheh, and Evans and
retained by the Council

Council of the District of Columbia
COMMITTEE ON GOVERNMENT OPERATIONS
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER KENYAN R. McDUFFIE, CHAIRPERSON
COMMITTEE ON GOVERNMENT OPERATIONS

ANNOUNCES A PUBLIC HEARING ON

B20-0366 THE “COMMISSION ON FATHERS, MEN AND BOYS ESTABLISHMENT ACT OF 2013”

Monday, March 10, 2014, 10:00 AM
Room 412 John A. Wilson Building
1350 Pennsylvania Ave., NW
Washington, D.C. 20004

On March 10, 2014, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Government Operations, will convene a public hearing on B20-0366 the “Commission on Fathers, Men and Boys Establishment Act of 2013.” This public hearing will be held in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Ave, NW at 10:00 AM.

The purpose of this hearing is to give the public the opportunity to comment on this measure. The stated purpose of the “Commission on Fathers, Men and Boys Establishment Act of 2013” is to establish a Commission on Fathers, Men and Boys to advise the Mayor and Council on issues and needs related to fathers, men and boys in the District.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the hearing should contact Mr. Ronan Gulstone, Committee Director at (202) 724-8028, or via e-mail at rgulstone@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business March 06, 2014. 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. Witnesses should bring 10 copies of their written testimony and if possible submit a copy of their testimony electronically to rgulstone@dccouncil.us.

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 either to the Committee, or to Ms. Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. The record will close at the end of the business day on March 25, 2014.

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

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

**COUNCILMEMBER VINCENT B. ORANGE, SR., CHAIR
COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY AFFAIRS**

ANNOUNCES A PUBLIC HEARING ON

B20-671, the “WAGE THEFT PREVENTION ACT OF 2014”

**Monday, March 3, 2014, 10:00 am
John A. Wilson Building, Room 120
1350 Pennsylvania Ave., NW
Washington, D.C. 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public hearing of the Committee on Business, Consumer, and Regulatory Affairs for the purpose of receiving testimony on B20-671, the “Wage Theft Prevention Act of 2014”. The public hearing is scheduled for Monday, March 3, 2014 at 10:00 a.m. in Room 120 of the John A. Wilson Building located at 1350 Pennsylvania Ave., N.W., Washington, DC 20004.

B20-671, the “Wage Theft Prevention Act of 2014” proposes to amend the Wage Payment and Collections Act and the Minimum Wage Revision Act, to strengthen applicable remedies, fines, and administrative penalties when an employer fails to pay earned wages. It also provides for the suspension of business licenses of employers that are delinquent in paying wage judgments or agreements, to clarify administrative procedures and legal standards for adjudicating wage disputes, to require the employer to provide written notice to each employee of the terms of their employment and to maintain appropriate employment records.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Ms. Faye Caldwell or Gene Fisher of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us or gfisher@dccouncil.us. Witnesses are asked to furnish their names, addresses, telephone number, email address, and organizational affiliation, if any, by the close of business, Friday, February 27, 2014. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies 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 hearing, written statements are encouraged and will be made part of the official record. The official record will remain open until the close of business of Monday, March 17, 2014. 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 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

**PR 20-601 “Sense of the Council for a Hearing on the CSX Virginia Avenue Tunnel Project
Resolution of 2013”**

on

**Tuesday, March 25, 2014
11:30 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 **PR 20-601**, the “Sense of the Council for a Hearing on the CSX Virginia Avenue Tunnel Project Resolution of 2013.” The public hearing will be held Tuesday, March 25, 2014, at 11:00 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of **PR 20-601** is to the declare sense of the Council that the Unites States House of Representatives Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit should hold a hearing on the CSX Virginia Avenue Tunnel Project. The project is located in Ward 6.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8126, or e-mail Crispus Gordon, III, Legislative Assistant, at cgordon@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Friday, March 21, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on March 21, 2014, 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 PR 20-601, can be obtained through the Legislative Services Division of the Secretary of the Council or on <http://dcclims1.dccouncil.us/lms>.

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, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Friday, April 4, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA
 NOTICE OF PUBLIC HEARINGS
 FISCAL YEAR 2015 PROPOSED BUDGET AND FINANCIAL PLAN,
 FISCAL YEAR 2015 BUDGET SUPPORT ACT OF 2014,
 FISCAL YEAR 2015 BUDGET REQUEST ACT OF 2014, AND
 COMMITTEE MARK-UP SCHEDULE**

2/10/2014

SUMMARY

April 3, 2014	Mayor Transmits the Fiscal Year 2015 Proposed Budget and
April 7, 2014	Committee of the Whole Public Briefing on the Mayor's Fiscal Year 2015 Proposed Budget and Financial Plan
April 9, 2014 to May 9, 2014	Committee Public Hearings on the "Fiscal Year 2015 Budget Request Act of 2014." (The Committees may also simultaneously receive testimony on the sections of the Fiscal Year 2014 Budget Support Acts that affect the agencies under each Committee's purview)
May 12, 2014	Committee of the Whole Public Hearing on the "Fiscal Year 2015 Budget Request Act of 2014" and the "Fiscal Year 2015 Budget Support Act of 2014"
May 13, 14, and May 15, 2014	Committee Mark-ups and Reporting on Agency Budgets for Fiscal Year 2015
May 28, 2014	Committee of the Whole and Council consideration of the "Fiscal Year 2015 Budget Request Act of 2014", and the "Fiscal Year 2015 Budget Support Act of 2014"
June 11, 2014	Council consideration of the "Fiscal Year 2015 Budget Request Act of 2014", and the "Fiscal Year 2015 Budget Support Act of 2014"

The Council of the District of Columbia hereby gives notice of its intention to hold public hearings on the FY 2015 Proposed Budget and Financial Plan, the "Fiscal Year 2015 Budget Request Act of 2014", and the "Fiscal Year 2015 Budget Support Act of 2014". The hearings will begin Wednesday, April 9, 2014 and conclude on Friday, May 9, 2014 and will take place in the Council Chamber (Room 500), Room 412, Room 120, or Room 123 of the John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004.

The Committee mark-ups will begin Tuesday, May 13, 2014 and conclude on Thursday, May 15, 2014 and will take place in the Council Chamber (Room 500) of the John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004.

Persons wishing to testify are encouraged, but not required, to submit written testimony in advance of each hearing to Nyasha Smith, Secretary to the Council of the District of Columbia; Suite 5; John A. Wilson Building; 1350 Pennsylvania Avenue, N.W.; Washington, DC 20004. If a written statement cannot be provided prior to the day of the hearing, please have at least 15 copies of your written statement available on the day of the hearing for immediate distribution to the Council. The hearing record will close two business days following the conclusion of each respective hearing. Persons submitting written statements for the record should observe this deadline. For more information about the Council's budget oversight hearing and mark-up schedule please contact the Council's Office of the Budget Director at (202) 724-8544.

ADDENDUM OF CHANGES TO THE PUBLIC HEARING SCHEDULE

<u>New Date</u>	<u>Original Date</u>	<u>Hearing</u>
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PUBLIC HEARING SCHEDULE

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, APRIL 7, 2014; COUNCIL CHAMBER (Room 500)	
Time	Subject
10:00 a.m. - End	Committee of the Whole Public Briefing on the Mayor's Fiscal Year 2015 Proposed Budget and Financial Plan

COMMITTEE ON ECONOMIC DEVELOPMENT

Chairperson Muriel Bowser

WEDNESDAY, APRIL 9, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Housing and Community Development Office of the Deputy Mayor for Planning and Economic Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Judah Gluckman, jgluckman@dccouncil.us or by calling 202-724-8052.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

WEDNESDAY, APRIL 9, 2014; Room 412	
Time	Agency
1:00 p.m. - 6:00 p.m	Metropolitan Washington Council of Governments Office of Labor Relations Collective Bargaining District of Columbia Auditor Office of Budget and Planning Council of the District of Columbia

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Renee Johnson, rjohnson@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

Chairperson Tommy Wells

THURSDAY, APRIL 10, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Judicial Nomination Commission Department of Corrections Office of Returning Citizen Affairs Corrections Information Council

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

THURSDAY, APRIL 10, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Office on Aging Deputy Mayor for Health and Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

FRIDAY, APRIL 11, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m.	Department of the Environment
1:00 p.m.	Taxicab Commission

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

FRIDAY, APRIL 11, 2014; Room 412	
Time	Agency
11:00 a.m.	Office of Disability Rights
2:00 p.m.	Department on Disability Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, APRIL 14, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - 6:00 p.m.	Retirement Board
	Retiree Health Contribution
	Teachers' Retirement System
	Police Officers' and Fire Fighters' Retirement System
	Office of Zoning
	Office on Planning

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jessica Jacobs, jjacobs@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

MONDAY, APRIL 14, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Office of the Chief Technology Officer
	Board of Ethics and Government Accountability
	Disability Compensation Fund

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON EDUCATION

Chairperson David Catania

MONDAY, APRIL 14, 2014; Room 123	
Time	Agency
10:00 a.m. - End	State Board of Education
	Public Library System

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

MONDAY, APRIL 14, 2014; Room 120	
Time	Agency
11:00 a.m. - End	Child and Family Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, APRIL 17, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	District of Columbia Public Schools (Public Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 724-8061.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

THURSDAY, APRIL 17, 2014; Room 412	
Time	Agency
Noon - 3:00 p.m.	Office of Contracting and Procurement
	Contract Appeals Board

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Evan Cash, ecash@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, APRIL 17, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of Inspector General
	Public Employee Relations Board
	Department of General Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

Chairperson Tommy Wells

THURSDAY, APRIL 17, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Office of Victim Services
	Department of Forensic Sciences
	Office of the Chief Medical Examiner
	Office of the Attorney General
	Justice Grants Administration

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, APRIL 28, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
9:30 a.m. - 4:00 p.m.	University of the District of Columbia
	University of the District of Columbia Community College

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Christina Setlow, csetlow@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON EDUCATION

Chairperson David Catania

MONDAY, APRIL 28, 2014; Room 412	
Time	Agency
10:00 a.m. - End	District of Columbia Public Schools (Government Witnesses only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyon McDuffie

MONDAY, APRIL 28, 2014, Room 123	
Time	Agency
10:00 a.m. - End	Advisory Neighborhood Commissions
	Office of City Administrator
	Executive Office of the Mayor
	- Office of Policy and Legislative Affairs
	- Serve DC
	- Office of Community Affairs
	- Advisory Commission on Caribbean Community Affairs
	- Advisory Committee to the Office of GLBT Affairs
	- Commission on African Affairs
	- Commission on African American Affairs
	- Commission on Asian and Pacific Islander Affairs
	- Commission on Women
	- Commission Latino Community Development
	- Interfaith Council
	- Office of Asian and Pacific Islander Affairs
	- Office of Gay, Lesbian, Bisexual, and Transgender Affairs
- Office of Partnerships and Grants Services	
- Office of Veteran's Affairs	
- Office on African Affairs	
- Office on Latino Affairs	

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

Chairperson Tommy Wells

MONDAY, APRIL 28, 2014, Room 120	
Time	Agency
10:00 a.m. - End	Commission on Judicial Disabilities and Tenure
	Office of Human Rights
	Deputy Mayor for Public Safety and Justice
	Office of Administrative Hearings
	Homeland Security and Emergency Management Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON TRANSPORATION & THE ENVIRONMENT

Chairperson Mary Cheh

TUESDAY, APRIL 29, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m.	Department of Transportation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON FINANCE AND REVENUE

Chairperson Jack Evans

TUESDAY, APRIL 29, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Commission on the Arts and Humanities
	Washington Convention and Sports Authority (Events DC)
	Destination DC

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy, sloy@dccouncil.us or by calling 202-724-8058.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

TUESDAY, APRIL 29, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Department of Healthcare Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

WEDNESDAY, APRIL 30, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Department of Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON ECONOMIC DEVELOPMENT

Chairperson Muriel Bowser

WEDNESDAY, APRIL 30, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Washington Area Metropolitan Transit Authority
	Office of Cable Television
	Housing Authority
	Housing Finance Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Kate Kourtzman, kkourtzman@dccouncil.us or by calling 202-724-8052.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

WEDNESDAY, APRIL 30, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Department of Health
	Not-for-Profit-Hospital Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, MAY 1, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Public Service Commission
	Office of People's Counsel
	Office of Employee Appeals
	Secretary of the District of Columbia

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, MAY 1, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Office of State Superintendent of Education
	Education Licensure Commission
	Public Charter School Credit Enhancement Fund Committee
	Public Charter School Payments

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Mary Cheh**

THURSDAY, MAY 1, 2014; Room 123	
Time	Agency
11:00 a.m.	Department of Motor Vehicles
1:00 p.m.	Department of Public Works

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON HEALTH **Chairperson Yvette Alexander**

THURSDAY, MAY 1, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Health Benefit Exchange Authority

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON HUMAN SERVICES **Chairperson Jim Graham**

FRIDAY, MAY 2, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Department of Youth Rehabilitation Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY **Chairperson Tommy Wells**

FRIDAY, MAY 2, 2014; Room 412	
Time	Agency
10:00 a.m. - End	District of Columbia National Guard
	Metropolitan Police Department
	Office of Police Complaints
	Office of Unified Communications

Persons wishing to testify about the performance of any of the foregoing agencies may contact Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON EDUCATION **Chairperson David Catania**

FRIDAY, MAY 2, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Public Charter School Board
	Office of Deputy Mayor for Education

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON BUSINESS, CONSUMER & REGULATORY AFFAIRS

Chairperson Vincent Orange

MONDAY, MAY 5, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Consumer and Regulatory Affairs
	Department of Insurance, Securities and Banking
	Office of Tenant Advocate
	Alcoholic Beverage Regulatory Administration

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Faye Caldwell, fcaldwell@dccouncil.us (please cc: gfisher@dccouncil.us) or by calling 202-727-6683.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

MONDAY, MAY 5, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Behavioral Health

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

MONDAY, MAY 5, 2014; Room 123	
Time	Agency
11:00 a.m. - End	Department of Parks and Recreation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

MONDAY, MAY 5, 2014; Room 120	
Time	Agency
11:00 a.m. - End	Children and Youth Investment Trust Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact Malcolm Cameron, mcameron@dccouncil.us or by calling at 724-8191.

COMMITTEE ON FINANCE AND REVENUE

Chairperson Jack Evans

WEDNESDAY, MAY 7, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office of Chief Financial Officer
	D.C. Lottery
	Real Property Tax Appeals Commission

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy, sloy@dccouncil.us or by calling 202-724-8058.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

WEDNESDAY, MAY 7, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Human Resources
	Board of Elections
	Office of Campaign Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

Chairperson Tommy Wells

THURSDAY, MAY 8, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Sentencing and Criminal Code Revision Commission
	Fire and Emergency Medical Services
	Criminal Justice Coordinating Council

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON BUSINESS, CONSUMER & REGULATORY AFFAIRS

Chairperson Vincent Orange

THURSDAY, MAY 8, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Small and Local Business Development
	Department of Human Resources
	Department of Employment Services
	Workforce Investment Council
	Office of Motion Picture and Television Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Faye Caldwell, fcaldwell@dccouncil.us (please cc: gfisher@dccouncil.us) or by calling 202-727-6683.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

FRIDAY, MAY 9, 2014; COUNCIL CHAMBER (Room 500)	
Time	Subject
10:00 a.m. - End	Committee of the Whole Public Hearing on the "Fiscal Year 2015 Budget Request Act of 2014", and the "Fiscal Year 2014 Budget Support Act of 2013"

COMMITTEE MARK-UP SCHEDULE**TUESDAY, MAY 13, 2014; COUNCIL CHAMBER (Room 500)**

Time	Committee
Noon - 2:00 p.m.	Economic Development
2:00 p.m. - 4:00 p.m.	Health

WEDNESDAY, MAY 14, 2014; COUNCIL CHAMBER (Room 500)

Time	Committee
10:00 a.m. - 12:00 p.m.	Business, Consumer & Regulatory Affairs
12:00 p.m. - 2:00 p.m.	Finance & Revenue
2:00 p.m. - 4:00 p.m.	Judiciary & Public Safety
4:00 p.m. - 6:00 p.m.	Government Operations

THURSDAY, MAY 15, 2014; COUNCIL CHAMBER (Room 500)

Time	Committee
10:00 a.m. - 12:00 p.m.	Human Services
12:00 p.m. - 2:00 p.m.	Transportation and the Environment
2:00 p.m. - 4:00 p.m.	Education
4:00 p.m. - 6:00 p.m.	Committee of the Whole

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

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

ABBREVIATED

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

ANNOUNCES A PUBLIC OVERSIGHT HEARING

ON

**The Office of Unified Communications, the Fire and Emergency Medical Services
Department, and the Metropolitan Police Department:
Effective Coordination of Public Safety Response and Related Protocols**

Monday, February 24, 2014

2pm

Room 120, 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, will convene a public oversight hearing to review policies and procedures related to the coordination of emergency responses by the Office of Unified Communications (OUC), the Fire and Emergency Medical Services Department (FEMS), and the Metropolitan Police Department (MPD). This notice is abbreviated pursuant to Council Rule 421(c)(3).

The oversight hearing will be held on Monday, February 24, 2014, beginning at 2pm in room 120 of the John A. Wilson Building.

The purpose of the hearing is to review and discuss the recent events involving Medric Cecil Mills, Jr. and Jose Santos Ruiz Perez. The Committee, along with the leadership of OUC, FEMS, MPD, and the Deputy Mayor for Public Safety and Justice, will discuss whether the agencies have protocols and procedures in place that enable an effective and timely coordinated response to any emergency anywhere in the District.

The Committee invites the public to testify. Those 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 Thursday, February 20, 2014. Testimony may be limited to 3 minutes for individuals and 5 minutes for those representing organizations or groups. Witnesses should bring 15 copies of their testimony. Those unable to testify at the public hearing are encouraged to submit written statements for the official record. Written statements should be submitted by 5 p.m. on Monday, March 10, 2014 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.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

WEDNESDAY, FEBRUARY 5, 2014; COUNCIL CHAMBER (Room 500)	
Time	Subject
9:30 a.m. - End	Committee of the Whole Public Briefing on the Fiscal Year 2013 Comprehensive Annual Financial Report (CAFR)

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

MONDAY, FEBRUARY 10, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office of the Chief Technology Officer Board of Ethics and Government Accountability Office of Risk Management (Disability Compensation Fund)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

MONDAY, FEBRUARY 10, 2014; Room 412	
Time	Agency
11:00 a.m. - End	Children and Youth Investment Trust Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON ECONOMIC DEVELOPMENT

Chairperson Muriel Bowser

TUESDAY, FEBRUARY 11, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Housing and Community Development Office of the Deputy Mayor for Planning and Economic Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Judah Gluckman, jgluckman@dccouncil.us or Rob Hawkins, rhawkins@dccouncil.us or by calling 202-724-8052.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

WEDNESDAY, FEBRUARY 12, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
2:30 p.m. - End	Committee of the Whole Public Briefing on the Recommendation of the Tax Revision Commission

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

WEDNESDAY, FEBRUARY 12, 2014; Room 412	
Time	Agency
2:00 p.m. - End	Child and Family Services Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, FEBRUARY 13, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	District of Columbia Public Schools (Public Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Tommy Wells

THURSDAY, FEBRUARY 13, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of Victim Services
	Justice Grants Administration
	Office of the Attorney General
	Office of Unified Communications
	Office of Administrative Hearings

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON FINANCE AND REVENUE

Chairperson Jack Evans

FRIDAY, FEBRUARY 14, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Commission on the Arts and Humanities
	Washington Convention and Sports Authority (Events DC)
	Destination DC

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy, sloy@dccouncil.us or by calling 202-724-8058.

COMMITTEE ON BUSINESS, CONSUMER & REGULATORY AFFAIRS

Chairperson Vincent Orange

WEDNESDAY, FEBRUARY 19, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Consumer and Regulatory Affairs
	Department of Insurance, Securities and Banking
	Office of Tenant Advocate
	Alcoholic Beverage Regulatory Administration

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Faye Caldwell, fcaldwell@dccouncil.us (please cc: gfisher@dccouncil.us) or by calling 202-727-6683.

COMMITTEE ON ECONOMIC DEVELOPMENT

Chairperson Muriel Bowser

WEDNESDAY, FEBRUARY 19, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Washington Metropolitan Area Transit Authority
	Office of Cable Television
	Housing Authority
	Housing Finance Agency

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Judah Gluckman, jgluckman@dccouncil.us or by calling 202-724-8052.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

WEDNESDAY, FEBRUARY 19, 2014; Room 123	
Time	Agency
11:00 a.m.	Taxicab Commission
1:00 p.m.	Department of Parks and Recreation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON EDUCATION

Chairperson David Catania

WEDNESDAY, FEBRUARY 19, 2014; Room 120	
Time	Agency
10:00 a.m. - End	State Board of Education
	Office of the Deputy Mayor for Education
	Public Library System

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

THURSDAY, FEBRUARY 20, 2014; Room 412	
Time	Agency
12:00 p.m.	Department of Youth Rehabilitation Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, FEBRUARY 20, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of the Inspector General
	Public Employees Relations Board
	Department of General Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

MONDAY, FEBRUARY 24, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - 4:00 p.m.	Office of Contracting and Procurement
	Innovation Fund

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Evan Cash, ecash@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

MONDAY, FEBRUARY 24, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Advisory Neighborhood Commission
	Office of the City Administrator
	Executive Office of the Mayor
	- Office of Policy and Legislative Affairs
	- ServeDC
	- Office of Community Affairs
	- Advisory Commission on Caribbean Community Affairs
	- Advisory Committee to the Office of GLBT Affairs
	- Commission on African Affairs
	- Commission on African American Affairs
	- Commission on Asian and Pacific Islander Affairs
	- Commission for Women
	- Commission on Latino Community Development
	- Interfaith Council
	- Office of Asian and Pacific Islanders Affairs
	- Office of Gay, Lesbian, Bisexual, and Transgender Affairs
- Office of Partnerships and Grants Services	
- Office of Veteran's Affairs	
- Office on African Affairs	
- Office on Latino Affairs	

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON EDUCATION

Chairperson David Catania

MONDAY, FEBRUARY 24, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Office of State Superintendent of Education
	Education Licensure Commission
	Healthy Youth and Schools Commission
	Public Charter School Credit Enhancement Fund Committee

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

TUESDAY, FEBRUARY 25, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office on Aging
	Deputy Mayor for Health and Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON THE WHOLE

Chairman Phil Mendelson

TUESDAY, FEBRUARY 25, 2014; Room 412	
Time	Agency
11:00 a.m. - 6:00 p.m.	University of the District of Columbia
	University of the District of Columbia Community College

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Christina Setlow, csetlow@dccouncil.us or by calling 202-724-8196.

TUESDAY, FEBRUARY 25, 2014; Room 123	
Time	Agency
1:00 p.m. - End	Washington Aqueduct
	District of Columbia Water and Sewer Authority (DCWater)
	Department of the Environment

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON HUMAN SERVICES

Chairperson Jim Graham

WEDNESDAY, FEBRUARY 26, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Department of Human Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON BUSINESS, CONSUMER & REGULATORY AFFAIRS **Chairperson Vincent Orange**

WEDNESDAY, FEBRUARY 26, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Small & Local Business Development
	Department of Employment Services
	Workforce Investment Council
	Office of Motion Picture & Television Development

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Faye Caldwell, fcaldwell@dccouncil.us (cc: gfisher@dccouncil.us) or by calling 202-727-6683.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

WEDNESDAY, FEBRUARY 26, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Health Benefit Exchange Authority

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON FINANCE AND REVENUE

Chairperson Jack Evans

THURSDAY, FEBRUARY 27, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Office of Chief Financial Officer
	D.C. Lottery
	Real Property Tax Appeals Commission

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Sarina Loy, sloy@dccouncil.us or by calling 202-724-8058.

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, FEBRUARY 27, 2014; Room 412	
Time	Agency
10:00 a.m. - End	District of Columbia Public Schools (Government Witnesses Only)

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, FEBRUARY 27, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Public Service Commission
	Office of People's Counsel
	Office of Employee Appeals
	Secretary of the District of Columbia

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Tommy Wells

FRIDAY, FEBRUARY 28, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Sentencing and Criminal Code Revision Commission
	Metropolitan Police Department
	District of Columbia National Guard
	Homeland Security and Emergency Management Agency
	Department of Forensic Sciences

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

Chairperson Mary Cheh

FRIDAY, FEBRUARY 28, 2014; Room 412	
Time	Agency
11:00 a.m.	Department of Motor Vehicles
1:00 p.m.	Department of Public Works

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE OF THE WHOLE

Chairman Phil Mendelson

FRIDAY, FEBRUARY 28, 2014; Room 120	
Time	Agency
Noon - 4:00 p.m.	Metropolitan Washington Airports Authority
	Metropolitan Washington Council of Governments
	District of Columbia Auditor
	Office of Budget and Planning
	Office of Labor Relations & Collective Bargaining

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Renee Johnson, rjohnson@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT **Chairperson Mary Cheh**

MONDAY, MARCH 3, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
11:00 a.m. - End	Pedestrian Advisory Council
	Bicycle Advisory Council
	Department of Transportation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Aukima Benjamin, abenjamin@dccouncil.us or by calling 202-724-8062.

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY **Chairperson Tommy Wells**

MONDAY, MARCH 3, 2014; Room 123	
Time	Agency
10:00 a.m. - End	Commission on Judicial Disabilities and Tenure
	Department of Corrections
	Office of Returning Citizens
	Corrections Information Council
	Office of Human Rights
	Office of the Chief Medical Examiner

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE OF THE WHOLE **Chairman Phil Mendelson**

WEDNESDAY, MARCH 5, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
9:30 a.m. - 6:00 p.m.	Contract Appeals Board
	Retirement Board
	Retiree Health Contribution
	Teacher's Retirement System
	Police Officers' and Firefighters' Retirement System
	Office of Zoning
	Office of Planning

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jessica Jacobs, jjacobs@dccouncil.us or by calling 202-724-8196.

COMMITTEE ON HEALTH **Chairperson Yvette Alexander**

WEDNESDAY, MARCH 5, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Department of Behavioral Health
	Not-for-Profit-Hospital Corporation

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON HUMAN SERVICES **Chairperson Jim Graham**

WEDNESDAY, MARCH 5, 2014; Room 123	
Time	Agency
11:00 a.m.	Office of Disability Rights
2:00 p.m.	Department of Disability Services

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Malcolm Cameron, mcameron@dccouncil.us or by calling 202-724-8191.

COMMITTEE ON GOVERNMENT OPERATIONS

Chairperson Kenyan McDuffie

THURSDAY, MARCH 6, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Department of Human Resources
	Board of Elections
	Office of Campaign Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Ronan Gulstone, rgulstone@dccouncil.us or by calling 202-478-2456.

COMMITTEE ON EDUCATION

Chairperson David Catania

THURSDAY, MARCH 6, 2014; Room 412	
Time	Agency
10:00 a.m. - End	Public Charter School Board
	Public Charter Schools

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Jamaal Jordan, jjordan@dccouncil.us or by calling 202-724-8061.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

THURSDAY, MARCH 6, 2014; Room 120	
Time	Agency
10:00 a.m. - End	Department of Healthcare Finance

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

Chairperson Tommy Wells

FRIDAY, MARCH 7, 2014; COUNCIL CHAMBER (Room 500)	
Time	Agency
10:00 a.m. - End	Judicial Nomination Commission
	Fire and Emergency Medical Services
	Office of Police Complaints
	Criminal Justice Coordinating Council
	Deputy Mayor for Public Safety and Justice

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Tawanna Shuford, tshuford@dccouncil.us or by calling 202-724-7808.

COMMITTEE ON HEALTH

Chairperson Yvette Alexander

FRIDAY, MARCH 7, 2014; Room 412	
Time	Agency
10:00 a.m.	Department of Health
	Department of Health Professional Licensing Boards

Persons wishing to testify about the performance of any of the foregoing agencies may contact: Rayna Smith, rsmith@dccouncil.us or by calling 202-741-2111.

COUNCIL OF THE DISTRICT OF COLUMBIA EXCEPTED SERVICE APPOINTMENTS AS OF JANUARY 31, 2014

NOTICE OF EXCEPTED SERVICE EMPLOYEES

D.C. Code § 1-609.03(c) requires that a list of all new appointees to Excepted Service positions established under the provisions of § 1-609.03(a) be published in the D.C. Register. In accordance with the foregoing, the following information is hereby published for the following positions.

COUNCIL OF THE DISTRICT OF COLUMBIA			
NAME	POSITION TITLE	GRADE	TYPE OF APPOINTMENT
Forrest, Katrina	Legislative Assistant	5	Excepted Service - Reg Appt
Moss, Myla	Senior Research Analyst	7	Excepted Service - Reg Appt
Antista, Jonathan	Budget Analyst	6	Excepted Service - Reg Appt

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, FEBRUARY 19, 2014
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson
Members: Nick Alberti, Donald Brooks, Herman Jones
Mike Silverstein, Hector Rodriguez, James Short

Protest Hearing (Status) Case # 13-PRO-00153; Park Place, Inc., t/a The Park at 14 th , 920 14th Street NW, License #75548, Retailer CN, ANC 2F Renewal Application	9:30 AM
Protest Hearing (Status) Case # 14-PRO-00001; H Street Corridor Group, LLC, t/a Sin Bin Sports Bar & Restaurant, 1336 H Street NE, License #93632, Retailer CR, ANC 6A New Application	9:30 AM
Protest Hearing (Status) Case # 13-PRO-00176; Hak, LLC, t/a Midtown, 1219 Connecticut Ave NW License #72087, Retailer CN, ANC 2B Renewal Application	9:30 AM
Protest Hearing (Status) Case # 13-PRO-00172; Inner Circle 1223, LLC, t/a Dirty Martini Inn Bar/Dirty Bar, 1223 Connecticut Ave NW, License #83919, Retailer CN, ANC 2B Renewal Application	9:30 AM
Show Cause Hearing (Status) Case # 13-AUD-00056; GBP, LLC, t/a Tackle Box, 3245 M Street NW, License #84952, Retailer CR, ANC 2E Failed to File Quarterly Statements (1st Quarter 2013)	9:30 AM
Show Cause Hearing (Status) Case # 13-CC-00102; Venus Indo Services, Inc., t/a Pan Mar Liquors, 1926 I Street NW, License #60242, Retailer CR, ANC 2B Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age	9:30 AM

Board's Calendar
February 19, 2014

9:30 AM

Show Cause Hearing (Status)

Case # 13-CMP-00274; Arep Embassy Row, LLCF, t/a Hilton Washington Embassy Row Hotel, 2015 Massachusetts Ave NW, License #77024, Retailer CH, ANC 2B

Failed to Post License in a Conspicuous Place, Failed to Post Pregnancy Sign, Failed to Post Current Legal Drinking Age Sign, Failed to Surrender License for Safekeeping

Show Cause Hearing (Status)

9:30 AM

Case # 13-AUD-00053; Palisades Pizzeria, Inc., t/a Palisades Pizzeria, 4885 MacArthur Blvd NW, License #60319, Retailer DR, ANC 3D

Failed to File Quarterly Statements (1st Quarter 2013)

This case is dismissed. The licensee is out of business and no longer operating.

Fact Finding Hearing

9:30 AM

Sheldon Arpad t/a Come to Eat, 3222 O Street NW, License #85370, Retailer CR, ANC 2E

License in Safekeeping

Fact Finding Hearing

9:30 AM

To Be Determined (formerly-Club Rendezvous), Retailer CN

License in Safekeeping Without Location

Show Cause Hearing*

10:00 AM

Case # 13-CMP-00299; Terasol Gallery & Café, t/a Terasol, 5010 Connecticut Ave NW, License #85467, Retailer CR, ANC 3F

No ABC Manager on Duty, Failed to Make Settlement Agreement Accessible, Failed to Post Pregnancy Sign, Failed to Post Legal Drinking Age Sign

Show Cause Hearing*

10:00 AM

Case # 13-AUD-00038; Mixtec, Inc., t/a Mixtec, 1792 Columbia Road NW License #7374, Retailer CR, ANC 1C

Failed to File Quarterly Statements (4th Quarter 2012)

Show Cause Hearing*

11:00 AM

Case # 13-CMP-00042; Inner Circle 1413, LLC, t/a Tattoo, 1413 K Street NW License #75156, Retailer CN, ANC 2F

Failed to Post License in a Conspicuous Place

Board's Calendar
February 19, 2014

BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM

Protest Hearing* **1:30 PM**
Case # 13-PRO-00037; Eatonville Inc., t/a Eatonville, 2121 14th Street NW
License #78882, Retailer CR, ANC 1B
Renewal Application

Show Cause Hearing* **4:30 PM**
Case # 13-251-00072; The Stadium Group, LLC, t/a Stadium, 2127 Queens
Chapel Road NE, License #82005, Retailer CN, ANC 5C
**Allowed the Establishment to be Used for an Unlawful or Disorderly
Purpose, Failed to Follow Security Plan, Failed to Provide Accurate
Information to an Investigator**

***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: February 14, 2014
Petition Date: March 31, 2014
Hearing Date: April 14, 2014
Protest Date: June 4, 2014

License No.: ABRA-093550
Licensee: Andy Lee Liquor, Inc.
Trade Name: TBD
License Class: Retailer's "A"
Address: 914 H Street, NE
Contact Information: Jermaine Matthews 240-838-1622

WARD 6

ANC 6A

SMD 6A01

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 license on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, 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 1:30pm on June 4, 2014.

NATURE OF OPERATION

New Liquor Store with tasting.

HOURS OF OPERATON

Sunday through Saturday 9 am – 10 pm

HOURS OF SALES/SERVICE/CONSUMPTION

Sunday through Saturday 9 am – 10 pm

CORRECTION *

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date:	February 7, 2014
Petition Date:	March 24, 2014
Roll Call Hearing Date:	April 7, 2014
Protest Hearing Date:	May 28, 2014

License No.:	ABRA- 094230
Licensee:	Cellar Trading, LLC
Trade Name:	Cellar Trading
License Class:	Retailer’s Class “A” Online Liquor Store
Address:	4221 Connecticut Avenue NW *
Contact:	Paul L. Pascal, Esq 202 -544-2200

WARD 3

ANC 3F

SMD 3F02

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 1:30 pm on May 28, 2014.

NATURE OF OPERATION

Online retailer liquor store. This location is for storage delivery only and no public access. Confirmation of identification of the purchases will be made at the time of delivery.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 8 am -8 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 14, 2014
 Petition Date: March 31, 2014
 Roll Call Hearing Date: April 14, 2014
 Protest Hearing Date: June 4, 2014

License No.: ABRA-093986
 Licensee: Terminal Alley LLC
 Trade Name: Terminal Alley
 License Class: Retailer’s Class “C” Tavern
 Address: 3701 Benning Road NE (2nd Floor Rear)
 Contact: Andrew Kline, 202-686-7600

WARD7 ANC 7F SMD 7F01

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 June 4, 2014 at 1:30pm.

NATURE OF OPERATION

New Tavern with light fare; no entertainment. Total occupancy load of 70. Summer garden with seats for 20 patrons.

HOURS OF OPERATION FOR INSIDE PREMISES AND SUMMER GARDEN

Sunday through Thursday 4pm-2am, Friday and Saturday 4pm-3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION FOR INSIDE PREMISES AND SUMMER GARDEN

Sunday through Thursday 4pm-2am, Friday and Saturday 4pm-3am

REVISED

D.C. DEPARTMENT OF HEALTH
Community Health Administration
Preventive Health and Health Services
Block Grant Public Advisory Committee
ANNUAL PUBLIC HEARING
Preventive Health and Health Services Block Grant

Due to inclement weather the public hearing scheduled for Wednesday, February 12, 2014 was canceled. The public hearing has been rescheduled for Wednesday, February 26, 2014 from 6:00pm to 8:00pm at 899 North Capitol Street, NE, Community Health Administration, 4th Floor Conference Room (407).

The D.C. Department of Health (DOH), Community Health Administration (CHA) and the Preventive Health and Health Services Block Grant Advisory Committee are conducting a public hearing on the Preventive Health and Health Services Block Grant prior to submission of the Fiscal Year 2014 application to the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (DHHS), U.S. Public Health Service.

The public hearing is being held to assure that all citizens have the opportunity to present their views concerning funding priorities. The Grant supports preventive health programs operated by the Department of Health and community-based organizations. Health areas receiving support in previous fiscal years included increasing access to health services, improving capacity to deliver health care services; reducing the incidence of preventable deaths and injuries, disabilities, chronic diseases and cancer; and improving the quality of life for all residents.

Those who wish to present testimony are requested to provide a name, address, telephone number and organization name (when applicable) prior to the public hearing. Written testimonies no longer than (3) pages and double spaced may be submitted for the record until 4:45 p.m. on Tuesday, February 25, 2014 at 899 North Capitol Street, N.E., 3rd Floor. All oral presentations are limited to five minutes. An electronic copy of all oral testimonies and/or written submissions is also requested. Contact Sherry Billings at (202) 442-9173 or e-mail sherry.billings@dc.gov and/or Valerie Brown at (202) 442-9386 or by email Valerie2.Brown@dc.gov.

Parking is available under the building at a cost. There is limited neighborhood parking. Check WMATA <http://www.wmata.com/> for other transportation options. The nearest Metro stop is Union Station.

**BOARD OF ZONING ADJUSTMENT
*REVISED PUBLIC HEARING NOTICE**

TUESDAY, MARCH 18, 2014

441 4TH STREET, N.W.

**JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

NOTE: This notice was revised to include Application No. 17679-C

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 SIX

18730 **Application of Joseph and Janet Gregor**, pursuant to 11 DCMR
ANC-6C § 3104.1, for a special exception for a rear addition to a one-family row
dwelling under section 223, not meeting the lot occupancy (section 403)
and nonconforming structure (subsection 2001.3) requirements in the R-4
District at premises 651 F Street, N.E. (Square 861, Lot 204).

WARD FOUR

18732 **Application of WSD Capital LLC**, pursuant to 11 DCMR § 3104.1, for a
ANC-4B special exception under section 223, not meeting the lot occupancy
requirements under section 403, the side yard requirements under section
405.9, and nonconforming structure requirements under subsection
2001.3, for a second story addition to an existing one-family detached
dwelling in the R-1-B District at premises 859 Venable Place, N.W.
(Square 2971, Lot 39).

WARD FOUR

18729 **Application of Eva Volcikova Noone**, pursuant to 11 DCMR § 3103.2,
ANC-4D for a variance from the lot area requirements under subsection 401.3, to
allow the construction of a new one-family row dwelling in the R-3
District at premises 5316 9th Street, N.W. (Square 2998, Lot 25).

WARD EIGHT

18731 **Application of Horizon Hill Ventures**, pursuant to 11 DCMR §§ 3104.1
ANC-8E and 3103.2, for a special exception under section 353, and variances from

BZA PUBLIC HEARING NOTICE

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the parking requirements under subsection 2101.1, loading requirements under subsection 2201.1, aisle width requirements under subsection 2117.5, and nonconforming structure requirements under section 2001.3, to construct additions to two existing apartment buildings and renovation of a third building in the R-5-A District at the intersection of Savannah Street, S.E. and 13th Street, S.E., known as 3232-3242, 3310-3318 13th Street, S.E. and 1301-1305 Savannah Street, S.E. (Square 5914, Lot 1 and Square 5915, Lots 1 and 2).

WARD ONE**THIS CASE WAS POSTPONED FROM THE PUBLIC HEARING SESSION OF FEBRUARY 4, 2014 AT APPLICANT'S REQUEST:**

18699 **Application of JK Enterprises Inc.**, pursuant to 11 DCMR § 3104.1, for
ANC-1B a special exception for a change of nonconforming use for a Dry Cleaners,
Alteration, Shoe Repair and Pick Up Service under subsection 2003.1, in
the R-4 District at premises 2712 11th Street, N.W. (Square 2859, Lot
855).

WARD SIX**THIS APPLICATION WAS POSTPONED FROM THE JANUARY 29, 2014 PUBLIC HEARING SESSION:**

18694 **Application of 1362 H Street, N.E. LLC**, pursuant to 11 DCMR §
ANC-6A 3103.2, for a variance from the floor area ratio requirements under section
771, to allow an addition to an existing building for a sports bar and
lounge in the HS-A/C-2-A District at premises 1362 H Street, N.E.
(Square 1026, Lot 69).

WARD FOUR**THIS APPLICATION WAS POSTPONED FROM THE DECEMBER 10, 2013 AND FEBRUARY 11, 2014 PUBLIC HEARING SESSIONS:**

17679-C **Application of Jemal's TP Land LLC**, pursuant to 11 DCMR §§ 3104.1,
ANC-4B 3103.2, and 3129.1 for a modification of the plans previously approved
under BZA Application No. 17679, and a variance from the parking
requirements under section 2101.1 and a variance from the loading
requirements under section 2201, to allow two new apartment buildings in
the R-5-A District at premises 6923-6953 Maple Street, N.W. and 6916-
6926 Willow Street, N.W. (Square 3357, Lots 26, 27, 28, 29, 40, 808, 811,
814, 815, 818, 819, 820, 825, 840 and 843).

BZA PUBLIC HEARING NOTICE

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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, MARNIQUE HEATH, 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.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority set forth in the Second Omnibus Regulatory Reform Amendment Act of 1999, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.10(a)(12) (2012 Repl.)), and Mayor's Order 2000-70, dated May 2, 2000, hereby gives notice of the adoption of the following amendments to Chapter 15 (Professional Engineers and Land Surveyors) of Title 17 (Business, Occupations and Professions) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking updates the engineering and surveying professional license regulations to facilitate upcoming changes to examination procedures by the National Council of Examiners for Engineering and Surveying (NCEES), specifically, the implementation of computer-based testing in the fundamentals of engineering and surveying. NCEES prepares and furnishes the national examinations in engineering and surveying, which have been approved by the Board of Professional Engineering to meet the requirements for licensure or certification in the District.

In addition, the rulemaking requires credential evaluation for any engineering applicant who does not hold an accredited undergraduate engineering degree; clarify the educational requirements for engineering and surveying applicants; amend the required contents of the professional seals of engineers; and correct the definitions of engineering and land surveying.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on December 13, 2013 at 60 DCR 16856. No comments were received and no changes have been made.

The Director took final action on these rules on February 6, 2014. These rules will become effective upon publication in the *D.C. Register*.

Chapter 15, PROFESSIONAL ENGINEERS AND LAND SURVEYORS, of Title 17, BUSINESS, OCCUPATIONS AND PROFESSIONS, of the DCMR, is amended as follows:

Section 1503, APPLICATIONS, is amended to read as follows:

1503 APPLICATIONS

1503.1 A person applying for licensure as a Professional Engineer or Professional Land Surveyor, or certification as an Engineer Intern or Land Surveyor Intern, shall present his or her qualifications to the Board on forms provided by the Board.

1503.2 All applications shall be completed as follows:

- (a) All applications for licensure shall be submitted on forms provided by the Board, but if the space provided on a Board form is inadequate,

supplementary sheets of standard size (8.5 x 11 inch) white printer or photocopy paper may be submitted;

- (b) In order to allow sufficient time for processing and for scheduling examinations, all applications that require examinations shall be filed with the Board at least ninety (90) days before the date set for the appropriate examinations;
- (c) Withholding information, providing statements that are untrue, or misrepresenting facts may be cause for denial of an application, or if discovered after a license has been issued by the Board, suspension, reprimand, or revocation of the license;
- (d) An applicant shall supply correct addresses for all references. In the event that a reference fails to respond to a Board inquiry, the Board may delay processing an application until either the reference replies to the Board or the applicant provides another reference that replies to the Board; and
- (e) In relating experience, the applicant must account for all employment and work experience since the beginning of the applicant's experience record. If the applicant is not employed, or is employed in other kinds of work, this should be indicated in the experience record. A person who believes that he or she has the necessary qualifications for licensure according to the laws of the District of Columbia as a Professional Engineer or a Professional Land Surveyor, except for that of experience, may submit an application for certification as an Engineer Intern or a Land Surveyor Intern.

1503.3 For applicants for licensure by reciprocity or endorsement pursuant to D.C. Official Code § 47-2853.12(b), the Board shall accept licensure records which have been compiled, verified, and submitted by the National Council of Examiners for Engineering and Surveying (NCEES). Copies of documents contained in the NCEES licensure record will be accepted in lieu of original or certified documents which would otherwise be required. Applicants remain responsible for providing any additional, required documentation or information.

Section 1504, APPLICATIONS FROM FOREIGN APPLICANTS AND PERSONS WITH DEGREES FROM FOREIGN SCHOOLS, is amended as follows:

Subsections 1504.3, 1504.4, and 1504.5 are amended to read as follows:

1504.3 An applicant who, for political or other reasons deemed valid by the Board, is unable to obtain his or her college transcript shall be required to supplement his or her application as directed by the Board.

- 1504.4 The Board shall evaluate foreign degrees in accordance with NCEES standards and recommendations on foreign engineering curricula. A transcript evaluation submitted pursuant to § 1508.7 of this chapter shall serve as the Board's guide for assessment.
- 1504.5 An applicant possessing a current Professional Engineer license or Professional Land Surveyor license issued by an appropriate licensing authority of a foreign jurisdiction may be permitted to obtain a license in the District of Columbia if the applicant proves, to the satisfaction of the Board, that he or she otherwise qualifies for licensure under this chapter, has passed an examination acceptable to the Board, and has completed education and training requirements for licensure in the foreign jurisdiction that were substantially equivalent, at the time they were received by the applicant, to the education and experience requirements of this chapter.

Section 1508, EDUCATION REQUIREMENTS, is amended to read as follows:

1508 EDUCATION REQUIREMENTS

- 1508.1 An applicant for certification as an Engineer Intern must have obtained a four-year baccalaureate engineering degree from an engineering program approved by the Board in accordance with § 1508.2, or must be currently enrolled and within one (1) semester of completing a baccalaureate degree in engineering in an engineering program which has been approved by the Board. The current enrollment status of the applicant, if applicable, must be verified by the educational institution.
- 1508.2 An applicant for licensure as a Professional Engineer must have obtained a four-year baccalaureate engineering degree from an engineering program approved by the Board. The Board will approve baccalaureate degree programs that meet the following standards:
- (a) The baccalaureate engineering degree program held accreditation from the Engineering Accreditation Commission of the Accreditation Board for Engineering Technology (EAC/ABET) at the time the applicant received the degree;
 - (b) The baccalaureate engineering degree program received accreditation from EAC/ABET within three years after the date that the applicant received the degree; or
 - (c) The baccalaureate degree program was not accredited by EAC/ABET, but the Board has determined, in accordance with EAC/ABET standards, that the program or combined coursework completed by the applicant is substantially equivalent to programs that are accredited by EAC/ABET.

A transcript evaluation submitted pursuant to § 1508.7 of this section shall serve as the Board's guide for assessment.

- 1508.3 An applicant for certification as an Land Surveyor Intern must have obtained a four-year baccalaureate land surveying degree from a land surveying program approved by the Board in accordance with § 1508.4, or must be currently enrolled and within one (1) semester of completing a baccalaureate degree in land surveying in a land surveying program which has been approved by the Board. The current enrollment status of the applicant, if applicable, must be verified by the educational institution.
- 1508.4 An applicant for licensure as a Professional Land Surveyor, who is not licensed under the laws of another state, must have obtained a four-year baccalaureate land surveying degree from a land surveying program approved by the Board. The Board shall approve land surveying programs that meet the following standards:
- (a) The college or university awarding the baccalaureate land surveying degree must be accredited by an accrediting agency or state approval agency located in the state or territory where the main campus of the college or university is located, which is recognized by the U.S. Secretary of Education as a "reliable authority as to the quality of postsecondary education" within the meaning of the Higher Education Act of 1965 (HEA);
 - (b) The baccalaureate land surveying program was accredited by EAC/ABET, the Applied Science Accreditation Commission of ABET (ASAC/ABET), or the Technology Accreditation Commission of ABET (TAC/ABET) (collectively, the ABET Commissions) at the time the applicant received the degree;
 - (c) The baccalaureate land surveying program received accreditation from one of the ABET Commissions within three years after the date that the applicant received the degree; or
 - (d) The baccalaureate degree program was not accredited by one of the ABET Commissions, but the Board has determined, in accordance with ABET standards, that the program or combined coursework completed by the applicant is substantially equivalent to programs that are accredited by the ABET Commissions. A transcript evaluation submitted pursuant to § 1508.7 of this section shall serve as the Board's guide for assessment.
- 1508.5 An applicant for licensure as a Professional Land Surveyor who is licensed and in good standing under the laws of another state, and who does not hold a four-year baccalaureate land surveying degree from an approved program, must demonstrate the attainment of a minimum of 12 years of combined education and experience, having taken at least one course of land surveying at an institution

which was accredited in accordance with § 1508.4(a). Acceptable courses are those courses in the various kinds and facets of land surveying that have been evaluated and approved by this Board as being substantially equivalent to those curricula that are accredited by the ABET Commissions. Acceptable experience must meet the requirements of § 1509 of this chapter.

1508.6 Applicants are responsible for verifying the approval status of degree programs used to satisfy the Board's education requirements, and may do so by contacting the Board.

1508.7 An applicant for licensure as a Professional Engineer or Professional Land Surveyor, or certification as an Engineer Intern or Land Surveyor Intern, with a baccalaureate degree from a program that is not accredited in accordance with this section, must submit an evaluation of his or her college transcript(s), including any post-baccalaureate coursework. The transcript evaluation must be conducted by an approved credential evaluation service which evaluates completed coursework in accordance with EAC/ABET and ABET Commissions standards.

Section 1509, EXPERIENCE REQUIREMENTS, is amended as follows:

Subsection 1509.2 is amended to read as follows:

1509.2 A person applying for licensure as a Professional Land Surveyor shall prove to the satisfaction of the Board that he or she has obtained no less than four (4) years of experience indicating that he or she may be competent to practice land surveying. In evaluating an applicant's experience, the Board shall consider the following:

- (a) Experience on land surveying projects shall be progressive to indicate that it is of increasing quality and requiring greater responsibility on the part of the applicant.
- (b) Experience shall not be obtained in violation of the Act.
- (c) Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. The Board expects that the applicant, while in the armed services, served in a land surveying group.
- (d) Experience should be gained under the supervision of a licensed Professional Land Surveyor or, if the experience was gained without supervision, an explanation should be provided showing why the experience should be considered acceptable.
- (e) Teaching experience, to be creditable, must be at an advanced level in a land surveying curriculum approved by the Board.

- (f) A substantial portion of the experience must be obtained in responsible charge of work related to property conveyance and/or boundary line determination.
- (g) The applicant must demonstrate adequate experience in the technical field aspects of the profession.

Section 1511, EXAMINATIONS, is amended to read as follows:

1511 EXAMINATIONS

- 1511.1 Each applicant for licensure or certification must pass the applicable written examination(s) to be eligible for licensure by the Board.
- 1511.2 The following engineering examinations prepared and furnished by the National Council of Examiners for Engineering and Surveying (NCEES) meet the requirements of the District of Columbia for licensure as a Professional Engineer:
- (a) Examination in the fundamentals of engineering, known as the Fundamentals of Engineering (FE) examination; and
 - (b) Examination in the principles and practice of engineering, known as the Principles and Practice of Engineering (PE) examination in the appropriate engineering discipline.
- 1511.3 An applicant for certification as an Engineer Intern shall submit verification that he or she has passed the FE examination. An individual seeking to sit for the FE examination must apply directly to NCEES.
- 1511.4 An applicant for licensure as a Professional Engineer shall be eligible to sit for the PE examination as follows:
- (a) An applicant for licensure as a Professional Engineer will be permitted to sit for the PE examination upon satisfactorily fulfilling all application requirements.
 - (b) No applicant may register or sit for the PE examination until the Board has established that the applicant is eligible for the examination.
 - (c) An applicant for licensure as a Professional Engineer will not be permitted to sit for the PE examination until the FE examination has been passed.
 - (d) Professional Engineers are examined by discipline and shall select the discipline for examination on the application. Engineering specialties are listed in § 1512 of this chapter.

- 1511.5 The following examinations meet the requirements of the District of Columbia for licensure as a Professional Land Surveyor:
- (a) Examination in the fundamentals of land surveying prepared and furnished by the NCEES, known as the Fundamentals of Land Surveying (FLS) examination;
 - (b) Examination in the principles and practice of land surveying prepared and furnished by the NCEES, known as the Principles and Practice of Land Surveying (PLS) examination; and
 - (c) Examination on the laws and procedures for the practice of land surveying in the District of Columbia, known as the District law examination.
- 1511.6 An applicant for certification as a Land Surveyor Intern shall submit verification that he or she has passed the FLS examination. An individual seeking to sit for the FLS examination must apply directly to NCEES.
- 1511.7 An applicant for licensure as a Professional Land Surveyor shall be eligible for the appropriate examination as follows:
- (a) An applicant for licensure as a Professional Land Surveyor will be permitted to sit for the PLS and/or District law examination upon satisfactorily fulfilling all application requirements.
 - (b) No applicant may register or sit for the PLS or District law examination until the Board has established that the applicant is eligible for the examination.
 - (c) An applicant for licensure as a Professional Land Surveyor will not be permitted to sit for the PLS examination until the FLS examination has been passed.
- 1511.8 Examinations are offered on dates and times set by the NCEES and at locations designated by NCEES or the Board.
- 1511.9 Examinations will be given in English.
- 1511.10 The Board will not distribute copies of questions used on prior examinations.
- 1511.11 The Board may publish specifications for all written examinations, which may be obtained from the Board upon request by persons who have been approved by the Board to take the national and/or District examination.

- 1511.12 Instructions provided prior to each examination will declare an examination open or closed book. When an applicant sits for an open-book examination, any books, bound materials of any sort, and Board-approved calculators or computers that are self-powered and non-printing may be used. Examinees shall not loan or exchange materials with any other person.
- 1511.13 If an applicant fails to attend an examination for which he or she has been scheduled, the examination fee will be forfeited. In the case of illness, death in the family, or other unavoidable causes for absence the fee will be applied to the next test administration.
- 1511.14 Failure of an applicant to attend an examination for which he or she has been scheduled to attend does not count as a failure of the examination.
- 1511.15 An applicant who fails to pass the first or second PE or PLS examination will be granted a request to sit for a third offering of the examination. In the event the applicant fails to pass a third examination and wishes to retake the examination, the Board may require the applicant to wait a prescribed period of time before taking the examination again and/or appear before the Board with evidence to show that he or she has acquired additional knowledge.
- 1511.16 An initial applicant for the PE or PLS examinations must submit an application at least ninety (90) days before the examination date in order to sit for the examination. An applicant for re-examination must apply to take the examination at least sixty (60) days before the examination date in order to sit for the examination.
- 1511.17 Examination results, after review and approval of the passing score, will be supplied in writing to each examinee showing the applicant's score and the passing score. No results will be given in any other manner.

Section 1516, SEALS, is amended as follows:

Subsection 1516.4 is amended to read as follows:

- 1516.4 All seals shall contain the following information:
- (a) District of Columbia;
 - (b) Licensee's name;
 - (c) License number;
 - (d) The words "Professional Engineer" or "Professional Surveyor", as appropriate; and

- (e) Any other information requested by the Board.

Section 1599, DEFINITIONS, is amended as follows:

Subsection 1599.1 is amended as follows:

The definition of “engineering” is amended to read as follows:

Engineering:

- (a) **Engineer** - A person who is qualified to practice engineering by reason of special knowledge and use of the mathematical, physical, and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience.
- (b) **Professional Engineer** - A person who has been duly licensed as a professional engineer by the Board. The Board may designate a professional engineer, based on education, experience, and examination, as being licensed in a specific discipline or branch of engineering signifying the area in which the engineer has demonstrated competence.
- (c) **Engineer Intern** - A person who has met the educational requirements, passed the required examination, and has been granted certification as an engineer intern or engineer-in-training by the Board, or a similar authority of another jurisdiction.
- (d) **Practice of Engineering** - Any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences, provided in consultation, investigation, expert technical testimony, evaluation, planning, design and design coordination of engineering works and systems, planning the use of land, air, and water, teaching advanced engineering subjects, performing engineering surveys and studies, and the review of construction for the purpose of monitoring compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, communication systems, transportation systems, and industrial or consumer products, or equipment of control systems, communications, mechanical, electrical, hydraulic, pneumatic, chemical, environmental, or thermal nature, insofar as they involve safeguarding life, health, or property, and including such other professional services as may be necessary to the planning, progress, and completion of any engineering services. Said practice includes the doing of such architectural work, as is incidental to the practice of engineering.
- (e) **Design coordination** - The review and coordination of those technical submissions prepared by others, including as appropriate and without limitation,

consulting engineers, architects, landscape architects, surveyors or land surveyors, and other professionals working under the direction of the engineer.

- (f) **Engineering surveys** - All survey activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineered projects, excluding the survey of real property for the establishment of land boundaries, rights-of-way, easements, configuration or contours of the Earth's surface, and the dependent or independent surveys or resurveys of the public land survey system.
- (g) **Consulting Engineer** - A professional engineer whose principal occupation is the independent practice of engineering; whose livelihood is obtained by offering engineering services to the public; who is devoid of public, commercial, and product affiliation that might tend to imply a conflict of interest; and who is cognizant of his or her public and legal responsibilities, and is capable of discharging them.
- (h) **A graduate of an engineering curriculum** - An individual who has been awarded a baccalaureate degree in engineering from an engineering program accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering Technology (EAC/ABET), or a program that has been approved by the Board.

The definition of “land surveying” is amended to read as follows:

Land Surveying:

- (a) **Professional Surveyor or Land Surveyor** - A person who has been duly licensed as a professional surveyor or land surveyor by the Board, and engaged in the practice of land surveying.
- (b) **Land Surveyor Intern** - A person who has met the educational requirements, passed the required examination, and has been granted certification as a land surveyor intern by the Board, or a similar authority of another jurisdiction.
- (c) **Practice of Surveying or Land Surveying** - Providing professional services such as consultation, investigation, testimony evaluation, expert technical testimony, planning, mapping, assembling, and interpreting reliable scientific measurements and information relative to the location, size, shape, or physical features of the earth, existing or proposed improvements on the earth, the space above the earth, or any part of the earth, and utilization and development of these facts and interpretation into an orderly survey map, plan, report, description, or project. The practice of surveying or land surveying includes, but is not limited to, any one or more of the following:

1. Determining the configuration or contour of the earth's surface or the position of fixed objects thereon by measuring lines and angles and applying the principles of mathematics or photogrammetry.
 2. Performing geodetic surveying which includes surveying for determination of the size and shape of the earth utilizing angular and linear measurements through spatially oriented spherical geometry.
 3. Determining, by the use of principles of surveying, the position for any survey control (non-boundary) monument or reference point; or setting, resetting, or replacing any such monument or reference point.
 4. Creating, preparing, or modifying electronic or computerized data, including land information systems, and geographic information systems, relative to the performance of the activities in the above described items (1) through (3).
 5. Locating, relocating, establishing, reestablishing, laying out, or retracing any property line or boundary of any tract of land or any road, right of way, easement, alignment, or elevation of any of the fixed works embraced within the practice of engineering.
 6. Making any survey for the subdivision of any tract of land.
 7. Determining, by the use of principles of land surveying, the position for any survey monument or reference point; or setting, resetting, or replacing any such monument or reference point.
 8. Creating, preparing, or modifying electronic or computerized data, including land information systems, and geographic information systems, relative to the performance of the activities in the above described items (5) through (7).
- (d) **A Graduate of a Land Surveying Curriculum** - An individual who has been awarded a baccalaureate degree in land surveying from a program approved by the Board.
- (e) **A Graduate of a Related Curriculum** - An individual who has been awarded a baccalaureate degree in areas in which land surveying courses may be taught along with mathematics and the physical sciences from a program approved by the Board.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL 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. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)) 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 repeal of Section 935, entitled “Occupational Therapy Services”, and adoption of a new Section 1926, entitled “Occupational Therapy Services”, of Chapter 19 (Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR.

These final rules establish standards governing reimbursement for occupational therapy 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. Occupational therapy services are designed to maximize independence, assist in gaining skills, prevent further disability, and maintain health. These rules amend the previously published final rules by: (1) deleting Section 935 and codifying the rules in Section 1926; (2) specifying the service authorization requirement for occupational therapy services; (3) specifying the documents to be maintained for audits and monitoring reviews; and (4) establishing administrative procedures to request additional hours for occupational therapy services.

A Notice of Emergency and Proposed rulemaking was published in the *D.C. Register* on December 27, 2013 at 60 DCR 17235. No comments were received and no changes have been made. The Director adopted these rules on February 4, 2014 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Section 935 (Occupational Therapy Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1926 (Occupational Therapy Services) is added to Chapter 19 (Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:

1926 OCCUPATIONAL THERAPY SERVICES

1926.1 This section shall establish conditions of participation for Medicaid providers enumerated in § 1926.9 (“Medicaid Providers”) and occupational therapy

professionals enumerated in § 1926.8 (“professionals”) to provide occupational therapy services to persons enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver).

- 1926.2 Occupational therapy services are services that are designed to maximize independence, prevent further disability, and maintain health.
- 1926.3 In order to be eligible for reimbursement, each Medicaid provider must obtain prior authorization from the Department on Disability Services (DDS) prior to providing, or allowing any professional to provide, occupational therapy services. In its request for prior authorization, the Medicaid provider shall document the following:
- (a) The person’s need for occupational therapy services as demonstrated by a physician’s order; and
 - (b) The name of the professional who will provide the occupational therapy services.
- 1926.4 In order to be eligible for Medicaid reimbursement, each occupational therapy professional shall conduct an assessment of occupational therapy needs within the first four (4) hours of service delivery, and develop a therapy plan to provide services.
- 1926.5 In order to be eligible for Medicaid reimbursement, the therapy plan shall include therapeutic techniques, training goals for the person’s caregiver, and a schedule for ongoing services. The therapy plan shall include measureable outcomes and a schedule of approved occupational therapy services to be provided, and shall be submitted by the Medicaid provider to DDS before services are delivered.
- 1926.6 In order to be eligible for Medicaid reimbursement, each Medicaid provider shall document the following in the person’s Individual Support Plan (ISP) and Plan of Care:
- (a) The date, amount, and duration of occupational therapy services provided;
 - (b) The scope of the occupational therapy services provided; and
 - (c) The name of the professional who provided the occupational therapy services.
- 1926.7 Medicaid reimbursable occupational therapy services shall consist of the following activities:

- (a) Consulting with the person, their family, caregivers and support team to develop the therapy plan;
- (b) Implementing therapies described under the therapy plan;
- (c) Recording progress notes and quarterly reports during each visit;
- (d) Assessing the need for the use of adaptive equipment and verifying the equipment's quality and functioning;
- (e) Completing documentation required to obtain or repair adaptive equipment in accordance with insurance guidelines; and
- (f) Conducting periodic examinations and modified treatments for the person, as needed.

1926.8 Medicaid reimbursable occupational therapy services shall be provided by a licensed occupational therapist.

1926.9 In order to be eligible for Medicaid reimbursement, an occupational therapist shall be employed by the following providers:

- (a) An ID/DD Waiver provider enrolled by DDS; and
- (a) A Home Health Agency as defined in Section 1999 of Title 29 of the DCMR.

1926.10 Each Medicaid provider shall comply with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR.

1926.11 Each Medicaid provider shall maintain the following documents for monitoring and audit reviews:

- (a) The physician's order;
- (b) A copy of the occupational therapy assessment and therapy plan in accordance with the requirements of Sections 1926.4 and 1926.5; and
- (c) Any documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR.

1926.12 Each provider shall comply with the requirements described under Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 DCMR.

- 1926.13 If the person enrolled in the ID/DD Waiver is between the ages of eighteen (18) and twenty-one (21), the DDS Service Coordinator shall ensure that Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefits under the Medicaid State Plan are fully utilized and the ID/DD Waiver service is neither replacing nor duplicating EPSDT services.
- 1926.14 Medicaid reimbursable occupational therapy 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 occupational therapy services and approved by a DDS staff member designated to provide clinical oversight.
- 1926.15 The Medicaid reimbursement rate for occupational therapy services shall be sixty-five dollars (\$65.00) per hour. The billable unit of service shall be fifteen (15) minutes.

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 77 (Marriage and Family Therapy) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking will update and revise the provisions regulating marriage and family therapy by updating experiential requirements, continuing education requirements, and provisions governing practice of marriage and family therapy under supervision by students, graduates, and applicants for licensure.

These rules were previously published in the *D.C. Register* as a proposed rulemaking on October 11, 2013, at 60 DCR 14624. No written comments were received from the public in connection with this publication during the thirty (30)-day comment period and no substantive changes have been made to the rules.

Final action to adopt the rules took place on December 4, 2013. These rules will be effective upon publication of the notice in the *D.C. Register*.

CHAPTER 77, MARRIAGE AND FAMILY THERAPY, of TITLE 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS, OF THE DCMR is amended as follows:

Section 7703 is amended to read as follows:

7703 EXPERIENTIAL REQUIREMENTS

- 7703.1 An applicant shall furnish proof satisfactory to the Board that the applicant has completed a minimum of two (2) years of full-time post-graduate supervised clinical experience, within five (5) years of graduation, consisting of supervised clinical work experience in marriage and family therapy following completion of the first qualifying graduate degree and practicum required as part of the course of study.
- 7703.2 Unless good cause is shown, the post-graduate supervised clinical experience shall be completed within five (5) years after the day the first qualifying degree was conferred and the practicum completed.
- 7703.3 The two (2)-year post-graduate supervised clinical experience required pursuant to § 7703.1 shall meet the following requirements:

- (a) The experience shall be obtained under the supervision of a supervisor approved by the American Association for Marriage and Family Therapy (AAMFT) or a supervisor approved by the Board;
- (b) The experience shall include a minimum of two thousand (2,000) hours of supervised practice in marriage and family therapy;
- (c) The experience shall include a minimum of one thousand (1,000) hours of face-to-face direct client contact hours;
- (d) The supervisee shall not receive compensation of any nature as a marriage and family therapist, either directly or indirectly, from a client, except for salary from an employer based on hours worked under supervision;
- (e) The supervisor shall bear all responsibility for the practice by the supervisee and shall countersign all notes, documents, and correspondence;
- (f) The client shall be informed of and consent to the services being performed under supervision;
- (g) Prior to the initiation of the supervised clinical experience, the supervisor and the supervisee shall discuss and agree upon the scope of supervision, the scope of the supervised clinical experience, and the respective rights and responsibilities of the supervisor, the supervisee, and the clients;
- (h) The supervision shall be provided in the following manner:
 - (1) The supervisor and the supervisee shall conduct at minimum monthly face-to-face discussions of the practice and all related matters; and
 - (2) One (1) hour of direct supervisory contact shall be provided for every twenty (20) hours of direct client contact; and
 - (3) The supervisee's performance shall have been rated at least satisfactory by each supervisor.

7703.4

The Board may approve a supervisor who is not an AAMFT-approved supervisor provided that the intending supervisor meets the following requirements:

- (a) Possesses a license, in good standing, to practice marriage and family therapy, professional counseling, counseling psychology, psychiatry, or independent clinical social work in the jurisdiction in which the supervised clinical experience shall occur;

- (b) Possesses a minimum of five (5) years of clinical experience working with couples and families;
- (c) Possesses sufficient experience and/or training in supervision;
- (d) Shall not supervise more than five (5) individuals at any given time; and
- (e) If not a licensed marriage and family therapist, agrees to comply with all the statutory and regulatory requirements of marriage and family therapy practice and to ensure that the supervisee receive adequate education, training, and mentoring to understand the legal and ethical obligations in the practice of marriage and family therapy.

7703.5 An applicant for licensure who has practiced marriage and family therapy, in a jurisdiction that does not require licensure, for a period of at least five (5) years prior to the date of submission of the application shall not be required to meet the supervised clinical experience requirements under this section.

7703.6 The Board may waive any requirements of § 7703.3 and § 7703.4 where an applicant started his or her supervised clinical experience prior to June 30, 2014.

Section 7707 is amended to read as follows:

7707 CONTINUING EDUCATION REQUIREMENTS

7707.1 This section shall apply to applicants for the renewal, reactivation, and reinstatement of a license.

7707.2 This section shall not apply to applicants for an initial license by reciprocity or endorsement.

7707.3 Continuing education credit shall be granted only for programs or activities approved by the Board in accordance with section 7708.

7707.4 An applicant for renewal, reactivation, or reinstatement of a license to practice marriage and family therapy, shall submit proof of having completed thirty (30) hours of approved continuing education during the two-year (2) period preceding the date the license expires or preceding the date of the application for reactivation or reinstatement. The thirty (30) hours of approved continuing education shall include:

- (a) A minimum of fifteen (15) of the thirty (30) hours shall be completed in a live, face-to-face setting that provides for direct, real-time interaction between presenter(s) and participants;
- (b) Six (6) hours of the thirty (30) hours shall be in ethics;

- (c) The remaining twenty-four (24) hours of continuing education may consist of current and emerging issues in marriage and family therapy such as the study of:
- (1) Non-traditional families;
 - (2) Domestic violence;
 - (3) HIV;
 - (4) Aging;
 - (5) End-of-life issues;
 - (6) Addiction and psychopharmacology; and
 - (7) Trauma.

7707.5 To qualify for a license, a person in inactive status within the meaning of Section 511 of the Act (D.C. Official Code § 3-1205.11 (2001 ed.)) who submits an application to reactivate a license shall submit proof of having met the continuing education requirements for each licensing period that the license was in inactive status.

7707.6 To qualify for a license, an applicant for reinstatement of a license to practice marriage and family therapy pursuant to Section 512 of the Act (D.C. Official Code § 3-1205.12 (2001 ed.)) shall submit proof of having completed fifteen (15) hours of credit in an approved continuing education program for each year after March 31, 2006 that the applicant was not licensed, up to a maximum of seventy-five (75) hours.

7707.7 An applicant for license renewal, reactivation, or reinstatement under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:

- (a) The name and address of the sponsor 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 sponsor of completion, by signature or stamp.

- 7707.8 The Board shall accept for continuing education credit any credits or courses approved or accredited by the following organizations:
- (a) The American Association for Marriage and Family Therapy (AAMFT);
 - (b) The National Association of Social Workers (NASW);
 - (c) The American Psychological Association (APA);
 - (d) The National Board for Certified Counselors (NBCC);
 - (e) The American Counseling Association (ACA); or
 - (f) Other state Marriage and Family Therapy boards.
- 7707.9 The Board may require proof of a licensee's completion of continuing education at the completion of a renewal period. A licensee shall:
- (a) Maintain the required proof of completion for each continuing competence activity as specified in these regulations; and
 - (b) Retain documentation of a continuing competence activity for a minimum of two (2) years following the last day of the license renewal period for which the continuing competence activity was completed.
- 7707.10 The Board may audit up to twenty percent (20%) of the number of licensees to determine compliance with the continuing education contact hour requirements.
- 7707.11 Upon notification by the Board that a licensee has been selected for an audit, the licensee shall submit the required documentation within thirty (30) days of receipt of the notice.
- 7707.12 Licensees who fail to provide proof of continuing education compliance during an audit may be subject to an audit in the subsequent renewal cycle.

Section 7712 is amended to read as follows:

7712 PRACTICE OF MARRIAGE AND FAMILY THERAPY BY STUDENT, GRADUATES, AND FIRST-TIME APPLICANTS

- 7712.1 This section shall apply to the following:
- (a) Students enrolled in recognized schools or colleges as candidates for a degree in marriage and family therapy, or enrolled in a college course pertaining to marriage and family therapy;

- (b) Applicants for a license whose application for a license in the District of Columbia is pending; and
- (c) Graduates of a master or doctoral program meeting the requirement of § 7702.1 who are meeting the supervised clinical experience requirements of section 7703.

- 7712.2 A student, graduate, or applicant described in § 7712.1 may perform actions which require a license as a marriage and family therapist only in accordance with the Act and this section.
- 7712.3 A student, graduate, or applicant described in § 7712.1 may practice marriage and family therapy in the District under supervision of a marriage and family therapist licensed in the District who is an AAMFT-approved supervisor or a marriage and family therapist, a professional counselor, a clinical psychologist, a psychiatrist, or an independent clinical social worker licensed in the District of Columbia, provided that a supervisor who is not an AAMFT-approved supervisor shall first obtain the Board's approval for supervision.
- 7712.4 A first-time applicant practicing marriage and family therapy pursuant to Section 7712.1(b) who fails the national examination administered by the Association of Marital and Family Therapy Regulatory Boards shall cease practicing marriage and family therapy under supervision until such time as a marriage and family therapy license is duly issued to that individual.
- 7712.5 A supervisor of a student, graduate, or applicant practicing under this section shall be responsible for the actions performed or care provided by the supervisee during the time of the supervision and is subject to disciplinary action for any violation of the Act or this chapter by the supervisee.
- 7712.6 A supervisor shall review and co-sign any documentation relating to the cases and the practice written or produced by the supervisee.
- 7712.7 The Board may deny an application for a license from an applicant who is found to have violated the Act or this chapter.
- 7712.8 An unlicensed marriage and family therapist shall identify himself or herself as such at all times when practicing marriage and family therapy and shall provide a professional disclosure statement, as determined by the Board, to all clients and other individuals involved in such practice.
- 7712.9 An unlicensed marriage and family therapist shall not receive compensation of any nature as a marriage and family therapist, either directly or indirectly from a client, except for a salary from an employer based on hours worked under supervision.

- 7712.10 A licensed marriage and family therapist, a licensed professional counselor, a licensed clinical psychologist, a licensed psychiatrist, or a licensed independent clinical social worker may be approved to provide supervision only under these terms:
- (a) The supervisor shall have been licensed in good standing in the District of Columbia and shall have a minimum of five (5) years of clinical experience providing services to couples and families;
 - (b) The supervisor shall not have been subject to a disciplinary action in any jurisdiction within the 5 years prior to the initiation of the supervision;
 - (c) Except as provided in § 7712.12 and § 7712.13, prior to the initiation of the supervision, the supervisor shall have completed a minimum of 6 hours of board-approved supervision course(s), a minimum of three (3) hours of which shall be obtained in a live, interactive, in-person, face-to-face setting;
 - (d) Once approved to provide supervision, a supervisor may continue to be approved as a supervisor in subsequent licensure period(s) if, during each renewal period, he or she completes a minimum of 6 hours of board-approved supervision course(s), at least three (3) hours of which shall be obtained in a live, interactive, in-person, face-to-face setting;
 - (e) The supervisor shall not supervise more than five (5) individuals at any given time;
 - (f) If not a licensed marriage and family therapist, the supervisor shall agree to comply with all the statutory and regulatory requirements governing the practice of marriage and family therapy and ensure that the supervisee receive adequate education, training, and mentoring to understand the legal and ethical obligations in the practice of marriage and family therapy; and
- 7712.11 A supervisor for supervised clinical experience shall provide supervision in accordance with § 7703.3 and shall comply with all supervision documentation as required by the Board.
- 7712.12 A supervisor who has been approved by the Board during any licensure period may supervise additional students, graduates, or applicants under this section without having to submit a new request for approval, provided that he or she continues to meet the requirements of § 7712.10.
- 7712.13 A supervisor approved by the Board during any licensure period may continue to be approved as supervisor for the next licensure period by submitting a request with an attestation or documentation as required by the Board.

- 7712.14 A supervisor may not supervise an individual with whom he or she has a familial, social, or financial relationship that may create a conflict of interests.
- 7712.15 A supervisor shall provide supervision, training, and mentoring as appropriate to the supervisee's level of competence and ability and shall periodically observe the supervisee's performance providing services to clients.
- 7712.16 A supervisor shall:
- (a) Establish a written contract for supervision initiated before beginning supervision;
 - (b) Determine the skill level at which the supervisee may practice;
 - (c) Focus on raw data from the supervisee's practice;
 - (d) Maintain documentation of supervisory sessions for at least three (3) years, including dates, duration, and focus of the supervisory sessions;
 - (e) Ensure that a supervisee has read and is knowledgeable about the District's laws and regulations governing the practice of marriage and family therapy;
 - (f) Be responsible for the clinical professional practices of supervisees;
 - (g) Provide for emergency supervision and direction to a supervisee by a Board-approved supervisor, in the event the supervisor is not available;
 - (h) Provide a written evaluation of the supervisee's progress to the supervisee every 3 months;
 - (i) Inform the Board in writing when there is any material change in the supervision or the supervisory relationship no later than ten (10) days following such a change; and
 - (j) Provide a copy of the documentation of supervision:
 - (1) On request, by the supervisee; or
 - (2) On request, by the Board or its authorized agent.
- 7712.17 A supervisee shall:
- (a) Verify, through the exercise of due diligence prior to the initiation of the supervision, that:

- (1) The supervisee's supervisor has been approved by the Board; and
- (2) There is a written contract for supervision;
- (b) Attend and participate in supervision as agreed in the written contract for supervision;
- (c) Prepare for supervision using case materials related to the supervisee's clinical counseling practice; and
- (d) Maintain documentation of supervisory sessions for at least three (3) years, including dates, duration, and focus of the supervision, to be available for verification to the Board, on request by the Board or its authorized agent.
- (e) Not engage in the practice of clinical marriage and family therapy independent of supervision.
- (f) Provide the client with a copy of a professional disclosure statement that:
 - (1) Clearly states the counseling services are provided under clinical supervision; and
 - (2) Provides the name of the supervisor with address and contact information;
- (g) Inform the Board in writing when there is any material change in the supervision or the supervisory relationship no later than ten (10) days following such a change; and
- (h) Obtain a signed release of information and informed consent for treatment form from the client which indicates that the client:
 - (1) Is aware that counseling services are being provided under clinical supervision;
 - (2) Consents to the recording of counseling sessions with the knowledge that the recording may be shared with and be limited to the supervisor; and
 - (3) Consents to the sharing of client information between the unlicensed marriage and family therapist and the named clinical supervisor.

7712.18 The Board may, at its discretion, waive certain requirements of § 7703.3 and § 7712.11 where an applicant started his or her supervised clinical practice prior to June 30, 2014.

Section 7799 is amended to read as follows:

7799 DEFINITIONS

7799.1 As used in this chapter, the following terms shall have the meanings ascribed:

AAMFT-approved supervisor – a marriage and family therapist who holds a designation of Approved Supervisor from the American Association for Marriage and Family Therapy.

Allied Field - academic study in, or performing the professional functions associated with, psychology, social work, psychiatry, professional counseling, or other comparable mental health profession.

Applicant - a person applying for a license to practice marriage and family therapy or applying for renewal of a license under this chapter.

Board - the Board of Marriage and Family Therapy, established by Section 217 of the Act, as amended by the Marriage and Family Therapy Amendment Act of 2003, effective March 10, 2004 (D.C. Law 15-88; D.C. Official Code § 3-1202.17).

Direct supervisory contact – in-person, face-to-face meeting between a supervisor and a supervisee for the purposes of discussing cases and the practice as well as providing guidance, review, instructions, and all aspects of supervision.

Face-to-face direct client contact – provision of direct marriage and family therapy services to clients in a live, in-person, face-to-face setting.

Immediate supervision – face-to-face supervision in which an approved marriage and family therapist, psychologist, psychiatrist, licensed independent clinical social worker, licensed professional counselor, or advance practice nurse is either discussing or observing the supervisee's practice.

Instructional hours - the amount of time spent in actual presentation excluding preparation hours.

Marriage and family therapist - a person licensed to practice marriage and family therapy under the Act.

Professional disclosure statement – a statement stating that the marriage and family therapy services will be or are being provided by an unlicensed marriage and family therapist under supervision.

Supervised clinical experience – practice of marriage and family therapy by a graduate or first-time applicant for a license, performed without a license and under supervision of an AAMFT-approved supervisor or a supervisor approved by the Board in order to meet the experiential requirements pursuant to § 7703.

Unlicensed marriage and family therapist - a person who has completed the educational requirements for a degree in marriage and family therapy but has not met the clinical requirements for licensure and is engaged in the practice of marriage and family therapy pursuant to § 7712.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING**FORMAL CASE NO. 945, IN THE MATTER OF THE INVESTIGATION INTO ELECTRIC SERVICE MARKET COMPETITION AND REGULATORY PRACTICES**

and

FORMAL CASE NO. 813, IN THE MATTER OF APPLICATION OF POTOMAC ELECTRIC POWER COMPANY FOR AN INCREASE IN ITS RETAIL RATES FOR THE SALE OF ELECTRIC ENERGY

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to Section 2-505 and in accordance with Section 34-802 of the District of Columbia Code,¹ of its final rulemaking action to approve the Potomac Electric Power Company’s (Pepco or Company) updated Rider “RADS” – Residential Aid Discount Surcharge (Rider Update).²

2. On October 8, 2013, Pepco, in accordance with the Residential Aid Discount Subsidy Stabilization Amendment Act of 2010 (“the Act of 2010”),³ and Order No. 15986,⁴ filed its annual update to the Rider RADS. The Rider RADS is the means by which Pepco recovers the generation subsidy for the RAD Program.⁵ In its Rider Update, Pepco states that the Rider RADS surcharge collections in 2012 resulted in an over collection. As a result of the over collection, the RADS surcharge will decrease from the current surcharge of \$0.000515 to a new surcharge of \$0.000294.⁶ The Rider RADS true-up calculation for 2012 is shown in Attachment B of the Rider Update.⁷ The revised Rider RADS tariff pages are provided as Attachment A of the Rider Update.⁸ The relevant tariff page currently reads:

¹ D.C. Official Code § 34-802 (2001 ed.) and D.C. Official Code § 2-505 (2001 ed.).

² *Formal Case No. 945, In the Matter of the Investigation into Electric Service Market Competition and Regulatory Practices (“Formal Case No. 945”)* and *Formal Case No. 813, In the Matter of the Application of Potomac Electric Power Company for an Increase in its Retail Rates for the Sale of Electric Energy, (“Formal Case No. 813”)*, Letter to Ms. Brinda Westbrook-Sedgwick, Commission Secretary, from Peter Meier, Vice President Legal Services, re: *Formal Case Nos. 945 and 813*, filed October 8, 2013 (hereinafter referred to as “Rider Update”).

³ D.C. Official Code §§ 8-1773-1774 (2001).

⁴ *Formal Case Nos. 945 and 813*, Order No. 15986, rel. September 20, 2010.

⁵ *F.C. No. 1053*, Order No. 14712, rel. January 30, 2008.

⁶ *Formal Case No. 945 and 813*, Rider Update at 1.

⁷ *Formal Case No. 945 and 813*, Rider Update, Attachment B.

⁸ *Formal Case No. 945 and 813*, Rider Update, Attachment A.

**ELECTRIC-- P.S.C. of D.C. No. 1
Third Revised Page No. R-46**

Pepco proposes to amend the tariff page, containing the proposed revisions, to read:

**ELECTRIC-- P.S.C. of D.C. No. 1
Fourth Revised Page No. R-46**

3. According to its tariff, Pepco's surcharge rate for its Rider RADS will be updated annually to be effective January of each year to reflect any over or under collection of the RAD Surcharge for the RAD Subsidy and to reflect any changes in income eligibility criteria.⁹ A Notice of Proposed Rulemaking ("NOPR") was published in the *D.C. Register* on December 20, 2013, inviting public comment on the updated Rider RADS.¹⁰ No comments were filed in response to the NOPR and the Commission is satisfied that the surcharge proposed by Pepco complies with Order Nos. 15986 and D.C. Code Sections 8-1773 and 8-1774. The updated Rider RADS surcharge will become effective with service on and after March 1, 2014.

⁹ *F.C. No. 945* and *F.C. No. 813*, Application, Attachment A - Proposed Tariff.

¹⁰ 60 DCR 17034-17035 (December 20, 2013).

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Behavioral Health (“the Department”), pursuant to the authority set forth in Sections 5113, 5115, 5117 and 5118 of the “Fiscal Year 2014 Budget Congressional Review Emergency Act of 2013”, signed October 17, 2013 (D.C. Act 20-0204; 60 DCR 15341 (November 8, 2013)), and any similar succeeding legislation, hereby gives notice of his intent to adopt a new Chapter 35, entitled “Child Choice Provider Certification Standards”, in Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

In 2009, the Department of Mental Health (now the Department of Behavioral Health) contracted with five (5) community providers of Mental Health Rehabilitation Services to become designated as Child Choice Providers (CCP) in the child and youth system of care. A Child Choice Provider agency is a Mental Health Rehabilitation Service (MHRS) Core Service Agency (CSA) with demonstrated ability to provide quality, evidence-based, innovative services and interventions to meet the most complex and changing needs of children, youth, and their families in the District, particularly those who have histories of abuse or neglect. Currently these Child Choice Providers have a contract with the Department for the provision of such services in addition to MHRS services. In order to ensure sufficient agency resources for this particular population, and to have a standard certification process for all Choice providers, the Department is publishing rules that all MHRS providers would have to comply with in order to be a Child Choice Provider. Child Choice Providers currently under contract with the Department for the provision of these services will also have to become certified as a Child Choice Providers in accordance with this Chapter 35 in order to continue to provide Child Choice Providers services after their contract expires.

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

Title 22-A (Mental Health) of the District of Columbia Municipal Regulations is amended by adding a new Chapter 35 as follows:

CHAPTER 35 CHILD CHOICE PROVIDER CERTIFICATION STANDARDS

3500 GENERAL PROVISIONS

3500.1 These rules establish the requirements and process for certification of a Core Services Agency (CSA) as a Child Choice Provider (CCP) in the District of Columbia.

3500.2 Each CCP must demonstrate an understanding of and experience in family-centered practice, which includes ensuring communication when appropriate with natural parents or legal guardians as well as foster parents and kinship caregivers.

Family-centered practice will be demonstrated through family engagement and involvement in all levels of the treatment-planning process, as well as family voice and choice in the treatment and services their children receive. Service delivery is family-driven.

3501 **ELIGIBLE CONSUMERS**

3501.1 Eligible consumers of CCP services include the following:

- (a) Children and youth consumers determined to need MHRS services; and
- (b) The families of eligible children and youth.

3501.2 Priority for mental health services by a CCP will be given to children and youth who have neglect or juvenile cases within the D.C. Superior Court system (court-involved children and youth) or are also receiving services from the DC Child and Family Services Agency (CFSA).

3502 **CCP PROVIDER QUALIFICATIONS**

3502.1 In order to be eligible for CCP certification, a provider shall meet all of the following standards:

- (a) Be an active Department of Behavioral Health (DBH)-certified CSA in accordance with Chapter 34 of this title;
- (b) Be certified to provide at least one level of MHRS - Community-Based Intervention (CBI) services;
- (c) Have at least three (3) years' experience providing mental health services to a minimum of 100 individual children in the DC metropolitan area;
- (d) Have demonstrated an acceptable level of quality of care as a CSA through compliance with at least three of the following standards:
 - (1) Achieve a minimum standard of at least 70% overall Community Service Review (CSR) System Performance score in the most recent CSR prior to application, and have a written goal and supporting work plan to reach and maintain an 80% system performance score, if not already achieved;
 - (2) Achieve a minimum quality score of 80% on the most recent DBH MHRS Core Service Agency Provider Scorecard prior to application;

- (3) Demonstrate an average of 80% compliance administration rate for the quarter prior to application of the utilization of the DBH approved standardized assessment instrument for enrolled child/youth consumers and include a plan on how the agency shall maintain 80% compliance;
- (4) Demonstrate that within the six (6) months prior to the application, 70% of enrolled consumers discharged from an acute care facility receive a post-discharge appointment within seven days, and 80% of consumers discharged from an acute care facility receive a post-discharge appointment within 30 days;
- (5) Demonstrate that within the six (6) months prior to the application, 80% of Diagnostic and Assessment reports for all children are completed within 30 days of the initial interview.

3502.2 Within the first year of certification, a CCP must be:

- (a) Approved by DBH to provide at least one evidence-based practice described in Section 3504.1; and
- (b) Certified as a Free Standing Mental Health Clinic (FSMHC).

3502.3 The CCP shall notify DBH immediately of any changes in its operation that affect the CCP’s continued compliance with these certification standards, including changes in ownership or control, changes in service, and changes in its affiliation and referral arrangements.

3502.4 The Director may revoke certification if the CCP fails to comply with any certification standard under Subsection 3502.1, or is no longer qualified to provide an evidenced-based practice listed in Subsection 3504.1.

3502.5 Certification shall be considered terminated and invalid if the CCP fails to apply for renewal of CCP certification 90 days prior to the expiration date of the current CCP certification, voluntarily relinquishes CCP certification, goes out of business, or loses its certification as a CSA.

3502.6 If a CCP loses certification as a CCP, its status as CSA will not be affected as long as the CSA maintains compliance with the certification requirements for CSAs as described in Chapter 34 of this title.

3503 CCP CERTIFICATION PROCESS

3503.1 Each applicant seeking certification as a CCP shall submit a CCP certification application to the DBH in the format established by the DBH Office of Accountability. The completed application shall include:

- (a) Proof of current certification as a CSA;
- (b) Proof of meeting certification standards listed in Section 3502 of this chapter; and
- (c) Other information as requested by DBH.

3503.2 The certification process for organizations seeking to be certified as CCPs will be conducted in accordance with Section 3401 of Chapter 34 of this title.

3503.3 The Director may restrict the number of CCP certification applications to be accepted for consideration based upon the needs of the public mental health system.

3503.4 An applicant for CCP certification that fails to comply with the certification standards shall receive a corrective measures plan (CMP) from DBH and shall submit a written corrective action plan (CAP) in accordance with Section 3401 of Chapter 34 of this title. If a CMP is issued, the procedures of Section 3401 of Chapter 34 of this title shall be followed to bring the CCP into compliance and continue the certification process. The Director may deny certification if the applicant fails to satisfy the CMP or complete the certification requirements.

3503.5 A CCP shall be certified for a period of two (2) calendar years from the date that the certification is issued, subject to the CCP’s continuous compliance with these certification standards. Certification shall remain in effect until it expires or is revoked. Certification shall specify the effective date of the certification, and the types of services the CCP is certified to provide.

3503.6 Certification is not transferable to any other organization.

3504 CCP EVIDENCE-BASED PRACTICES TO BE PROVIDED AS CLINICAL INTERVENTION SERVICES

3504.1 Specific Evidence-Based Practices (EBPs) to be provided by CCPs shall include one (1) or more of the following:

- (a) Multi-Systemic Therapy (MST) and Multi-Systemic Therapy for Youth with Problem Sexual Behavior (MST-PSB);
- (b) Functional Family Therapy (FFT);
- (c) Child-Parent Psychotherapy for Family Violence (CPP-FV);
- (d) Trauma-Focused Cognitive Behavioral (TF-CBT);

- (e) Transition to Independence (TIP); and
- (f) Trauma Systems Therapy (TST)

3505 **CHILD CHOICE PROVIDER RESPONSIBILITIES**

3505.1 Each CCP must maintain the required staffing and practices to satisfy the evidence-based practice standards for the respective EBP(s) that they practice. Adherence to prescribed staffing requirements and nationally established fidelity standards to each respective model service delivery is a condition of recertification. Failure to maintain the standards required for the EBPs identified by the CCP as a provided service may result in a CAP or decertification.

3505.2 Each CCP shall conduct ongoing assessments as follows:

- (a) Each enrolled child and youth must receive a Diagnostic/Assessment in accordance with the requirements of Section 3415 of Chapter 34 of this title within seven (7) business days of enrollment to a new provider;
- (b) The written report from the Diagnostic/Assessment shall be completed within ten (10) business days from the date of the diagnostic interview;
- (c) The Diagnostic/Assessment must include a completed DBH approved standardized assessment instrument for each child consumer. The DBH approved standardized assessment instrument shall be administered in accordance with DBH policy; and
- (d) CCPs shall ensure that all enrolled children and youth and their families receive collaborative team-based planning process for service delivery in accordance with DBH policy on teaming.

3505.3 The CCP shall adhere to the DBH policy on continuity of care practice guidelines for children and youth.

3505.4 For court involved children and youth, each CCP shall participate in the teaming process established by the court-identified lead agency for the child.

- (a) The teaming process may occur at the point of placement, at placement disruptions, or at regular intervals in the process of serving the family, and whenever there is a concern that the family's or the child's needs are not being met.
- (b) CCP clinicians shall participate in all team meetings of children on their caseloads or with whom they have existing clinical relationships.

3505.5 A CCP shall ensure that as a child or youth's needs change, the child or youth's individual plans of care are tracked, revised and adjusted as needed to ensure needs are addressed appropriately.

3506 REVOCATION OF CERTIFICATION

3506.1 If Certification is revoked, DBH will issue a notice of revocation, giving the CCP provider the effective date of the revocation, the reasons for the revocation, and explaining the right to an administrative review under this subsection.

3506.2 If Certification is revoked, the CCP provider may request an administrative review from DBH within fifteen (15) business days of the date on the notice of revocation.

3506.3 Each request for an administrative review shall contain a concise statement of the reason why the CCP provider should not have the certification revoked, with supporting documentation, if available.

3506.4 Each administrative review shall be conducted by the Director and shall be completed within fifteen (15) business days of the receipt of the CCP provider's request.

3506.5 The Director shall issue a written decision which sets forth his or her evaluation and resolution of the request. If a CCP provider does not agree with the Director's decision, the CCP provider may request a hearing under the D.C. Administrative Procedure Act. This hearing shall be limited to the issues raised in the administrative review request.

3599 DEFINITIONS

"Child-Parent Psychotherapy for Family Violence or "CPP-FV" – a relationship-based treatment intervention for young children with a history of trauma exposure or maltreatment, and their caregivers.

"Child Choice Provider" or "CCP" – a Mental Health Rehabilitation Service (MHRS) Core Service Agency (CSA) with a demonstrated ability to provide quality, evidence-based, innovative services and interventions to meet the most complex and changing needs of children, youth, and their families in the District, particularly those who have histories of abuse or neglect.

"Core Services Agency" or "CSA" - a DBH-certified community-based MHRS provider that has entered into a Human Care Agreement with DBH to provide specified MHRS. A CSA shall provide at least one core service directly and may provide up to three core services via contract with a sub-provider or subcontractor. A CSA may provide specialty services directly

if certified by DBH as a specialty provider. However, a CSA shall also offer specialty services via an affiliation agreement with all specialty providers.

“Evidence-Based Practice” or “EBP” - preferential use of mental and behavioral health interventions for which systematic empirical research has provided evidence of statistically significant effectiveness as treatments for specific problems.

“Family” – consists of two or more people, one of whom is the householder, related by birth, marriage, or adoption and residing in the same housing unit. A family consists of all people who occupy a housing unit regardless of relationship. A family may consist of a person living alone or multiple unrelated individuals or families living together.

“Family Team” - family members and their community supports that come together to create, implement a plan with the child/youth and family. The plan builds on strength of the child/youth and family and addresses their needs, desires, and dreams.

“Functional Family Therapy” or “FFT” – an outcome-driven prevention/intervention program integrating clinical theory, home engagement, and sustaining strategies for at-risk youth ages 11-18 who have presented issues with delinquency, violence, substance abuse, conduct disorder, oppositional defiant disorder, or disruptive behavior disorder.

“Multi-Systemic Therapy or “MST” and “Multi-Systemic Therapy for Youth with Problem Sexual Behavior” or “MST-PSB” - an intensive family- and community-based treatment program that focuses on the entire world of chronic and violent juvenile offenders — their homes and families, schools and teachers, neighbourhoods and friends. MST-PSB is a clinical adaptation of Multi-Systemic Therapy (MST) that is specifically targeted to adolescents who have committed sexual offenses and demonstrated other problem behaviors. The primary objectives of MST-PSB are to decrease problem sexual and other antisocial behaviors and out-of-home placements.

“Teaming” - A process by which a group of individuals, who the family believes can help them, along with individuals who represent agencies which provide services to the family, form a working team that meets, develops and implements a plan of care that will assist the child and family to achieve their vision of the future.

“Transition to Independence Process” or “TIP” - A community-based evidence supported model which improves outcomes of youth and young adults with emotional and/or behavioral difficulties. The TIP system

prepares youth and young adults for their movement into adult roles through an individualized process, engaging them in their own futures planning process, as well as providing developmentally-appropriate services and supports.

“Trauma-Focused Cognitive Behavioral Therapy” or “TF-CBT” - a model of psychotherapy that combines trauma-sensitive interventions with cognitive behavior therapy to address the bio-psychosocial needs of children diagnosed with Post Traumatic Stress Disorder (PTSD) or other problems related to traumatic life experiences. TF-CBT designed to help children, youth, and their parents overcome the negative effects of traumatic life events such as child sexual or physical abuse; traumatic loss of a loved one; domestic, school, or community violence; or exposure to disasters, terrorist attacks, or war traumas.

“Trauma Systems Therapy” or “TST” - a mental health treatment model for children and adolescents who have been exposed to trauma, defined as experiencing, witnessing, or confronting "an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others". TST focuses on the child's emotional and behavioral needs as well as the environments where the child lives (home, school, community).

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 Suzanne Fenzel, Deputy Director, Office of Strategic Planning, Policy and Evaluation, Department of Behavioral Health, at 64 New York Ave., N.E., 3rd Floor, Washington, D.C. 20002, or Suzanne.Fenzel@dc.gov. Copies of the proposed rules may be obtained from www.dmh.dc.gov or from the Department of Behavioral Health at the address above.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Acting Director of Health, pursuant to the authority set forth in Section 6(a) of the Athletic Concussion Protection Act of 2011 (“Act”), effective October 20, 2011 (D.C. Law 19-22, D.C. Official Code § 7-2871.05 (2012 Repl.)), and Mayor’s Order 2013-110, dated June 20, 2013, hereby gives notice of his intent to adopt the following amendments to Chapter 6 (Protection of Minors) of Subtitle B (Public Health & Medicine) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The rules would establish the concussion protection training program, as required by Section 4(a) of the Act.

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

Chapter 6 (Protection of Minors) of Subtitle B (Public Health & Medicine) of Title 22 (Health) is amended as follows:

Amend the table of contents by adding a new section heading and section number to read as follows:

B-620 CONCUSSION PROTECTION

Amend Chapter 6 by adding a new Section 620 to read as follows:

620 CONCUSSION PROTECTION

620.1 The provisions of this section shall apply to:

- (a) Any athletic activity sponsored by a school;
- (b) Any athletic activity sponsored by the Department of Parks and Recreation
- (c) Any athletic activity sponsored by a private for-profit or nonprofit organization regardless of where that activity occurs in the District.

620.2 Each sponsor of athletic activity shall provide to the entity authorizing use of a recreation area for an athletic activity written verification that each coach, trainer, or Physical Education (PE) teacher for the athletic activity is in compliance with concussion protection training requirements of this section.

- 620.3 Each coach, athletic trainer, and PE teacher for an athletic activity shall take online concussion training and provide to her or his sponsoring organization a certificate of completion from either of the following online training resources:
- (a) Concussion in sports—v2.0
<http://www.nfhslearn.com/electiveDetail.aspx?courseID=38000>; or
 - (b) CDC Concussion in sports—Heads Up
<http://cdc.gov/concussion/headsup/training/>.
- 620.4 The training and certificate of completion required by § 620.3 shall be completed by each coach, athletic trainer, and PE teacher before the athletic activity they are supervising begins practice.
- 620.5 Each coach and athletic trainer shall renew concussion training and provide the sponsoring organization with a certificate of completion every two years.
- 620.6 A school that offers an athletic activity shall provide training to school personnel to recognize the signs and symptoms of concussion and their manifestations in a school setting.
- 620.7 School personnel that interact with an athlete removed from athletic activity due to head injury shall receive information of the athlete’s injury and its specific symptom manifestations, including physical, cognitive, emotional, and sleep disturbance, and the checklist of signs and symptoms of concussion. The training and certification identified in § 620.3 shall satisfy the minimal training requirements of this subsection.
- 620.99 When used in this section, the following words and phrases shall have the meanings ascribed:
- Athlete**—a person who engages in an athletic activity who is eighteen (18) years of age or younger.
- Athletic activity**—a program or event, including practice and competition, organized as part of a school-sponsored, interscholastic-athletic program, an athletic program sponsored by the Department of Parks and Recreation, or an athletic program sponsored by a nonprofit or for-profit organization. This term includes participation in physical education classes that are part of a school curriculum.
- Concussion**—a traumatic injury to the brain that causes a change in a person’s mental status at the time of injury, such as feeling dazed, disoriented, or confused, which may involve a loss of consciousness, resulting from:
- (a) A fall;
 - (b) A blow or jolt to the head or body;

- (c) Shaking or spinning of the head or body; or
- (d) Acceleration and deceleration of the head.

Department—the Department of Health.

School—a public school operated under authority of the Mayor, a public charter school, a parochial school, or a private school.

Comments on the proposed rules should be sent in writing to the Department of Health, Office of the General Counsel, 5th Floor, 899 North Capitol Street, NE, Washington, DC 20002, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may be obtained Monday through Friday, except holidays, between the hours of 8:15 A.M. and 4:45 P.M. at the same address. Questions concerning the rulemaking should be directed to Angli Black, Administrative Assistant, at Angli.Black@dc.gov or (202) 442-5977.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKINGGT 2014-01, IN THE MATTER OF THE APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR AUTHORITY TO AMEND GENERAL SERVICE PROVISION NO. 4

1. The Public Service Commission of the District of Columbia (“Commission”) hereby gives notice, pursuant to D.C. Official Code § 2-505 (2001 ed.), of its intent to act upon the Application of Washington Gas Light Company (“WGL” or “Company”) in not less than 30 days from the date of publication of this Notice of Proposed Rulemaking (“NOPR”) in the *D.C. Register*.

2. On February 4, 2014, WGL filed an Application for Authority to Amend General Service Provision No. 4 to implement Fee-Free Credit/Debit Card Service (“Card Service”) for the Company’s residential and small commercial customers in the District of Columbia.¹ The Company seeks approval of the Card Service, “which will eliminate the fee paid by the Company’s residential and small commercial customers to a third-party processor for credit/debit card bill payments.”² WGL proposes to make this service available to District of Columbia residential and commercial customers at no cost. Currently, customers are charged \$4.55 to pay their bills with a credit/debit card, which is paid directly to the third-party processor.³ According to WGL, with this new service, these customers will avoid all fees when paying their WGL gas bills with a credit or debit card. In addition, the Company states that delinquent customers trying to pay arrearages will be eligible to pay by credit or debit card.⁴

3. To effect these changes, WGL proposes to revise the following tariff page:

**Washington Gas Light Company – District of Columbia, P.S.C. of D.C. No. 3
First Revised Page No. 36A**

4. WGL’s Application is on file with the Commission and may be reviewed at the Office of the Commission Secretary, 1333 H Street, N.W., Second Floor, West Tower, Washington DC, 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday or may be viewed on the Commission’s website at www.dcpsc.org. Copies of the proposed tariff page are also available upon request from the Commission’s Secretary at a per page reproduction cost.

¹ GT 2014-01, *In the Matter of the Application of Washington Gas Light Company for Authority to Amend General Service Provision No. 4* (“GT 2014-01”), Application of Washington Gas Light Company for Authority to Amend General Service Provision No. 4, filed February 4, 2014 (“WGL’s Application”).

² WGL’s Application at 1.

³ *Id.*

⁴ *Id.* at 1-2.

5. Comments on WGL's Application shall be made in writing and addressed to Brinda Westbrook-Sedgwick, Commission Secretary, at the above address. All comments must be received within 30 days of the date of publication of this NOPR in the *D.C. Register*. Persons wishing to file reply comments may do so no later than 45 days from the date of publication of this NOPR in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on WGL's Application.

OFFICE OF TAX AND REVENUE

NOTICE OF PROPOSED RULEMAKING

The Deputy Chief Financial Officer of the District of Columbia Office of Tax and Revenue (OTR) of the Office of the Chief Financial Officer, pursuant to the authority set forth in Section 317 of the District of Columbia Deed Recordation Tax Act of 1962, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1117 (2012 Repl.)), as amended; Section 2(c)(3) of the District of Columbia Recordation of Economic Interests in Real Property Tax Amendment Act of 1989, effective September 9, 1989 (D.C. Law 8-20; 36 DCR 4564 (June 30, 1989)); Section 201(a) of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (120 Stat. 2019; P.L. 109-356, D.C. Official Code § 1-102.24d (2012 Repl.)); and the Office of the Chief Financial Officer Financial Management and Control Order No. 00-5, effective June 7, 2000, hereby gives notice of its intent to amend Chapter 5, TAX ON RECORDATION OF DEEDS, of Title 9, TAXATION AND ASSESSMENTS, of the District of Columbia Municipal Regulations (DCMR), by amending Sections 501 through 526.

The proposed amendments will update the regulations to reflect current law and will eliminate obsolete provisions. The regulations generally reflect the section numbers at which the various provisions of the District of Columbia Real Estate Deed Recordation Tax Act of 1962 were codified in the 1981 edition of the District of Columbia Code. These provisions were recodified in the 2001 edition of the District of Columbia Official Code. In the 2001 edition, the statutes governing the recordation tax were moved to Chapter 11 of Title 42 of the District of Columbia Official Code, which resulted in the renumbering of each of these provisions. As a result, the statutory citations in the regulations no longer reflect the current codification of the statute. The regulations are being amended to update these statutory references so that they reflect the current codification of the District's laws.

Other statutory provisions have been amended subsequent to the issuance of the regulations. For instance, tax is now imposed on recorded instruments relating to leases with a term of 30 years or more, whereas at the time the relevant regulations were drafted, tax was imposed only on documents relating to leases with a term of 99 years or more. The regulations accordingly are being updated to reflect the current provisions of the statutes. Additionally, certain provisions of the regulations are being clarified or restated in light of court rulings, such as *Columbia Realty Venture v. District of Columbia*, 433 A.2d 1075 (D.C. 1981), made subsequent to the issuance of certain provisions of the regulations. Finally, certain administrative positions or interpretations of the operative statutes involving particular types of recurring transactions are being incorporated in the regulations.

OTR gives notice of its intent to take final rulemaking action to adopt these regulations in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 5, TAX ON RECORDATION OF DEEDS, of Title 9, TAXATION AND ASSESSMENTS, of the DCMR is amended as follows:

Section 500, General Provisions, is amended as follows:

Subsection 500.1 is amended to read as follows:

500.1 The provisions of this chapter are adopted under authority of § 317 of the District of Columbia Real Estate Deed Recordation Tax Act of 1962, Pub. L. 87-408 (also referred to in this chapter as the “Act”), as amended (D.C. Official Code § 42-1117 (2001 ed.)).

In Subsection 500.5, strike the phrase “a person” each place that it appears and insert the phrase “an individual” in its place.

Subsection 500.8 is amended to read as follows:

500.8 For purposes of the Recordation of Economic Interests Act, the phrase “Holds real property” means the ownership by, or lease or ground rent for a term (with renewals) of at least thirty (30) years to, a corporation, partnership, association, trust or other entity of real property located in the District of Columbia.

A new Subsection 500.9 is added to read as follows:

500.9 For purposes of the Act, the term “refinance” does not include the issuance of a new series of bonds secured by an indenture that also secures previously issued bonds.

Section 501, Exemptions from the Recordation Tax, is amended as follows:

Subsection 501.1 is amended to read as follows:

501.1 The only allowable exemptions from the recordation tax are those enumerated in § 302 of the Act (D.C. Official Code § 42-1102) or otherwise expressly provided by statute.

Subsection 501.2 is amended to read as follows:

501.2 The denial of an exemption applied for under the authority of § 302 of the Act (D.C. Official Code § 42-1102) may be appealed to the Superior Court of the District of Columbia within 6 months of the date on which the Recorder of Deeds mails written denial of the exemption, in the same manner as is provided for the appeal of a denial of a real property tax exemption applied for under the authority of D.C. Official Code § 47-1009.

In Subsection 501.3, strike the word “transferred” and insert the word “acquired” in its place; and strike the phrase “D.C. Code § 45-922(2)” and insert the phrase “D.C. Official Code § 42-1102(2)” in its place.

Section 502, Payment of the Recordation Tax, is amended as follows:

Subsection 502.1 is amended by adding at the end thereof a new sentence to read as follows:

“Deeds are required to be recorded as provided by D.C. Official Code § 47-1431.”

A new Subsection 502.1a is added to read as follows:

502.1a The Act applies to deeds reflecting the transfer of property or an interest in property from one person to another, whether the transfer occurs by conveyance or operation of law, including a transfer resulting from a merger, consolidation, liquidation or reorganization.

In Subsection 502.3, strike the phrase “D.C. Code § 45-924” and insert the phrase “D.C. Official Code § 42-1104” in its place.

In Subsection 502.4, strike the word “302” and insert the word “301(5)” in its place; strike the phrase “D.C. Code § 45-921(5)” and insert the phrase “D.C. Official Code § 42-1101(5)” in its place.

In Subsection 502.5, insert the phrase “the term “estimated market value”” after the phrase “shall have the same meaning as”; strike the phrase “D.C. Code” and insert the phrase “D.C. Official Code” in its place.

In Subsection 502.8, strike the last sentence in each of examples 1, 2 and 3.

In Subsections 502.11 and 502.12, strike the phrase “Code §§ 45-935 and” each place that it appears and insert “Official Code §” in its place.

A new Subsection 502.14 is added to read as follows:

502.14 When a single transaction includes a transfer of property or an interest in property by a deed that is taxed under the Act as well as property or an interest not taxed under the Act, the consideration shall be allocated between the taxed deed and nontaxed property or interest transferred for purposes of assessing the tax on the deed. The allocation shall be made on the recordation tax return and substantiated by documents establishing the agreement of the parties as to the allocation at the time of the transfer. The taxpayer has the burden of establishing the amount of consideration allocable to any nontaxable property or interest in property. In the absence

of an allocation by the taxpayer, all consideration shall be allocated to the deed, unless otherwise adjusted by the Recorder of Deeds. The Recorder of Deeds shall not be bound by any allocation made on a recordation tax return and may adjust the allocation on audit.

A new Subsection 502.15 is added to read as follows:

502.15 When a deed which conveys interests in real property located both within and outside the District of Columbia, the consideration for the deed or the amount of debt secured shall be allocated between the two categories of property, and the tax shall be imposed on the consideration for the deed or the amount of debt secured that is allocable to property within the District. The tax applies to the consideration payable or the amount of the debt secured in the same ratio that the value of the real property that is located in the District bears to the value of the entire property in the deed. The allocation shall be made on the recordation tax return and shall include such substantiation as the Recorder of Deeds shall deem appropriate.

Section 503, Recordation Tax Returns, is amended as follows:

Subsection 503.6 is amended to read as follows:

503.6 If exemption is claimed under § 302(3) of the Act (D.C. Official Code § 42-1102(3)) a copy of the filed real property tax exemption application (Form FP 300) shall accompany the deed at the time of recordation., If exemption is claimed under § 302(4) of the Act (D.C. Official Code § 42-1102(4)), the return shall also show the purpose or purposes for which the property was acquired and shall be accompanied by all documents and other information that the Recorder of Deeds deems necessary to determine the exempt or taxable status of the deed.

Section 505, Extension of Time for Filing Returns, is amended as follows:

The section title is amended by striking the text following “505,” and inserting the word “[Reserved]” in its place. The remainder of the section is repealed.

Section 508, Inspection of Returns and Other Documents Related to Deeds, is amended by adding a new Subsection 508.3 to read as follows:

508.3 The Recorder of Deeds or the Deputy Chief Financial Officer may disclose returns or information reported on returns to a contractor obligated to the District of Columbia to store documents or information to provide other services related to tax administration to the extent that the disclosure relates to the obligations of the contractor. Returns or return information may also be disclosed to a contractor obligated to the District to incorporate such returns or return information, or to prepare them for

incorporation, into an electronic storage and retrieval system for the use of the District.

Section 511, Deeds Issued Pursuant to Foreclosure Proceedings, is amended as follows:

In Subsections 511.1 and 511.2, strike the phrase “D.C. Code § 45-923” each place that it appears and insert the phrase “D.C. Official Code § 42-1103” in its place.

Section 512, Recordation of Revocable Trust Deeds is amended to read as follows:

512.1 The following deeds shall be exempt from the tax imposed by the Act: (a) a deed by a transferor that conveys bare legal title to the trustee of a revocable trust, without consideration for the transfer, where the transferor is the beneficiary of the trust; (b) a deed to property transferred to a beneficiary of a revocable trust as the result of the death of the grantor of the revocable trust; and (c) a deed to property transferred by the trustee of a revocable trust if the transfer would otherwise be exempt under § 302 of the Act (D.C. Official Code § 42-1102) if made by the grantor of the revocable trust.

Section 513, Uniform Commercial Code (UCC) Articles 9 Filings, is amended as follows:

In Subsection 513.2 strike the phrase “, Located at 515 D Street, NW Washington, DC 20002”.

In Subsection 513.5, strike the phrase “-- located at 515 D Street, NW Washington, DC 20002”.

In Subsection 513.6, strike the word “336.2(b)” and insert the word “336.3” in its place.

Section 517, Transfers of Controlling Interests, is amended as follows:

In Subsection 517.3, strike the word “napital” and insert the word “capital” in its place.

Section 519, Consideration Allocable to Real Property, is amended by adding new Subsection 519.3a to read as follows:

519.3a A purchase money mortgage or deed of trust securing indebtedness incurred to acquire an economic interest is exempt from tax if it is:

- (a) Recorded simultaneously with the filing of the economic interest deed; or

- (b) Executed within 30 days from the date of execution of the economic interest deed and it is recorded within 30 days from the date of recordation of the economic interest deed.

Section 520, Mergers, Consolidations, and Liquidations, is amended as follows:

Subsection 520.2 is amended by adding at the end thereof a new sentence to read as follows: “However, a liquidating distribution of the real property shall be a taxable transfer under the Act.”.

Section 523, Miscellaneous, is amended as follows:

Subsection 523.1 is amended by inserting the word “ultimate” before the phrase “ownership interest”.

Section 526, Leases, is amended as follows:

The section title is amended by striking the text following “526,” and inserting the word “[Reserved]” in its place. The remainder of the section is repealed.

Comments on this proposed rulemaking should be submitted to Robert McKeon, Deputy Chief Counsel, Office of Tax and Revenue, no later than thirty (30) days after publication of this notice in the *D.C. Register*. Robert McKeon may be contacted by mail at DC Office of Tax and Revenue, 1101 4th Street, SW, Suite 750W, Washington, DC 20024; telephone at (202) 442-6513; or email at robert.mckeon@dc.gov. Copies of this rule and related information may be obtained by contacting Robert McKeon as stated herein.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

Z.C. Case No. 13-15

(Text Amendment – 11 DCMR)

(Text Amendments to Allow Veterinary Boarding Hospital and Veterinary Hospital Uses in SEFC/CR District)

The Zoning Commission for the District of Columbia, pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of its intent to amend § 1803 of Chapter 18 (Southeast Federal Center Overlay District) of Title 11 (Zoning) of the District of Columbia Municipal Regulations (DCMR).

The proposed text amendment would add a new § 1803.16 to allow veterinary boarding hospital and veterinary hospital uses in the portion of the Southeast Federal Center Overlay District that is also mapped in the Mixed Use Commercial Residential District. The proposed amendments would make the uses subject to the conditions, some of which may apply to only one (1) of the uses.

Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The following amendment to the Zoning Regulations is proposed:

Chapter 18, SOUTHEAST FEDERAL CENTER OVERLAY DISTRICT, is amended by adding a new § 1803.16 to read as follows:

1803.16 Notwithstanding §§ 602.1(r) and 618, veterinary boarding hospital and veterinary hospital uses are permitted in the SEFC/CR Zone District, subject to the conditions below, which apply to both uses unless stated otherwise:

- (a) No more than fifty percent (50%) of the gross floor area of a veterinary boarding hospital may be devoted to the boarding of animals;
- (b) A veterinary boarding hospital may board any animal permitted to be lawfully sold in the District of Columbia, pursuant to § 9(b)(1) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808 (h)(1));
- (c) A veterinary hospital may include the boarding of animals as necessary for convalescence;

- (d) Animal boarding at a veterinary boarding hospital shall take place entirely within an enclosed and soundproof building so that no noise or odor emanates onto neighboring properties;
- (e) Animal and animal waste odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;
- (f) External yards or other exterior facilities for the keeping of animals shall not be permitted;
- (g) All animal waste shall be placed in closed waste disposal containers and shall be collected and disposed of at least once a week by a qualified waste disposal company; and
- (h) Pet grooming and the sale of pet supplies are permitted only as accessory uses (*i.e.*, not as an independent line of business).

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, or signed electronic submissions may be submitted in PDF format to zcsubmissions@dc.gov. Ms. Schellin may also be contacted by telephone at (202) 727-6311 or by email: at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

OFFICE OF CONTRACTING AND PROCUREMENT

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Chief Procurement Officer of the District of Columbia (CPO), pursuant to the authority set forth in Sections 204 and 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.04 and 2-361.06)(2012 Repl.)(Act), hereby gives notice of the adoption of the following emergency rules, and of the intent to adopt final rulemaking, to amend Section 1615 of Chapter 16, Procurement by Competitive Sealed Proposals, of Title 27, Contracts and Procurement, of the District of Columbia Municipal Regulations (DCMR).

When the District issues a Request for Qualifications (RFQ) before issuing a Request for Proposals (RFP), the contracting officer will determine the financial and professional responsibility of each offeror and rank them from the most qualified to the least qualified on the basis of the information provided. The RFP is then issued only to the highest-ranked offerors. Under the current rules, all information contained in proposals, and the number and identity of the offerors, may not be publicly disclosed prior to award of the contract. The rulemaking is necessary to provide to certified business enterprises (CBEs) the names of those highest-ranked offerors who will receive the RFP. This information will greatly enhance CBEs' ability to negotiate subcontracting opportunities with the offerors who will receive an RFP.

Since CBEs currently do not have access to the names of the highest-ranked offerors under upcoming RFQ procurements, they will be unable to compete for many subcontracting opportunities until the rulemaking becomes final. Therefore adoption of these emergency rules is necessary for the immediate preservation and promotion of public safety and welfare.

The emergency rules will remain in effect for up to one hundred twenty (120) days from January 16, 2014, the date of their adoption; thus, expiring on May 16, 2014, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

Chapter 16, PROCUREMENT BY COMPETITIVE SEALED PROPOSALS, of Title 27, CONTRACTS AND PROCUREMENTS, of the DCMR is amended as follows:**Section 1615.7 is amended to read as follows:**

1615.7 The contracting officer shall determine the financial and professional responsibility of each prospective contractor and rank them in writing from the most qualified to the least qualified on the basis of the information provided. Notwithstanding the provisions of § 1629, prior to the issuance of the RFP the contracting officer may make available the identities of the highest-ranked offerors who will be issued an RFP.

All persons desiring to comment on the subject matter of this proposed rulemaking should submit comments, in writing, to the Chief Procurement Officer, 441 4th Street, 700 South, Washington, D.C. 20001. Comments may be sent by email to OCPRulemaking@dc.gov or may be submitted by postal mail or hand delivery to the address above. Comments must be received no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. A copy of this proposed rulemaking may be obtained at the same address.

DISTRICT DEPARTMENT OF THE ENVIRONMENT**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING****Engine Idling Exception for Warming Buses**

The Director of the District Department of the Environment (“the Department” or “DDOE”), pursuant to the authority set forth in Sections 5 and 6 of the District of Columbia Air Pollution Control Act of 1984, as amended, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code §§ 8-101.05 and 8-101.06 (2013 Repl.)); Section 107(4) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.07(4)(2013 Repl.)); Mayor’s Order 98-44, dated April 10, 1998; and Mayor’s Order 2006-61, dated June 14, 2006, hereby gives notice of the intent to adopt an emergency amendment to Section 900 (Engine Idling) of Chapter 9 (Motor Vehicular Pollutants, Lead, Odors, And Nuisance Pollutants), Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR).

The Director also gives notice of intent to take final rulemaking action to adopt the amendment following a thirty (30) day public comment period and approval by the Council of the District of Columbia, or forty-five (45) days after submission to the Council, not including Saturdays, Sundays, legal holidays, and days of Council recess, if the Council has not disapproved these rules.

Emergency Rulemaking

This emergency rulemaking action is necessary for the immediate preservation of the public safety and welfare of District residents in the event that the Mayor declares a “Cold Weather Emergency”. The rulemaking ensures that individuals in the District have access to shelter during extremely cold temperatures and harsh weather conditions.

This emergency rulemaking action was signed by the Director on February 7, 2014, and will become effective immediately. This emergency rule will expire one-hundred twenty (120) days from that date, on June 7, 2014, or upon the publication of the final rulemaking action, whichever occurs first.

Proposed Amendments

The Department is proposing to amend the District’s regulation controlling engine idling (20 DCMR § 900.1) to add an exception for warming buses deployed by the Homeland Security and Emergency Management Agency (HSEMA) in the event of a “Cold Emergency Alert.” Currently, Section 900.1 prohibits any vehicle from idling its engine for more than three (3) minutes while the vehicle is parked, stopped, or standing. The regulation provides exceptions for private passenger vehicles, vehicles that are operating power takeoff equipment, and to allow idling for up to five (5) minutes when the temperatures are below thirty-two degrees Fahrenheit (32°F). When the District activates its Cold Emergency Plan, typically because forecasted

temperatures are below fifteen degrees Fahrenheit (15°F), HSEMA deploys warming buses around the District to provide shelter to the District's vulnerable population and protect them from the frigid cold and bracing wind. The Department is proposing to add a narrow exception to the engine idling restrictions so that these warming buses can idle in excess of the five (5) minute restriction during extreme cold temperatures and weather conditions in order to protect vulnerable individuals from cold-related death and injury.

Although the District is in nonattainment for ozone (O₃) and fine particulate matter (PM_{2.5}), the Department does not expect this exception to have a significant negative impact on air quality. The warming buses would only be deployed when temperatures are extremely cold, conditions that are not conducive to the formation of ozone. The Department has also specified that priority should be given to clean fuel vehicles, or if those are not available, newer model year vehicles, in order to minimize vehicle emissions. The Department has also specified that the buses should be located at least fifty feet (50 ft.) from residential buildings, in order to reduce concerns about odors.

Section 900 (ENGINE IDLING), Subsection 900.1, of Chapter 9 (MOTOR VEHICULAR POLLUTANTS, LEAD, ODORS, AND NUISANCE POLLUTANTS), Title 20 (ENVIRONMENT) of the DCMR is amended to read as follows:

- 900.1 No person owning, operating, or having control over the engine of a gasoline or diesel powered motor vehicle on public or private space, including the engine of a public vehicles for hire, buses with a seating capacity of twelve (12) or more persons, and school buses or any vehicle transporting students, shall allow that engine to idle for more than three (3) minutes while the motor vehicle is parked, stopped, or standing, including for the purpose of operating air conditioning equipment in those vehicles, except as follows:
- (a) To operate private passenger vehicles;
 - (b) To operate power takeoff equipment, including dumping, cement mixers, refrigeration systems, content delivery, winches, or shredders;
 - (c) To idle the engine for no more than five (5) minutes to operate heating equipment when the ambient air temperature is thirty-two degrees Fahrenheit (32° F) or below; or
 - (d) To operate warming buses during a Cold Weather Emergency, provided that:
 - (1) Warming buses are located a minimum of fifty feet (50 ft.) away from residential buildings; and
 - (2) In order to minimize air pollution, motor vehicles shall be selected for use as warming buses as follows:
 - (i) If available, vehicles that meet the needs for warming buses

and use clean fuel, such as Compressed Natural Gas (CNG) shall be selected; and

- (ii) If vehicles meeting the criteria in subparagraph (i) are not available, the newest available model year vehicles that meet the needs for warming buses shall be used.

Section 999 (DEFINITIONS AND ABBREVIATIONS), Subsection 999.1, of Chapter 9 (MOTOR VEHICULAR POLLUTANTS, LEAD, ODORS, AND NUISANCE POLLUTANTS), Title 20 (ENVIRONMENT) of the DCMR is amended as follows:

By adding the definition of “warming bus” to read as follows:

Warming bus – any motor vehicle deployed by the Homeland Security and Emergency Management Agency (HSEMA) during a Cold Emergency Alert to provide vulnerable individuals with shelter from cold weather conditions.

By adding the definition of “Cold Emergency Alert” to read as follows:

Cold Emergency Alert – issued pursuant to the District of Columbia Cold Emergency Plan when the temperature falls, or is forecasted to fall, to fifteen degrees Fahrenheit (15°F) or below for a twelve (12) hour period, or fifteen degrees Fahrenheit (15°F) including wind chill and one or more of the following conditions exists:

- (a) Steady precipitation for sixty (60) consecutive minutes;
- (b) Ice storms and/or freezing rain;
- (c) Snow accumulation of three inches (3 in.) or more;
- (d) Sustained winds of more than ten to fifteen miles per hour (10-15 mph);
- (e) A wind chill below zero degrees Fahrenheit (0°F); or
- (f) Other meteorological conditions or threats as determined by HSEMA.

Comments on these proposed rules must be submitted, in writing, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* to Manuel Oliva, District Department of the Environment, Air Quality Division, 1200 First Street, NE, 5th Floor, Washington, D.C. 20002 or sent electronically to manuel.oliva@dc.gov. Mr. Oliva may also be

contacted at (202) 724-7650. Copies of the proposed rule are available for public review during normal business hours at the offices of the District Department of the Environment or on-line at <http://ddoe.dc.gov>.

The Department's policy is that public comments, whether mailed, delivered, submitted electronically on computer disks or in paper, will be made available for public viewing without change on its website as the Department addresses them, unless the comment contains copyrighted material, confidential business information, or other information whose disclosure is restricted by statute. When the Department identifies a comment containing copyrighted material, it will provide a reference to that material on the website. The copyrighted material will be available in hard copy to the public.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF SECOND 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. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)) 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 repeal of Section 936, entitled “Dental Services”, and adoption, on an emergency basis, of a new Section 1921, entitled “Dental Services” of Chapter 19 (Home and Community-Based Waiver Services for Persons with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR.

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

This Notice of Second Emergency and Proposed Rulemaking amends the previously published standards governing providers of dental services for participants enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver). These rules amend the previously published rules by: (1) establishing that providers of dental services shall provide services consistent with the standards established by the American Dental Association; and (2) amending the definitions section to clarify words and/or phrases to simplify interpretation of the rule.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of ID/DD Waiver participants who are in need of dental services. Based upon current provider enrollment 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 and appropriate services. By taking emergency action, this emergency and proposed rule will mandate that all dental providers shall meet the practice standards established by the American Dental Association. This requirement will improve the health, safety, and welfare of beneficiaries receiving dental services under the waiver. In addition, these standards will enhance the quality and appropriateness of dental services being delivered to beneficiaries.

An initial Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on November 8, 2013 at 60 DCR 15570. Comments were received and substantive changes have been made as described above. The emergency rulemaking was adopted on January 31, 2014 and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until May 30, 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 936 (DENTAL SERVICES) of Chapter 9 (MEDICAID PROGRAM), Title 29 (PUBLIC WELFARE) of the DCMR is repealed.

A new Section 1921 (DENTAL SERVICES) of Chapter 19 (HOME AND COMMUNITY-BASED WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES), Title 29 (PUBLIC WELFARE) is added to read as follows:

1921 DENTAL SERVICES

- 1921.1 The purpose of this section is to establish standards governing Medicaid eligibility for dental 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 dental services.
- 1921.2 To be eligible for Medicaid reimbursement, each person shall have a documented need for the service as identified in the Individual Support Plan (ISP) and Plan of Care.
- 1921.3 Medicaid reimbursable dental services under this Waiver are identical to dental services offered under the District of Columbia's Medicaid State Plan and shall be provided in accordance with the applicable requirements set forth in Section 964 (Dental Services) of Chapter 9 of Title 29 DCMR.
- 1921.4 Medicaid reimbursable dental services shall be provided by a dentist, or a dental hygienist working directly under the supervision of a dentist, who meets all of the following requirements:
- (a) Provides services consistent with the scope of practice authorized pursuant to the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201 *et seq.*) or consistent with the applicable professional practices act within the jurisdiction where services are provided;
 - (b) Is enrolled as a dentist in the District of Columbia Medicaid Program;
 - (c) Complies with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR; and
 - (d) Provides services consistent with the standards established by the American Dental Association.

- 1921.5 Each provider of Medicaid reimbursable dental services shall develop a written treatment plan for the person receiving dental services after completion of a comprehensive evaluation. The services provided shall be consistent with the treatment plan.
- 1921.6 The treatment plan shall be updated annually and shall serve as a guide for treatment to be completed over the course of one (1) year unless special circumstances require a longer treatment plan.
- 1921.7 Each provider of Medicaid reimbursable dental services shall maintain records pursuant to the requirements described under Section 1908 (Reporting Requirements) and Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR.
- 1921.8 If the person enrolled in the Waiver is between the ages of eighteen (18) and twenty-one (21), the Department on Disability Services, Service Coordinator shall ensure that Early and Periodic Screening, Diagnostic and Treatment benefits are fully utilized and there is no duplication of services.
- 1921.9 In order to be eligible for Medicaid reimbursement, each dental provider shall comply with the following requirements:
- (a) Confirm the person's Medicaid eligibility; and
 - (b) Bill the District of Columbia Medicaid Program using a Waiver provider identification number.
- 1921.10 Medicaid reimbursement for dental services provided to a person enrolled in the Waiver shall be paid at the reimbursement rate set forth in the District of Columbia Medicaid fee schedule increased by twenty percent (20%). The District of Columbia Medicaid fee schedule is available online at <http://www.dc-medicaid.com>.

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

Dentist - An individual who is licensed to practice dentistry pursuant to the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201, *et seq.*) or licensed to practice dentistry in the jurisdiction where services are provided.

Dental Hygienist - An individual who is licensed to practice dental hygiene pursuant to the District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201, *et seq.*) or licensed to practice dental hygiene in the jurisdiction where services are provided.

Treatment Plan - A written plan that includes diagnostic findings, preventative care, and treatment recommendations resulting from a comprehensive evaluation of the client's dental health needs.

Comments on the emergency and proposed rule shall be submitted, in writing, to Linda Elam, Ph.D., MPH, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, NW, Suite 900, 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 emergency and proposed rule may be obtained from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF SECOND 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. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)), 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 1929, entitled “Residential Habilitation Services”, of Chapter 19 (Home and Community-Based Waiver Services for Persons with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

This Notice of Second Emergency and Proposed Rulemaking amends the previously published standards governing providers of residential habilitation services for participants enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver). These rules amend the previously published rules by: (1) clarifying words and/or phrases to reflect more person-centered language and simplify interpretation of the rule; (2) establishing that the quarterly reports shall be submitted to the Department on Disability Services (DDS) Service Coordinator within seven (7) business days after the end of each quarter, instead of thirty (30) business days; (3) establishing that providers are only required to maintain and not submit daily progress notes to the DDS Service Coordinator; (4) mandating that residential habilitation providers shall submit verification of passing the DDS Provider Certification Review (PCR) for In-Home Supports or Respite for the past three (3) most recent years and requiring providers with less than three (3) years of PCR certification, to provide verification of a minimum of one (1) year of experience providing residential or respite services to the ID/DD Waiver population and evidence of PCR certification for each year that the provider was enrolled as an Waiver provider in the District of Columbia; (5) deleting the requirement that providers are required to maintain a daily log of a person’s scheduled community activities for monitoring and audit reviews; and (6) updating 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 residential habilitation services. The Waiver serves some of the District’s most vulnerable residents. Residential habilitation services provide essential supports whereby groups of individuals share a home managed by a provider agency. The addition of new professional requirements on the owners and operators of residential habilitation services will enable the provider agency to oversee residential habilitation supports more efficiently, and subsequently improve the overall quality of the services received by the person. In order to ensure that the residents’ health, safety, and welfare are not threatened by the lapse in access to these approved services under the waiver, it is necessary that that these rules be published on an emergency basis.

An initial Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on September 20, 2013 at 60 DCR 13216. Numerous comments were received. Substantive changes have been made as described above. The emergency rulemaking was adopted on January 14, 2014 and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until May 13, 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 946 (Residential Habilitation) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1929 (Residential Habilitation) 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:

1929 RESIDENTIAL HABILITATION SERVICES

- 1929.1 The purpose of this section is to establish standards governing Medicaid eligibility for residential habilitation services under the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (Waiver) and to establish conditions of participation for providers of residential habilitation services.
- 1929.2 Residential habilitation services are supports provided in a home shared by at least four (4), but no more than six (6) persons, to assist each person in acquiring, retaining, and improving self-care, daily living, adaptive and other skills needed to reside successfully in a shared home within the community.
- 1929.3 In order to be eligible for Medicaid reimbursement, residential habilitation services shall be:
- (a) Provided to a person with a demonstrated need for continuous training, assistance, and supervision; and
 - (b) Authorized in accordance with each person's Individual Support Plan (ISP) and Plan of Care.
- 1929.4 In order to be eligible for Medicaid reimbursement, the Waiver provider shall:
- (a) Use observation, conversation, and other interactions, guided by the person-centered thinking process, to develop a functional assessment of the person's capabilities within the first month of the person residing in the home;

- (b) Participate in the development of the ISP and Plan of Care to ensure that the ISP goals are clearly defined;
- (c) Assist in the coordination of all services that a person may receive by ensuring that all recommended and accepted modifications to the ISP are included in the current ISP;
- (d) Develop a support plan with measurable outcomes using the functional analysis, the ISP, Plan of Care, and other information as appropriate, to enable the person to safely reside in the community and maintain their health;
- (e) Propose modifications to the ISP and Plan of Care, as appropriate;
- (f) 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 seven (7) business days of the end of each quarter; and
- (g) Keep daily progress notes as described under Section 1929.15(h).

1929.5

In order to be eligible for Medicaid reimbursement, each provider of residential habilitation services shall ensure that each person receives hands-on support, habilitation, and other supports, when appropriate, which shall include, but not be limited to, the following categories of support:

- (a) Eating and food preparation;
- (b) Personal hygiene;
- (c) Dressing;
- (d) Monitoring health and physical conditions;
- (e) Assistance with the administration of medication;
- (f) Communications;
- (g) Interpersonal and social skills;
- (h) Household chores;
- (i) Mobility;
- (j) Financial management;

- (k) Motor and perceptual skills;
- (l) Problem-solving and decision-making;
- (m) Human sexuality;
- (n) Opportunities for social, recreational, and religious activities utilizing community resources; and
- (o) Appropriate and functioning adaptive equipment.

1929.6 In order to be eligible for Medicaid reimbursement, each provider of residential habilitation services shall ensure that each person 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;
- (j) Speech, hearing and language therapy; and
- (k) Recreation.

1929.7 In order to be eligible for Medicaid reimbursement, each Waiver provider shall ensure that transportation services are provided in accordance with Section 1904 (Provider Qualifications) of Chapter 19 of Title 29 DCMR.

1929.8 In order to be eligible for Medicaid reimbursement, each Waiver provider of residential habilitation services shall:

- (a) Comply with Sections 1904 (Provider Qualifications) and 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR;
- (b) Provide verification of passing the Department on Disability Services (DDS), Provider Certification Review (PCR) for In-Home Supports or Respite for the last three (3) years. For providers with less than three (3) years of PCR certification, provide verification of a minimum of one (1) year of experience providing residential or respite services to the ID/DD population and evidence of PCR certification for each year that the provider was enrolled as a waiver provider in the District of Columbia;
- (c) Ensure that each residence is accessible to public transportation and emergency vehicles;
- (d) Have an executed, signed, current Human Care Agreement with DDS, if required by DDS; and
- (e) Be licensed as a Group Home for a Person with an Intellectual Disability (Group Home for Mentally Retarded Persons [GHMRP]) in the District of
Columbia or a similarly licensed group home in other states.

1929.9 In order to be eligible for Medicaid reimbursement, the Waiver provider shall demonstrate that a satisfactory rating was received pursuant to the DDS PCR process described under § 1929.8, unless waived by the Director or Deputy Director of DDS.

1929.10 In order to be eligible for Medicaid reimbursement, each GHMRP located in the District of Columbia shall provide services to at least four (4), but no more than six (6) persons and shall meet the following requirements:

- (a) Be licensed pursuant to the Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501 *et seq.*), no later than sixty (60) days after approval as a Medicaid provider; and
- (b) Comply with the requirements set forth in Chapter 35 of Title 22B of the District of Columbia Municipal Regulations (DCMR).

1929.11 In order to be eligible for Medicaid reimbursement, each out-of-state group home shall serve at least four (4), but no more than six (6) persons. Each group home located out-of-state shall be licensed or certified in accordance with the host state's laws and regulations, consistent with the terms and conditions set forth in

an agreement between the District of Columbia and the host state. Each out-of-state provider shall comply with the following additional requirements:

- (a) Submit to DDS a certificate of registration to transact business within the District of Columbia issued pursuant to D.C. Official Code § 29-105.3 *et seq.*;
- (b) Remain in good standing in the jurisdiction where the program is located;
- (c) Submit to DDS a copy of the annual certification or survey performed by the host state and provider's corrective action plan, if applicable; and
- (d) 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.

1929.12 In order to be eligible for Medicaid reimbursement, each Direct Support Professional (DSP) providing residential habilitation services as an agent or employee of a provider shall meet all of the requirements in Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 of the DCMR.

1929.13 An acuity evaluation to set support levels shall be recommended by the Support Team and approved by the DDS Waiver Unit. DDS shall review 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.

1929.14 The minimum daily ratio of on-duty direct care staff to persons enrolled in the Waiver and present in each GHMRP that serves persons who are not determined by DDS to require a higher acuity level, shall not be less than the following:

- (a) 1:6 during the waking hours of the day, approximately 6:00 a.m. to 2:00 p.m., when persons remain in the GHMRP during the day;
- (b) 1:4 during the period of approximately 2:00 p.m. to 10:00 p.m.; and
- (c) 1:6 during the sleeping hours of the night, approximately 10:00 p.m. to 6:00 a.m.

1929.15 In order to be eligible for Medicaid reimbursement, each provider of residential habilitation services shall maintain the following documents for monitoring and audit reviews:

- (a) A current written staffing plan;
- (b) A written explanation of staffing responsibilities when back-up staff is unavailable and the lack of immediate care poses a serious threat to the person's health and welfare;
- (c) Daily attendance rosters;
- (d) The financial documents required pursuant to the DDS Personal Funds policy available at <http://dds.dc.gov>;
- (e) The records of any nursing care provided pursuant to physician ordered protocols and procedures, charting, and other supports indicated in the physician's orders relating to development and management of the Health Management Care Plan;
- (f) Any documents required to be maintained pursuant to the DDS Health and Wellness Standard Policy available at [http:// dds.dc.gov](http://dds.dc.gov);
- (g) The daily progress notes, containing the following information:
 - (1) A written record of visitors and the person's participation in the visit;
 - (2) A list of all community activities attended by the person and the response to those activities;
 - (3) A list of the start and end time of any services received by the person residing in the residential habilitation facility including the DSP's signature; and
 - (4) A list of any matter requiring follow-up on the part of the service provider or DDS.
- (h) Any documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR.

1929.16 Each provider shall comply with the requirements described under Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 of the DCMR.

1929.17 Residential habilitation services shall not be billed concurrently with the following Waiver services:

- (a) Environmental Accessibility Adaptation;

- (b) Vehicle Modifications;
- (c) Supported Living;
- (d) Respite;
- (e) Host Home;
- (f) Shared Living;
- (c) In-Home Supports;
- (h) Personal Emergency Response System; and
- (i) Skilled Nursing.

1929.18 Residential habilitation services shall not be reimbursed when provided by a member of the person's family.

1929.19 Reimbursement for residential habilitation services shall not include:

- (a) Cost of room and board;
- (b) Cost of facility maintenance, upkeep, and improvement;
- (c) Activities for which payment is made by a source other than Medicaid;
- (d) Time when the person is in school or employed; and
- (e) Time when the person is hospitalized, on vacation, and not in the care of the residential habilitation provider, or any period when the person is not residing at the GHMRP, and not in the care of the residential habilitation provider, except during an emergency situation when the person is temporarily residing in a hotel or other facility.

1929.20 The reimbursement rate for residential habilitation services shall only include time when staff is awake and on duty and shall include:

- (a) All supervision provided by the direct support staff;
- (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 Health Management Care Plan;
- (c) Transportation;

- (d) Programmatic supplies and fees;
- (e) Quality assurance costs, such as Incident Management Systems and staff development; and
- (f) General administrative fees for Waiver services.

1929.21 The reimbursement rate for residential habilitation services shall be a daily rate.

1929.22 The reimbursement rate for residential habilitation services for a GHMRP with four (4) persons shall be as follows:

- (a) The Basic Support Level 1 daily rate shall be two hundred and twenty eight dollars (\$228.00) for a direct care staff support ratio of 1:4 for all awake and overnight hours;
- (b) The Moderate Support Level 2 daily rate shall be three hundred sixty dollars (\$360.00) for a direct care staff support ratio of 1:4 for awake overnight and 2:4 during all awake hours when persons are in the home and adjusted for increased absenteeism;
- (c) The Enhanced Moderate Support Level 3 daily rate shall be four hundred and two dollars (\$402.00) for a direct care staff support ratio of 2:4 staff awake overnight and 2:4 during all awake hours when persons are in the home and adjusted for increased absenteeism;
- (d) The Intensive Support daily rate shall be five hundred and twenty dollars (\$520.00) for a direct care staff support ratio of 2:4 staff awake overnight and 3:4 during all awake hours when persons are in the home and adjusted for increased absenteeism; and
- (e) The Intensive Support daily rate shall be five hundred and sixty-nine dollars and forty three cents (\$569.43) for twenty-four (24) hour licensed practical nursing services.

1929.23 The reimbursement rate for residential habilitation services for a GHMRP with five (5) to six (6) persons shall be as follows:

- (a) The Basic Support Level 1 daily rate shall be two hundred eighty-one dollars (\$281.00) for a direct care staff support ratio of 1:5 or 1:6 staff awake overnight and 2:5 or 2:6 during all awake hours when persons are in the home;
- (b) The Moderate Support Level 2 daily rate shall be three hundred twenty-two dollars (\$322.00) for a direct care staff support ratio of 2:5 or 2:6 staff

awake overnight and 2:5 or 2:6 during all awake hours when persons are in the home and adjusted for increased absenteeism;

- (c) The Enhanced Moderate Support Level 3 daily rate shall be three hundred eighty dollars (\$380.00) for a staff support ratio of 2:5 or 2:6 staff awake overnight and 3:5 or 3:6 during all awake hours when persons are in the home and adjusted for increased absenteeism;
- (d) The Intensive Support daily rate shall be four hundred eighty-one dollars (\$481.00) for increased direct care staff support for sleep hours to 2:5 or 2:6 for staff awake overnight support and 4:5 or 4:6 during all awake hours when persons are in the home and adjusted for increased absenteeism; and
- (e) The Intensive Support daily rate shall be five hundred and thirty-one dollars and four cents (\$531.04) for twenty-four (24) hour licensed practical nursing services.

1929.24 The reimbursement rates assume a ninety-three (93) percent annual occupancy, and unanticipated absence from day/vocational services or employment due to illness, and planned absence for holidays.

1929.25 Daily activities may include but are not limited to day habilitation, employment readiness, individualized day supports, supported employment or employment.

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

Group Home for a Person with an Intellectual Disability (GHMRP) - A community residence facility, other than an intermediate care facility for persons with intellectual or developmental disabilities, that provides a homelike environment for at least four (4) but no more than six (6) related or unrelated persons with intellectual disabilities who require specialized living arrangements and maintains necessary staff, programs, support services, and equipment for their care and habilitation.

Comments on the emergency and proposed rule shall be submitted, in writing, to Linda Elam, Ph.D., MPH, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, NW, Suite 900, Washington, D.C. 20001, 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 emergency and proposed rule may be obtained from the above address.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF SECOND 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. & 2013 Supp.)), 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 repeal of Section 933 and adoption, on an emergency basis, of a new Section 1931, entitled “ Skilled Nursing 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).

This Notice of Second Emergency and Proposed Rulemaking amends the previously published standards governing providers of skilled nursing services for participants enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver). These rules amend the previously published rules by: (1) clarifying words and/or phrases to reflect more person-centered language and simplify interpretation of the rule; (2) establishing that the physician’s order prescribing the need for skilled nursing services shall be updated at least every ninety (90) calendar days and shall be maintained in the person’s records; (3) establishing that the duties of a registered nurse delivering skilled nursing services shall also include performing a nursing assessment in accordance with the Developmental Disabilities Administration (DDA) health and wellness standards; (4) establishing that the quarterly reports completed by a licensed practical nurse (LPN) shall be reviewed and signed off on by a supervising registered nurse (RN), when an LPN delivers skilled nursing services; (5) deleting the requirement that in order to be eligible for skilled nursing services, the person or support team shall submit at least three (3) bids to the Department of Disability Services (DDS) Service Coordinator for cost comparison; (6) requiring an RN who supervises an LPN to conduct a site visit once every thirty (30) days instead of every sixty two (62) days, or more frequently if applicable; and (7) mandating a provider to maintain a contingency plan when a scheduled nurse is unavailable or when the lack of immediate care poses a threat to the person receiving services.

Emergency action is necessary for the immediate preservation of the health, safety, and welfare of waiver participants who are in need of skilled nursing services. The Waiver serves some of the District’s most vulnerable residents. Skilled nursing services are commonly used services under the Waiver. The new service authorization requirements for providers including the performance of a nursing assessment in accordance with DDA health and wellness standards will promote more efficient service delivery management practices and hence enhance the health, safety, and welfare of the participants who utilize skilled nursing services. In order to ensure that the residents’ health, safety, and welfare are not threatened by the lapse in access to the new service authorization requirements mandated under skilled nursing services under the updated rule which responds to stakeholder comments, it is necessary that that these rules be published on an emergency basis.

An initial Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on October 25th, 2013 at 60 DCR 15013. Numerous comments were received. Substantive changes have been made as described above. The emergency rulemaking was adopted on January 24, 2014 and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until May 23, 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 933 (Skilled Nursing) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.

A new Section 1931 (Skilled Nursing) 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:

1931 SKILLED NURSING SERVICES

- 1931.1 The purpose of this section is to establish standards governing Medicaid eligibility for skilled nursing services under the Home and Community-Based Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver) and to establish conditions of participation for providers of skilled nursing services.
- 1931.2 Skilled nursing services are medical and educational services that address healthcare needs related to prevention and primary healthcare activities. These services include health assessments and treatment, health related trainings and education for persons receiving Waiver services and their caregivers.
- 1931.3 To be eligible for Medicaid reimbursement, the person shall exhaust all available skilled nursing visits provided under the State Plan for Medical Assistance (Medicaid State Plan) prior to receiving skilled nursing services under the Waiver.
- 1931.4 To be eligible for Medicaid reimbursement, the person shall have a condition of circulatory or respiratory function complications, gastrointestinal complications, neurological function complications, or the existence of another severe medical condition that requires monitoring or care at least every other hour.
- 1931.5 To be eligible for Medicaid reimbursement, skilled nursing services shall:
- (a) Be ordered by a physician when it is reasonable and necessary to the treatment of the person's illness or injury, and include a letter of medical necessity, a summary of the person's medical history and the duties that the skilled nurse would perform; and a skilled nurse checklist; and

- (b) Authorized in accordance with each person's Individual Support Plan (ISP) and Plan of Care after all Medicaid State Plan skilled nursing visits have been exhausted.

1931.6 The physician's order described in Section 1931.5 shall include the scope, frequency, and duration of skilled nursing services, shall be updated at least every ninety (90) calendar days, and shall be maintained in the person's records.

1931.7 In order to be eligible for Medicaid reimbursement, the duties of a registered nurse (RN) delivering skilled nursing services shall be consistent with the scope of practice standards for registered nurses set forth in § 5414 of Title 17 of the District of Columbia Municipal Regulations (DCMR). They may include, at a minimum, but are not limited to the following duties:

- (a) Performing a nursing assessment in accordance with the Developmental Disabilities Administration's Health and Wellness Standards;
- (b) Assisting in the development of the Health Care Management Plan (HCMP);
- (c) Coordinating the person's care and referrals;
- (d) Administering medications and treatment as prescribed by a legally authorized healthcare professional licensed in the District of Columbia or consistent with the requirements in the jurisdiction where services are provided;
- (e) Administering medication or oversight of non-licensed medication administration personnel;
- (f) Providing oversight and supervision to the licensed practical nurse (LPN), when delegating and assigning nursing interventions;
- (g) Providing updates to Department on Disability Services (DDS) every sixty (60) days, if there are any changes to the person's needs or physician's order;
- (h) Training the person, LPN, family, caregivers, and any other individual, as needed; and
- (i) Recording progress notes during each visit and summary notes at least quarterly.

1931.8 In order to be eligible for Medicaid reimbursement, the duties of an LPN delivering skilled nursing services 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. They may include, at minimum, but are not limited to the following duties:

- (a) Completing the quarterly reports which shall be reviewed and approved by the supervising RN;
- (b) Immediately reporting, immediately, any changes in the person's condition, to the supervising registered nurse;
- (c) Providing wound care, tube feeding, diabetic care, and other treatment regimens prescribed by the physician; and
- (d) Administering medications and treatment as prescribed by a legally authorized healthcare professional licensed in the District of Columbia. If services are provided in another jurisdiction, the services shall be consistent with that jurisdiction's requirements.

1931.9 Medicaid reimbursable skilled nursing services shall be provided by an RN or LPN under the supervision of an RN, in accordance with the standards governing delegation of nursing interventions set forth in Chapters 54 and 55 of Title 17 of the DCMR.

1931.10 In order to be eligible for Medicaid reimbursement, each person providing skilled nursing services shall:

- (a) Be employed by a home health agency that has a current District of Columbia Medicaid Provider agreement authorizing the service provider to bill for skilled nursing services; and
- (b) Comply with Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 of the DCMR.

1931.11 In order to be eligible for Medicaid reimbursement, each home health agency providing skilled nursing services shall comply with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR.

1931.12 To be eligible for Medicaid reimbursement, skilled nursing services shall have prior authorization from DDS.

1931.13 In order to be eligible for Medicaid reimbursement, the RN shall monitor and supervise the provision of services provided by the licensed practical nurse, including conducting a site visit at least once every thirty (30) days, or more frequently, if specified in the person's ISP.

1931.14 The RN shall ensure that the person's clinical record includes notes that are clearly written and contain a statement of the person's progress or lack of progress,

medical conditions, functional losses, and treatment goals that demonstrate that the person's services are and continue to be reasonable and necessary.

- 1931.15 In order to be eligible for Medicaid reimbursement, each provider shall maintain records pursuant to the requirements described under Section 1908 (Reporting Requirements) and Section 1909 (Records and Confidentiality of Information) under Chapter 19 of Title 29 of the DCMR.
- 1931.16 In order to be eligible for Medicaid reimbursement, each home health agency providing skilled nursing services shall ensure that the LPN receives ongoing supervision and that the service provided is consistent with the person's ISP.
- 1931.17 Each skilled nursing provider shall review and evaluate skilled nursing services provided to each person, at least quarterly. The skilled nursing provider shall also maintain a contingency plan that describes how skilled nursing will be provided when the scheduled nurse is unavailable; and, if the lack of immediate care poses a serious threat to the person's health and welfare, how the service will be provided when back-up staff are unavailable.
- 1931.18 Services shall only be authorized for Medicaid reimbursement in accordance with the following provider requirements:
- (a) The person has exhausted all nursing visits allowable under the Medicaid State Plan;
 - (b) DDS provides a written service authorization before the commencement of services;
 - (c) The service name and home health agency delivering services must be 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 1931.20.
- 1931.19 Medicaid reimbursement for skilled nursing services is only available for individuals who live independently in their natural homes or host homes, and shall not be available when provided in a residential habilitation or supported living setting.
- 1931.20 Medicaid reimbursement is not available under the Waiver for skilled nursing visits that exceed fifty-two (52) visits per person annually.
- 1931.21 Upon exhaustion of the hours available for skilled nursing services under the Medicaid State Plan, Medicaid reimbursement may be available for one-to-one extended nursing services for twenty-four (24) hours a day, up to three hundred

and sixty-five (365) days, with prior approval from DDS, for persons on a ventilator or requiring frequent tracheal suctioning.

- 1931.22 Prior approval for one-to-one extended nursing services shall be obtained from the Medicaid Waiver Supervisor or designated DDS staff person after submission of documentation demonstrating the need for the extended services.
- 1931.23 Medicaid reimbursement governing the provision of skilled nursing services shall be developed using the following two (2) rate structures:
- (a) Skilled nursing services rate; and
 - (b) Extended skilled nursing services rate.
- 1931.24 The Medicaid reimbursement rate for skilled nursing services shall be sixty-five dollars (\$65.00) per visit for services provided by an RN or LPN for four (4) hours or less in duration. The Medicaid reimbursement rate for extended RN visits shall be thirty-two dollars (\$32) per hour or eight dollars (\$8) per fifteen minutes for extended RN visits for four (4) hours or less in duration. The Medicaid reimbursement rate for extended LPN visits shall be twenty dollars (\$20.00) per hour or five dollars (\$5) per fifteen minutes for extended visits for four (4) hours or less in duration.
- 1931.25 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.

Comments on the emergency and proposed rules shall be submitted, in writing, to Linda Elam, Ph.D., MPH, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, NW, Suite 900, Washington, D.C. 20002, via telephone at (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 emergency and proposed rules may be obtained from the above address.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, FEBRUARY 19, 2014
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On February 19, 2014 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-CC-00096 Moroni & Brothers Pizza Restaurant, 4811 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-077562

2. Case#14-CMP-00040 Town House Tavern Restaurant, 1637 R ST NW Retailer C Restaurant, License#: ABRA-024682

3. Case#14-251-00042 Madam's Organ, 2461 18TH ST NW Retailer C Tavern, License#: ABRA-025273

4. Case#13-AUD-00082 Buca Di Beppo, 1825 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-060461

5. Case#14-CMP-00038 Zoo Bar Cafe, 3000 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-060391

6. Case#14-251-00019 Public Bar, 1214 A 18TH ST NW A Retailer C Tavern, License#: ABRA-081238

7. Case#14-CMP-00046 George, 3251 PROSPECT ST NW CS-1 Retailer C Restaurant, License#: ABRA-078058

8. Case#14-CMP-00042 Red Line, 707 G ST NW Retailer C Restaurant, License#: ABRA-085225

9. Case#13-CMP-00542 HOT AND JUICY CRAWFISH, 2651 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-086226

10. Case#13-CMP-00370(a) Universal Liquors, 2018 FLORIDA AVE NW Retailer A Retail - Liquor Store, License#: ABRA-072213

11. Case#13-CMP-00541 Buca Di Beppo, 1825 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-060461

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LEGAL AGENDA

WEDNESDAY, FEBRUARY 19, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Licensee's Second Motion for Reconsideration, Denying Termination of Settlement Agreement and Reinstatement of Substantial Change Application. *Ghana Café*, 1336 14th Street NW, Retailer CR, Lic#: 83751.

2. Review of Petition to Terminate the Settlement Agreement dated September 20, 2006 filed by Stephen O'Brien. *Public Bar*, 1214B 18th Street NW, Retailer CT, Lic#: 071638.

3. Review of Settlement Agreement dated January 25, 2014 between ANC 2F, The Metropole Residents and Clover Logan Circle, LLC. *Tortilla Coast*, 1545 P Street NW, Retailer CN, Lic#: 86859.

4. Review of Settlement Agreement dated September 9, 2009 between ANC 1A and Local 11 LLC. *Maple formally known as Local 11*, 3418 11th Street NW, Retailer CT, Lic#: 82211.

5. Review of Four (4) Request from E & J Gallo to provide retailers with products valued at more than \$50 and less than \$500.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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
LICENSING AGENDA

WEDNESDAY, FEBRUARY 19, 2014 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Applicant's Personal History Affidavit for suitability to apply for ABC Retailer License. ANC 6A. SMD 6A04. *M & T Grocers Beer and Wine*, 201 15th Street NE, Retailer B, License No. 77390.

2. Review Application from Retailer C Tavern for Entertainment Endorsement to include dancing and cover charge. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 2B. SMD 2B06. *Malaysia Kopitiam*, 1827 M Street NW, Retailer CT, License No. 60144.

3. Review Application Request to place License in Safekeeping. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 2C. SMD 2C01. *M & S Grill*, 600 13th Street NW, Retailer CR, License No. 60429.

4. Review Application for Manager's License. *Devin M. Antoncich*, ABRA-93671.

5. Review Application for Manager's License. *James M. Griffin*, ABRA-94307.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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.**

**DISTRICT OF COLUMBIA
DEPARTMENT OF BEHAVIORAL HEALTH AND
STATE MENTAL HEALTH PLANNING COUNCIL**

NOTICE OF FUNDING AVAILABILITY

The **District of Columbia** Department of Behavioral Health (“DBH”) and the **State Mental Health Planning Council** are seeking projects for funding consideration under the FY 2014 - FY 2015 Community Mental Health Services Block Grant (CFDA No. 93.958). The projects should reflect the Substance Abuse and Mental Health Services Administration (SAMHSA) focus on behavioral health (mental health and substance use disorder), primary health, and the SAMHSA eight (8) strategic initiatives. These initiatives include: 1) Prevention of Substance Abuse and Mental Illness; 2) Trauma and Justice; 3) Military Families; 4) Recovery Support; 5) Health Reform; 6) Health Information Technology; 7) Data, Outcomes and Quality; and 8) Public Awareness and Support. The Planning Council recommends reviewing these initiatives on the SAMHSA website (<http://www.samhsa.gov/>). Additionally, the Institute of Medicine (IOM) prevention model identifies three (3) categories that are directed at whole populations and subsets of populations as universal, selective, and indicated. Applicants should be familiar with each prevention strategy.

Restrictions on the Use of Mental Health Block Grant Funds

The Public Health Service Act provides specific restrictions regarding the use of Mental Health Block Grant (MHBG) funding. The funds **may not** be used for any of the following purposes:

- To provide inpatient hospital services;
- To make cash payments to intended recipients of health services;
- To purchase or improve land, purchase, construct, or permanently improve (other than minor remodeling) and building or other facility, or purchase major medical equipment;
- To satisfy any requirement for the expenditure of non-Federal funds as a condition for the receipt of Federal funds; and
- To provide financial assistance to any entity other than a public or nonprofit private entity. (This prohibits use of MHBG funds to award grants/financial assistance to for-profit organizations but does not prohibit States from entering into a contractual agreement with for-profit organizations).

Annual Audit

If the grantee receives federal grant awards in the total sum of \$500,000 or greater in a year, an annual audit, in accordance with the standards set forth in OMB Circular A-133, of the financial condition and accounts of the program performed by an independent certified public accountant (CPA) who is not a member of the governing body or an employee of the program is required and must be submitted to the Department of Behavioral Health (DBH) Agency Fiscal Officer.

Who Can Apply?

Projects must be from District-based, public or nonprofit private entities.

The projects funded under this initiative must be:

- Innovative in nature;
- For adults with serious mental illness (SMI), incorporate elements of the recovery model, such as wellness and crisis planning, strong support system, self-advocacy;
- For children/youth with serious emotional disturbances (SED), incorporate resiliency principles related to activities, school, social interactions, and development of strengths; and
- Projects may also include adults, parents, and children/youth with co-occurring mental health and substance use disorders.

Projects will be funded ranging from \$5,000- \$20,000 for each year of a 2-year period (August 1, 2014 – July 31, 2015; and August 1, 2015 – July 31, 2016). Project proposals for only 1-year, at a maximum of \$20,000, may also be funded.

Only 5% of the total project budget can be spent on administrative costs.

Criteria used to determine which projects are approved include but are not limited to: justification of need for grant funds; soundness of proposed service delivery plan; measurable goals and outcomes; adequacy and reasonableness of proposed resources required; and demonstrated capacity managing the proposed project.

Applicants are also encouraged to propose projects that utilize best or promising practices and/or evidence-based practices. Consumer focused, consumer-run, and family member programs (that serve family members of SMI adults or SED children/youth) can also submit projects.

How to Apply?

The project Notice of Funding Availability (NOFA) and Request for Applications (RFA) will be available February 28, 2014 at the Office of Partnerships and Grant Services (OPGS) in its Grants Information Data Systems (GIDS). They will also be posted on the District's Grants Clearinghouse of the OPGS website and published in the weekly *Funding Alert* at opgs.dc.gov. Hard copies are available for pick-up at DBH from Lynne Smith at 64 New York Avenue, N.E., Second Floor, Washington, DC 20002.

Any questions regarding the Request for Applications must be submitted in writing to Suzanne Fenzel (Suzanne.fenzel@dc.gov), and/or Dr. Juanita Reaves (juanita.reaves@dc.gov).

All project proposals must be submitted by March 28, 2014 via email to: Lynne Smith at lynne.smith@dc.gov ; and Dr. Juanita Reaves at juanita.reaves@dc.gov .

All approved projects are contingent upon receipt and availability of funding.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
EDUCATION LICENSURE COMMISSION

NOTICE OF REVISED PUBLIC MEETING SCHEDULE

Pursuant to the Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; 23 D.C. Reg. 8734; D.C. Official Code § 38-1301 *et seq.*), and the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*), the Education Licensure Commission (“Commission”) hereby gives notice of a revision to the annual schedule of meetings for the 2014 Calendar Year, which was published in the *D.C. Register* on December 13, 2013.

The Commission holds regular bi-monthly public meetings, during which an executive pre-session is usually held. In months when the Commission is not holding a public meeting, the Commission holds bi-monthly work meetings. With this revision of the schedule, all meetings of the Commission, whether public, executive or work, will now be held on the *first* Thursday of each month, unless otherwise specified. The meetings will be held in Grand Hall B on the 3rd floor of the Office of the State Superintendent of Education building, located at 810 First Street, NE, Washington, DC 20002, unless otherwise specified.

The schedule of the Education Licensure Commission’s public, executive, and work meetings published on December 13, 2013 is hereby rescinded and replaced with the revised 2014 Calendar Year as set forth below:

DATE	TIME	TYPE OF MEETING
January 28, 2014	9:00 a.m. – 1:00 pm	Executive/Public
February 25, 2014	9:00 a.m. – 1:00 pm	Work
March 6, 2014	9:00 a.m. – 1:00 pm	Executive/Public
April 3, 2014	9:00 a.m. – 1:00 pm	Work
May 1, 2014	9:00 a.m. – 1:00 pm	Executive/Public
June 12, 2014	9:00 a.m. – 1:00 pm	Work
July 10, 2014	9:00 a.m. – 1:00 pm	Executive/Public
Commission in Recess	N/A	N/A
September 11, 2014	9:00 a.m. – 1:00 pm	Executive/Public
October 2, 2014	9:00 a.m. – 1:00 pm	Work
November 6, 2014	9:00 a.m. – 1:00 pm	Executive/Public
December 4, 2014	9:00 a.m. – 1:00 pm	Work

If you have questions regarding this schedule of meetings and New Applicant Workshops, please contact the Interim Director of the Education Licensure Commission, Antoinette Mitchell at (202) 741-0471 or at Antoinette.Mitchell@dc.gov.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**Notice of Funding Availability****School Improvement Grant (SIG) Program****Application Release Date: February 17, 2014****Application Submission Deadline: April 1, 2014**

The District of Columbia Office of the State Superintendent of Education is soliciting applications for the purpose of awarding SIG funds to Local Education Agencies (LEAs) who demonstrate the greatest need for the funds and the strongest commitment to use the funds to provide adequate resources in order to raise substantially the achievement of students in their lowest-performing schools. School Improvement Grants (SIG), authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (Title I or ESEA), are grants to State educational agencies (SEAs) that SEAs use to make competitive sub-grants to local educational agencies (LEAs). SIG funds are used for the purpose of implementing one (1) of the four (4) Turnaround Models: Turnaround, Transformation, Restart, and Closure. In general, the purpose of School Improvement Grants (SIG) is to increase student achievement and teacher/principal effectiveness in "Priority" schools.

Eligibility: Local Education Agencies are eligible to apply who have schools identified as "Priority".

Length of Awards: Grant awards will be made for a period of three (3) years, pending funding availability and the LEA/school's satisfactory implementation of the SIG grant guidelines.

Available Funding for Awards: The amount available for this award period is approximately Four Million Dollars (\$4,000,000.00).

Anticipated Number of Awards: It is anticipated that OSSE will have funding available for approximately three (3) new awards.

The Request for Applications (RFA) will be released on Monday, February 17, 2014, and the deadline for submission is Tuesday, April 1, 2014, at 4:00 p.m. The RFA will be available on OSSE's website, <http://osse.dc.gov/service/title-i-part-1003g-school-improvement-grants>, and/or by contacting the Accountability, Performance, and Support office at (202) 481-3797.

The OSSE will facilitate one (1) Mandatory LEA Application Technical Assistance Workshop for grant applicants. Applicants are required to attend the Mandatory LEA Application Technical Assistance Workshop to be held from 10:00 a.m. to 12:00 p.m. on Tuesday, February 25, 2014; Office of the State Superintendent of Education, 810 1st Street, NE, 8th Floor (Conference Room 865), Washington, D.C. 20002. Failure to attend the Mandatory LEA Application Technical Assistance Workshop will disqualify an applicant.

Please pre-register at least one (1) day prior for either of the **Optional LEA Application Technical Assistance Workshops** to be held on the following dates/times:

Optional Technical Assistance Workshops	
<p><i>Tuesday, March 4, 2014 @ 12pm – 1pm</i></p> <p>Office of the State Superintendent of Education 810 First Street, NE Conference Room 865 Washington, DC 20002 Contact Person: Danielle Rollins @ danielle.rollins@dc.gov.</p>	<p><i>Friday, March 7, 2014 @ 11am – 1pm</i></p> <p>Office of the State Superintendent of Education 810 First Street, NE Conference Room 865 Washington, DC 20002 Contact Person: Danielle Rollins @ danielle.rollins@dc.gov.</p>

For additional information regarding this competition, please contact Dr. LeeTosha Henry, Program Analyst, via email at leetosha.henry@dc.gov.

District of Columbia
Board of Elections

FICTITIOUS DEMOCRATIC PARTY BALLOT MAYORAL PRIMARY ELECTION DISTRICT OF COLUMBIA TUESDAY, APRIL 1, 2014		
INSTRUCTIONS TO VOTER		
1. TO VOTE YOU MUST DARKEN THE OVAL (○) TO THE LEFT OF YOUR CHOICE COMPLETELY. An oval (●) darkened to the left of any choice indicates a vote for that choice. 2. Use only a pencil or blue or black medium ball point pen. 3. If you make a mistake DO NOT ERASE. Ask for a new ballot. 4. For a Write-in candidate, write the name of the person on the line <u>and</u> darken the oval.		
FEDERAL	DISTRICT OF COLUMBIA	PARTY COMMITTEE PERSON(S)
DELEGATE TO THE U.S. HOUSE OF REPRESENTATIVES VOTE FOR NOT MORE THAN ONE (1)	MEMBER OF THE COUNCIL WARD (1, 3, 5 and 6) VOTE FOR NOT MORE THAN ONE (1)	NATIONAL COMMITTEEMAN VOTE FOR NOT MORE THAN ONE (1)
<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	<input type="radio"/> Candidate A Slate Name, if any <input type="radio"/> Candidate B Slate Name, if any
DISTRICT OF COLUMBIA		NATIONAL COMMITTEEWOMAN VOTE FOR NOT MORE THAN ONE (1)
MAYOR OF THE DISTRICT OF COLUMBIA VOTE FOR NOT MORE THAN ONE (1)	UNITED STATES SENATOR VOTE FOR NOT MORE THAN ONE (1)	<input type="radio"/> Candidate A Slate Name, if any <input type="radio"/> Candidate B Slate Name, if any
<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	ALTERNATE NATIONAL COMMITTEEMAN VOTE FOR NOT MORE THAN ONE (1)
UNITED STATES REPRESENTATIVE VOTE FOR NOT MORE THAN ONE (1)		<input type="radio"/> Candidate A Slate Name, if any <input type="radio"/> Candidate B Slate Name, if any
CHAIRMAN OF THE COUNCIL VOTE FOR NOT MORE THAN ONE (1)	<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	ALTERNATE NATIONAL COMMITTEEWOMAN VOTE FOR NOT MORE THAN ONE (1)
<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____	<input type="radio"/> Candidate A Slate Name, if any <input type="radio"/> Candidate B Slate Name, if any
AT-LARGE MEMBER OF THE COUNCIL VOTE FOR NOT MORE THAN ONE (1)		
<input type="radio"/> Candidate A <input type="radio"/> Candidate B <input type="radio"/> Write-in _____		
VOTE BOTH SIDES OF BALLOT		

District of Columbia
Board of Elections

FICTITIOUS DEMOCRATIC PARTY BALLOT
MAYORAL PRIMARY ELECTION
DISTRICT OF COLUMBIA
TUESDAY, APRIL 1, 2014

INSTRUCTIONS TO VOTER

1. TO VOTE YOU MUST DARKEN THE OVAL (○) TO THE LEFT OF YOUR CHOICE COMPLETELY. An oval (●) darkened to the left of any choice indicates a vote for that choice.
2. Use only a pencil or blue or black medium ball point pen.
3. If you make a mistake DO NOT ERASE. Ask for a new ballot.
4. For a Write-in candidate, write the name of the person on the line and darken the oval.

PARTY COMMITTEE PERSON(S)	PARTY COMMITTEE PERSON(S)	PARTY COMMITTEE PERSON(S)
<p>AT-LARGE MEMBER OF THE STATE COMMITTEEMAN VOTE FOR NOT MORE THAN SIX (6)</p>	<p>AT-LARGE MEMBER OF THE STATE COMMITTEEWOMAN VOTE FOR NOT MORE THAN SIX (6)</p>	<p>MEMBER OF THE STATE COMMITTEEMAN WARD (1 – 8) VOTE FOR NOT MORE THAN TWO (2)</p>
<p>○ Candidate A Slate Name, if any</p> <p>○ Candidate B Slate Name, if any</p> <p>○ Candidate C Slate Name, if any</p> <p>○ Candidate D Slate Name, if any</p> <p>○ Candidate E Slate Name, if any</p> <p>○ Candidate F Slate Name, if any</p>	<p>○ Candidate A Slate Name, if any</p> <p>○ Candidate B Slate Name, if any</p> <p>○ Candidate C Slate Name, if any</p> <p>○ Candidate D Slate Name, if any</p> <p>○ Candidate E Slate Name, if any</p> <p>○ Candidate F Slate Name, if any</p>	<p>○ Candidate A Slate Name, if any</p> <p>○ Candidate B Slate Name, if any</p> <p>MEMBER OF THE STATE COMMITTEEWOMAN WARD (1 – 8) VOTE FOR NOT MORE THAN TWO (2)</p> <p>○ Candidate A Slate Name, if any</p> <p>○ Candidate B Slate Name, if any</p>
<p>VOTE BOTH SIDES OF BALLOT</p>		

District of Columbia
Board of Elections

**FICTITIOUS REPUBLICAN/ STATEHOOD GREEN/LIBERTARIAN PARTY BALLOT
MAYORAL PRIMARY ELECTION
DISTRICT OF COLUMBIA
TUESDAY, APRIL 1, 2014**

INSTRUCTIONS TO VOTER

1. TO VOTE YOU MUST DARKEN THE OVAL (○) TO THE LEFT OF YOUR CHOICE COMPLETELY. An oval (●) darkened to the left of any choice indicates a vote for that choice.
2. Use only a pencil or blue or black medium ball point pen.
3. If you make a mistake DO NOT ERASE. Ask for a new ballot.
4. For a Write-in candidate, write the name of the person on the line and darken the oval.

FEDERAL	DISTRICT OF COLUMBIA	
DELEGATE TO THE U.S. HOUSE OF REPRESENTATIVES VOTE FOR NOT MORE THAN ONE (1)	MEMBER OF THE COUNCIL WARD (1, 3, 5 and 6) VOTE FOR NOT MORE THAN ONE (1)	
○ Candidate A	○ Candidate A	
○ Candidate B	○ Candidate B	
○ Write-in _____	○ Write-in _____	
DISTRICT OF COLUMBIA	UNITED STATES SENATOR VOTE FOR NOT MORE THAN ONE (1)	
MAYOR OF THE DISTRICT OF COLUMBIA VOTE FOR NOT MORE THAN ONE (1)	○ Candidate A	
○ Candidate A	○ Candidate B	
○ Candidate B	○ Write-in _____	
○ Write-in _____	UNITED STATES REPRESENTATIVE VOTE FOR NOT MORE THAN ONE (1)	
CHAIRMAN OF THE COUNCIL VOTE FOR NOT MORE THAN ONE (1)	○ Candidate A	
○ Candidate A	○ Candidate B	
○ Candidate B	○ Write-in _____	
○ Write-in _____		
AT-LARGE MEMBER OF THE COUNCIL VOTE FOR NOT MORE THAN ONE (1)		
○ Candidate A		
○ Candidate B		
○ Write-in _____	END OF BALLOT	

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**Final Notice of Polling Place Relocation**

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its February 5, 2014 meeting in relocating Precinct #4, Ward 2 Polling Place.

The public is advised that the voting area for Precinct #4 will be changed from:

**West End Public Library
1101 24th Street, N.W.
“Large Meeting Room”**

and moved to:

**School Without Walls @Francis Stevens
2425 N Street, N.W.
“Gymnasium”**

Please note that the relocation will be effective beginning with the upcoming April 1, 2014 Mayoral Primary Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**Final Notice of Polling Place Relocation**

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its February 5, 2014 meeting in relocating Precinct #5, Ward 2 Polling Place.

The public is advised that the voting area for Precinct #5 will be changed from:

**Georgetown Neighborhood Library
3260 R Street, N.W.
“Large Meeting Room”**

and moved to:

**Christ Episcopal Church
3116 O Street, N.W.
“Keith Hall”**

Please note that the relocation will be effective beginning with the upcoming April 1, 2014 Mayoral Primary Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

Final Notice of Polling Place Relocation

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its February 5, 2014 meeting in relocating Precinct #31, Ward 3 Polling Place.

The public is advised that the voting area for Precinct #31 will be changed from:

**Janney Elementary School
4130 Albemarle Street, N.W.
“Multi-Purpose Room”**

and moved to:

**St. Columbas Episcopal Church
4201 Albemarle Street, N.W.
“Multi-Purpose Room”**

Please note that the relocation will be effective beginning with the upcoming April 1, 2014 Mayoral Primary Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**Final Notice of Polling Place Relocation**

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its February 5, 2014 meeting in relocating Precinct #38, Ward 1 Polling Place.

The public is advised that the voting area for Precinct #38 will be changed from:

**Park View Recreation Center
639 Otis Place, N.W.
“Recreation Area”**

and moved to:

**Cesar Chavez Prep Charter School
770 Kenyon Street, N.W.
“Multi-Purpose Room”**

Please note that the relocation will be effective beginning with the upcoming April 1, 2014 Mayoral Primary Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

Final Notice of Polling Place Relocation

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its February 5, 2014 meeting in relocating Precinct #70, Ward 5 Polling Place.

The public is advised that the voting area for Precinct #70 will be changed from:

**Perry Street Prep PCS @Taft
1800 Perry Street, N.E.
“Multi-Purpose Room”**

and moved to:

**Burroughs Elementary School
1820 Monroe Street, N.E.
“Multi-Purpose Room”**

Please note that the relocation will be effective beginning with the upcoming April 1, 2014 Mayoral Primary Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**Final Notice of Polling Place Relocation**

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its February 5, 2014 meeting in relocating Precinct #139, Ward 5 Polling Place.

The public is advised that the voting area for Precinct #139 will be changed from:

**Thurgood Marshall Elementary School
3100 Fort Lincoln Drive, N.E.
“Community Service Room”**

and moved to:

**Theodore Hagan Cultural Center
3201 Fort Lincoln Drive, N.E.
“Multi-Purpose Room”**

Please note that the relocation will be effective beginning with the upcoming April 1, 2014 Mayoral Primary Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

Public Notice of Proposed Polling Place Relocation

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of proposed action taken at its February 5, 2014 meeting in relocating Precinct #3, Ward 2 Polling Place.

The public is advised that the proposed voting area for Precinct #3 will be changed from:

**School Without Walls
2130 G Street, N.W.
“Multi-Purpose Room”**

and moved to:

**St. Paul’s Parish
2430 K Street, N.W.
“Main Lobby”**

The relocation was proposed when the Board learned that the facility would be available for use on the dates requested.

Please note that the relocation will be effective beginning with the upcoming April 1, 2014, Mayoral Primary Election. If you have any comments on this matter, please contact Mr. Arlin Budoo at 727-5704 **no later than Monday, March 3, 2014** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, March 5, 2014. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board’s final action.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**Public Notice of Proposed Polling Place Relocation**

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of proposed action taken at its February 5, 2014 meeting in relocating Precinct #116, Ward 8 Polling Place.

The public is advised that the proposed voting area for Precinct #116 will be changed from:

**New Image Community Baptist Church
1839 Alabama Avenue, S.E.
“Multi-Purpose Room”**

and moved to:

**The ARC
1901 Mississippi Avenue, S.E.
“Auditorium”**

The relocation was proposed when the Board learned that the facility would not be available for use on the dates requested due to scheduled renovations of the site.

Please note that the relocation will be effective beginning with the upcoming April 1, 2014, Mayoral Primary Election. If you have any comments on this matter, please contact Mr. Arlin Budoo at 727-5704 **no later than Monday, March 3, 2014** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, March 5, 2014. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board’s final action.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**Public Notice of Proposed Polling Place Relocation**

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of proposed action taken at its February 5, 2014 meeting in relocating Precinct #117, Ward 8 Polling Place.

The public is advised that the proposed voting area for Precinct #117 will be changed from:

**Douglas Community Recreation Center
2100 Stanton Terrace, S.E.
“Main Lobby”**

and moved to:

**Turner Elementary School
3264 Stanton Road, S.E.
“Gymnasium”**

The relocation was proposed when the Board learned that the facility would be available for use on the dates requested.

Please note that the relocation will be effective beginning with the upcoming April 1, 2014, Mayoral Primary Election. If you have any comments on this matter, please contact Mr. Arlin Budoo at 727-5704 **no later than Monday, March 3, 2014** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, March 5, 2014. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board’s final action.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS

Public Notice of Proposed Polling Place Relocation

The Board of Elections hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of proposed action taken at its February 5, 2014 meeting in relocating Precinct #118, Ward 8 Polling Place.

The public is advised that the proposed voting area for Precinct #118 will be changed from:

**Garnet-Wilkinson Elementary School
2330 Pomeroy Road, S.E.
“Gymnasium”**

and moved to:

**Moten Elementary School
1565 Morris Road, S.E.
“Multi-Purpose Room”**

The relocation was proposed when the Board learned that the facility would be available for use on the dates requested.

Please note that the relocation will be effective beginning with the upcoming April 1, 2014, Mayoral Primary Election. If you have any comments on this matter, please contact Mr. Arlin Budoo at 727-5704 **no later than Monday, March 3, 2014** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, March 5, 2014. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board’s final action.

For further information, members of the public may contact the Board of Elections at 727-2525.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

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 #6727 to Potomac Electric Power Company (Pepco) to operate one Elliot emergency diesel generator, located in Washington, DC. The contact person for the facility is Shirley Harmon, Manager, Environmental Compliance & Performance Assessment, at (202) 331-6640.

Emergency Generator to be Permitted

Equipment Location	Address	Generator (Engine) Size	Serial Number	Permit No.
Sub 41-230 kV Benning Road Service Center	3400 Benning Road, NE Washington, DC 20019	200 kW (268 hp)	BX01J197	6727

The proposed emission limits are as follows:

- a. 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]
- b. 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)	1.79	0.45
Oxides of Nitrogen (NO _x)	8.31	2.08
Total Particulate Matter , PM (Total)	0.59	0.15
Volatile Organic Compounds (VOCs)	0.66	0.17
Sulfur Dioxide (SO _x)	0.55	0.14

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 March 17, 2014 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

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 #6731 to Potomac Electric Power Company (Pepco) to operate one Stewart & Stevenson emergency diesel generator, located in Washington, DC. The contact person for the facility is Shirley Harmon, Manager, Environmental Compliance & Performance Assessment, at (202) 331-6640.

Emergency Generator to be Permitted

Equipment Location	Address	Generator (Engine) Size	Engine Serial Number	Permit No.
Sub 41-69 kV Benning Road Service Center	3400 Benning Road, NE Washington, DC 20019	100 kW (134 hp)	4A0241645	6731

The proposed emission limits are as follows:

- a. 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]
- b. 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)	0.90	0.22
Oxides of Nitrogen (NO _x)	4.15	1.04
Total Particulate Matter , PM (Total)	0.29	0.07
Volatile Organic Compounds (VOCs)	0.33	0.08
Sulfur Dioxide (SO _x)	0.27	0.07

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 March 17, 2014 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

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 air quality permit Nos. 6796, 6797 and 6798 to the U.S. General Services Administration (GSA) to construct and operate three used 1,250 kW diesel fuel fired emergency generator sets with 1,818 hp engines at the Central Heating and Refrigeration Plant at 325 13th Street SW, Washington, DC 20024. The contact person for facility is George Korvah, Manager, Environmental & Water Chemistry Branch at (202) 821-8109. The applicant's mailing address is 325 13th Street SW, Washington, DC 20024.

Emissions:

Maximum emissions from each of the 1250 kW emergency generators, limited to operating four hundred (400) hours per year each, are expected to be as follows:

	Maximum Annual Emissions
Pollutant	(tons/yr)
Particulate Matter (PM) (Total)	0.14
Sulfur Oxides (SO _x)	1.36
Nitrogen Oxides (NO _x)	7.34
Volatile Organic Compounds (VOC)	0.074
Carbon Monoxide (CO)	0.94

The proposed overall emission limits for the equipment are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from stationary sources; provided, that the 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, soot blowing, adjustment of combustion controls, or malfunction of the equipment. [20 DCMR 606.1]
- b. 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 permit applications and supporting documentation, along with the draft permits 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 March 17, 2014 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2014

PUBLIC NOTICE**AIR QUALITY TITLE V OPERATING PERMIT AND
GENERAL PERMIT FOR
CHILDREN'S NATIONAL MEDICAL CENTER**

Notice is hereby given that Children's National Medical Center has applied for a Title V air quality permit pursuant to the requirements of Title 20 of the District of Columbia Municipal Regulations, Chapters 2 and 3 (20 DCMR Chapters 2 and 3) to operate seven (7) diesel emergency generators, several above and underground storage tanks, fume hoods, wet cooling towers, x-ray/photography development equipment, natural gas fired kitchen equipment, and laboratory equipment at the hospital located 111 Michigan Avenue NW, Washington DC 20010. The contact person for the facility is Arthur Shmidt, Mechanical Engineer, at (202) 476-2259

With the emission limitations included in the draft permit, Children's National Medical Center has the potential to emit approximately 23.77 tons per year of oxides of nitrogen (NO_x), just under the District's major source threshold of 25 tons per year of NO_x. Under normal maximum operating conditions for determination of the potential emissions (i.e. 500 hours per year per emergency generator), the combined emissions of the equipment would possibly have exceeded the major source threshold for NO_x and thus trigger a Non-Attainment New Source Review (NNSR). In order to avoid this possibility, the facility opted for operating hour restrictions on three of the generators to keep their potential to emit NO_x under the major source threshold. The Chapter 3 permitting process is being used in this case to make these limits federally enforceable and enforceable as a practical matter.

The District Department of the Environment (DDOE) has reviewed the permit application and related documents and has made a preliminary determination that the applicant meets all applicable air quality requirements promulgated by the U.S. Environmental Protection Agency (EPA) and the District. Therefore, draft permit #041 has been prepared.

The application, the draft permit and associated Fact Sheet and Statement of Basis, and all other materials submitted by the applicant [except those entitled to confidential treatment under 20 DCMR 301.1(c)] considered in making this preliminary determination are available for public review during normal business hours at the offices of the District Department of the Environment, 1200 First Street NE, 5th Floor, Washington DC 20002. Copies of the draft permit and related fact sheet are available at <http://ddoe.dc.gov>.

A public hearing on this permitting action will not be held unless DDOE has received a request for such a hearing within 30 days of the publication of this notice. Interested parties may also submit written comments on the permitting action. Hearing requests or comments should be directed to Stephen S. Ours, DDOE Air Quality Division, 1200 First Street NE, 5th Floor, Washington DC 20002. Questions about this permitting action should be directed to Olivia Achuko at (202) 535-2997 or olivia.achuko@dc.gov. Comments or hearing requests will not be accepted after March 17, 2014.

FRIENDSHIP PUBLIC CHARTER SCHOOL
NOTICE OF REQUEST FOR PROPOSAL FOR

Friendship Public Charter School is seeking bids from prospective candidates to provide:

- Athletic Equipment, Supplies & Uniforms
- Uniform Services
- Instructional materials and Supplies
- Offsite Printing and Copy Services
- Onsite Print Shop and Copy Services
- Professional Development Services
- Student Support Services
- Event Support Services to include but not limited to promotional items, décor, and furniture rental
- Legal Services
- Human Resources Outsourcing; and
- Classroom Furniture, Fixtures & Equipment

An electronic copy of the full Request for Proposal (RFP) may be requested by contacting ProcurementInquiry@friendshipschools.org.

DEPARTMENT OF HEALTH (DOH)
HIV/AIDS, Hepatitis, STD & TB Administration (HAHSTA)
Notice of Funding Availability (NOFA)
RFA #RWTA_022814

Treatment Adherence Counseling Services

The Government of the District of Columbia, Department of Health, HIV/AIDS, Hepatitis, STD & TB Administration (HAHSTA) is soliciting applications from qualified applicants to provide treatment adherence counseling services and primary care coordination services to indigent, uninsured and under-insured persons who are living with HIV/AIDS in the District of Columbia and the Eligible Metropolitan Area (EMA).

Approximately **\$225,000** are expected to become available for up to two awards in the following areas in FY 2014:

- Treatment Adherence Counseling Services for transgender individuals (District of Columbia only) **\$75,000**
- Primary Care Coordination of Services inclusive of Medical Case Management, Mental Health, Substance Abuse and Medical Transportation targeting African Immigrants and Transgender people of color. (EMA-wide) **\$150,000**

Funds are made available through a grant received by the Department of Health from the Department of Health Resources and Services Administration, authorized by the Ryan White HIV/AIDS Treatment Extension Act of 2009.

Programs are expected to begin on or about April 15, 2014 for a period of 24 months based on performance and funding availability.

All awards are contingent upon an award to the District of Columbia Department of Health by the U.S. Health Resources & Services Administration (HRSA).

The Request for Application (RFA) release date is Friday, February 28, 2014. The RFA will be available for pick up at The District of Columbia, Department of Health, HAHSTA offices located at 899 North Capitol Street NE, 4th floor and on the Office of Partnerships and Grant Services, DC Grants Clearinghouse website www.opgs.dc.gov on **Friday, February 28, 2014**.

The Pre-Application Conference will be held on **Wednesday, March 5, 2014 from 10:00 am – 12:00 pm** at 899 North Capitol St. NE, 4th floor, Washington, DC.

The submission deadline for the HAHSTA RFA#RWTA_022814 is 4:45 pm Friday, March 28, 2014. Proposals not delivered by this deadline will not be considered for funding.

Please contact **T'Wana Holmes at (202) 671-4900** for additional information.

**DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION
CERTIFICATION AND NOTICE OF RENT ADJUSTMENT OF GENERAL
APPLICABILITY**

EFFECTIVE MAY 1, 2014

1. Pursuant to Section 206(b) of the Rental Housing Act of 1985, D.C. Law 6-10, the Rental Housing Commission shall determine an adjustment of general applicability in the rent of the rental units established by Section 206(a), which shall be equal to the change during the previous calendar year in the Washington, D.C. Standard Metropolitan Statistical Area (SMSA)¹ Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for All Items.
2. Pursuant to Section 206(b) of the Rental Housing Act of 1985, the Commission determined that the Washington-Baltimore (SMSA) CPI-W for All Items increased by 1.4% during the previous calendar year.
3. Accordingly, the Rental Housing Commission determined that the change during calendar year 2013, in the Washington-Baltimore SMSA CPI-W for All Items was 1.4%.
4. Pursuant to the requirements of Section 202(a)(3) of the Rental Housing Act of 1985, D.C. Law 6-10, the Rental Housing Commission hereby certifies and gives notice that the rent adjustment of general applicability to become effective on May 1, 2014, shall not exceed 1.4% of the rent in effect on April 30, 2014.

1. The Rental Housing Commission and the Rent Administrator are mandated by the Rental Housing Act of 1985 (Act), D.C. OFFICIAL CODE § 42-3501.01-3509.07 (2001), to annually calculate and publish in the D.C. Register the percentage change in the Washington, D.C., Standard Metropolitan Statistical Area Consumer Price Index for All Items. D.C. OFFICIAL CODE §§ 42-3502.02(a)(3), 3502.04(k), 3502.06(b) (2001).

The Act does not comply with two changes in the publication by the Department of Labor (DOL), Bureau of Labor Statistics (BLS), which publishes the CPI-W statistics and determines what areas will be in the Standard Metropolitan Statistical Area. First, DOL/BLS enlarged the geographical areas included with Washington, D.C., in the local Standard Metropolitan Statistical Area and second, the name of the DOL/BLS statistical document was changed. Originally, the Standard Metropolitan Statistical Area included only three jurisdictions, which were Washington, D.C., Maryland, and Virginia. The statistical document issued by DOL/BLS, and used by both the Rent Administrator and the Rental Housing Commission was named "Consumer Price Index, Urban Wage Earners and Clerical Workers - (CPI-W), Washington, DC-MD-VA, All Items." That publication was discontinued, and now the DOL/BLS publication is the "Consumer Price Index, Urban Wage Earners and Clerical Workers - (CPI-W), Washington-Baltimore, DC-MD-VA-WV, All Items." The difference is the inclusion of the state of West Virginia and the city of Baltimore, Maryland into the Standard Metropolitan Statistical Area with Washington, D.C.


THE RENTAL HOUSING COMMISSION 2014 RESOLUTION**for****THE CHANGE IN THE CONSUMER PRICE INDEX, URBAN WAGE EARNERS AND CLERICAL WORKERS – (CPI-W), WASHINGTON-BALTIMORE, DC-MD-VA-WV, ALL ITEMS**


It is hereby resolved by the Rental Housing Commission this 6th day of February, 2014

1. Whereas, effective January 1998, the United States Department of Labor eliminated the “Washington, D.C. Standard Metropolitan Statistical Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for All Items,” which was published bi-monthly in odd numbered months ending with November each year, and initiated the “Consumer Price Index, Urban Wage Earners and Clerical Workers – (CPI-W), Washington-Baltimore, DC-MD-VA-WV, All Items,” which includes the city of Washington, D.C., and the states of Maryland, Virginia, and West Virginia, hereinafter referred to as Washington-Baltimore, that is published bi-monthly in odd numbered months ending in November each year;
2. Whereas, pursuant to Section 206(b) of the Rental Housing Act of 1985, D.C. Law 6-10, the Rental Housing Commission is mandated to determine the change, during the twelve months of calendar year 2013 in the Washington-Baltimore Standard Metropolitan Statistical Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for All Items;
3. Whereas, pursuant to the requirements of Section 206(b) of the Rental Housing Act of 1985, D.C. Law 6-10, the Rental Housing Commission used the reported CPI-W for calendar year 2013 in the Washington-Baltimore Standard Metropolitan Statistical Area (SMSA) Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for All Items;
4. Be it resolved that the Commission determined the 2013 change in the CPI-W for the Washington-Baltimore SMSA was 1.4%.
5. Pursuant to the requirements of Section 202(a)(3) of the Rental Housing Act of 1985, D.C. Law 6-10:²
 - (a) The Rental Housing Commission hereby certifies that the rent adjustment of general applicability, to become effective on May 1, 2014 shall not exceed 1.4% of the rents in effect on April 30, 2014; and

² As amended by D.C. Law 16-145, the “Rent Control Reform Amendment Act of 2006.” See 53 D.C. Register 6688 (Aug. 18, 2006)

- (b) The Rental Housing Commission adopts the Certification and Notice of Rent Adjustment of General Applicability, effective May 1, 2014, in the form annexed hereto and directs its transmittal to the District of Columbia Office of Documents for publication in the District of Columbia Register.


PETER B. SZEGEDY-MASZAR, CHAIRMAN


RONALD A. YOUNG, COMMISSIONER

PERRY STREET PREP PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS

EARLY CHILDHOOD PROGRAM SUPPORT

The Perry Street Prep Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to offer programmatic, coaching, assessment, and curriculum support for its early childhood program in SY2014-15 and full management of that program beginning in SY2015-16.

SCHOOL IMPROVEMENT SERVICES

The Perry Street Prep Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to offer school improvement services.

SITE PLANNING SERVICES

The Perry Street Prep Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to offer site planning services.

STRATEGIC PLANNING SERVICES

The Perry Street Prep Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to offer strategic planning services.

E-mail the Bid Administrator at psp_bids@pspdc.org to request a full RFP offering more detail on scope of work and bidder requirements. Please include the subject of this notice in your e-mail request.

Proposals shall be received no later than 5:00 P.M., Monday, February 24, 2014.

Prospective Firms shall submit one electronic submission via e-mail to the following address:

Bid Administrator
psp_bids@pspdc.org

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF PUBLIC MEETING REGARDING
SURPLUS RESOLUTION PURSUANT TO D.C. OFFICIAL CODE §10-801**

The District will conduct a public meeting to receive public comments on the proposed surplus of District property. The date, time and location shall be as follows:

- Property:** Parcel 42, located at the corner of 7th Street, NW and Rhode Island Ave, NW
Lots 0106 and 0803, in Square 0442
- Date:** Monday, March 3, 2014
- Time:** 6:30 p.m.
- Location:** Watha T Daniel Library (WTD Meeting Room)
Multipurpose Room (2nd Floor)
1630 7th Street, NW
Washington, DC 20001
- Contact:** Ivan Matthews, Ivan.Matthews@dc.gov

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF OPEN PUBLIC MEETING**

February 20, 2014
10:00 a.m.

900 7th Street, N.W.
Mezzanine Level Training Room
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on February 20, 2014, at 10:00 a.m. The meeting will be held at 900 7th Street, N.W., Mezzanine Level Training Room, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled. For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or Deborah.reaves@dc.gov.

AGENDA

- | | |
|---------------------------------------|-----------------|
| I. Call to Order and Roll Call | Chairman Bress |
| II. Approval of Board Meeting Minutes | Chairman Bress |
| III. Chairman's Comments | Chairman Bress |
| IV. Executive Director's Report | Mr. Stanchfield |
| V. General Counsel's Report | Ms. Sampson |
| VI. Investment Committee Report | Ms. Blum |
| VII. Operations Committee Report | Mr. Ross |
| VIII. Benefits Committee Report | Mr. Smith |
| IX. Legislative Committee Report | Mr. Blanchard |
| X. Other Business | Chairman Bress |
| XI. Adjournment | |

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 March 1, 2014.

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 February 14, 2014. 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

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Adams	Shelley N.	Society for American Archaeology 1111 14th Street, NW, Suite 800	20005
Addis	Deborah W.	TCA TrustCorp America 5301 Wisconsin Avenue, NW, Suite 450	20015
Ajibolade	Oluwabanke	Wells Fargo Bank, NA 1545 Alabama Avenue, SE	20032
Alas	Evelyn J.	Rockport Capital, Inc. 1775 Pennsylvania Avenue, NW, Suite 1200	20006
Asis	Christopher	Capital One Bank, NA 4860 Massachusetts Avenue, NW	20016
Barksdale	Angela Q	Self 1204 Penn Street, NE, Suite 2	20002
Bland	Pamela Y.	Regan Zambri & Long, PLLC 1919 M Street, NW, Suite 350	20036
Brioso	Miriam	Alston & Bird, LLP 950 F Street, NW	20004
Burch	Andrea	United States Telecom Association 607 14th Street, NW, Suite 400	20005
Burrell	Brandi C.	Paulson & Nace, PLLC 1615 New Hampshire Avenue, NW	20009
Cashin	Cheyenne K.	Cleary Gottlieb Steen & Hamilton, LLP 2000 Pennsylvania Avenue, NW	20006
Chatman	Mia M.	The Elocen Group 1341 H Street, NE, Suite 301	20002
Childress	Sara R.	Public Defender Service 633 Indiana Avenue, NW	20004

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Christian	Katelynn	America's Essential Hospitals 1301 Pennsylvania Avenue, NW, Suite 950	20004
Clark	Derrick S.	Wells Fargo Bank, NA 5201 MacArthur Boulevard, NW	20006
Corboy	Eileen M.	Menkiti Group 3401 8th Street, NE	20017
Curry	Marquita	PNC Bank 1913 Massachusetts Avenue, NW	20036
Davis	Dana L.	Wells Fargo Bank, NA 1750 H Street, NW, Suite 550	20006
Davis	Emily Rebecca	BKV Group 1054 31st Street, NW, Canal Square, Suite 204	20007
Dickens	Vanessa M.	J.P. Morgan Chase 901 15th Street, NW, Suite 1100	20005
Dixon	Joseph A.	George Washington University Hospital 900 23rd Street, NW	20037
Donaldson	Kenneth	Ocean Conservancy 1300 19th Street, NW, 8th Floor	20036
Duckett	Ophelia Arlene	Reed Smith, LLP 1301 K Street, NW, Suite 1100 - East Tower	20005
Dunlap	Karen J.	Kelley Drye & Warren LLP 3050 K Street, NW	20007
Duvalier	Lorraine	Fort Lincoln New Town Corporation 3005 Bladensburg Road, NE	20018
Dyson	LaClaudia	Constantine Cannon LLP 1301 K Street, NW	20005

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Etzkorn	Lars	Self 1848 Kalorama Road, NW	20009
Fields	Darlene	Self (Dual) 514 Ava Way, NE	20017
Fodor	Shaw	The Arc of the United States 1825 K Street, NW, Suite 1200	20006
Friend	Carol A.	Skadden Arps Slate Meagher & Flom, LLP 1440 New York Avenue, NW	20005
Gallardo	Sandra E.	DC Office of Human Rights 441 4th Street, NW, Suite 570N	20001
Gattison	Wanda	Office of Unified Communications 2720 Martin Luther King Avenue, Jr., SE	20032
Gay	Gina V.	Office of Unified Communications 2720 Martin Luther King Avenue, Jr., SE	20032
Glaser	Loren	Suntrust Bank 900 17th Street, NW	20006
Golden	Kushantani	Group Hospitalization and Medical Services, Inc. (GHMS) 840 First Street, NE	20065
Gonzalez	Christine A.	Gore Brothers Reporting & Videoconferencing 1025 Connecticut Avenue, NW, Suite 1000	20036
Green	Phyllis Rae	Corporation for National and Community Service 1201 New York Avenue, NW, Suite 10600	20525
Griffin	Katherine M.	National Endowment for the Humanities 1100 Pennsylvania Avenue, NW, Room 529	20009

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Griffith	Shelly M.	Mayfair Mansions Apartments 3744½ Hayes Street, NE	20019
Hall	Elva Scott	Reed Smith, LLP 1301 K Street, NW, Suite 1100 - East Tower	20005
Harrington	Nahdia	Planet Depos 1100 Connecticut Avenue, NW, Suite 900	20036
Hernandez	William S.	Wells Fargo Bank, NA 3325 14th Street, NW	20010
House	Catherine Allen	Cassidy Turley 2101 L Street, NW, Suite 700	20037
Jachles	Cynthia G.	Washington Metropolitan Area Transit Authority 600 Fifth Street, NW, Room 5B	20001
Jackson	Deidre Natasha	Ropes & Gray, LLP One Metro Center, 700 12th Street, NW	20005
Jackson	Valerie J.	Northwest Holy Trinity Church 709 4th Street, NE	20001
Jimenez-Flores	Melina E.	Jill Grant & Associates, LLC 1319 F Street, NW, Suite 300	20004
Jones	Brenda V.	Self 123 56th Place, SE	20019
Jones	LaWanda R.	District Department of the Environment 1200 First Street, NE, 5th Floor	20002
Kebede	Meseret G.	TD Bank 2000 K Street, NW	20006
Keswani	Monica Lal	Tantua Technologies, Inc. 501 School Street, SW, Suite 800	20024

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Kohnke	Brittney	Woodley & McGillivary 1101 Vermont Avenue, NW, Suite 1000	20005
Krantzman	Sharon A.	Lerman Senter PLLC 2000 K Street, NW, Suite 600	20006
Laethem	Dorothee Van	Royal Regency International Hotels, Inc. 1050 17th Street, NW, Suite 600	20036
Lee	Emma Yen	House of Lee, Inc. 613 H Street, NW	20001
Llijic	Patricia	PAHO/WHO Federal Credit Union 2112 F Street, NW, #201	20037
Lopez-Isa	Lourdes M.	The Rock Creek Group, LP 1133 Connecticut Avenue, NW	20036
Lorenzetti	Marissa	The Madison Group 1030 15th Street, NW, Suite 1080 West	20005
Matthews	Nicholas James	TD Bank 2000 K Street, NW	20006
McGhee	Shukura C.	TD Bank 1753 Connecticut Avenue, NW	20009
McKenzie	Kimberly Cobb	Office of Tax and Revenue 1101 4th Sreet, SW	20024
Melendez	Rosaura	Capital One Bank, NA 1717 Pennsylvania Avenue, NW	20006
Miller	Pamela	Covington & Burling LLP 1201 Pennsylvania Avenue, NW	20004
Murphy	Judith A.	Nossaman LLP 1666 K Street, NW, Suite 500	20006

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Niles	Catherine J.	Hill International, Inc. 1225 Eye Street, NW, Suite 601	20005
Nolan	Annazette	Department of Veterans Affairs Medical Center 50 Irving Street, NW	20422
Ortega	Beatriz	Office of Unified Communications 2720 Martin Luther King Avenue, Jr., SE	20032
Patton	Carl H.	Cathedral West Condominium 4100 Cathedral Avenue, NW	20016
Peele	Nancy Louise	Jones Walker LLP 499 South Capitol Street, SW, Suite 600	20003
Pia	Josefina R.	Federal Services, Inc. 1712 I Street, NW, Suite 915	20006
Quevedo	Andrea	BB&T 1909 K Street, NW	20006
Ramos	Yansy	UTS Corporation 1801 Columbia Road, NW, Suite 103	20009
Rosado	Judy	Bingham McCutchen LLP 2020 K Street, NW	20006
Roseboro	Ashley D.	The Bonner Group 455 Massachusetts Avenue, NW, Suite 640	20001
Rowland	Janet A.	Arnold & Porter LLP 555 Twelfth Street, NW	20004
Saavedra	A.E.	Medstar Washington Hospital Center 110 Irving Street, NW	20010
Sargent	David J.	Self (Dual) 101 G Street, SW, A608	20024

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Seifert	Shaun T.	Center for Security Policy, Inc. 1901 Pennsylvania Avenue, NW, Suite 201	20006
Shephard	Helen	United States Holocaust Memorial Museum 100 Raoul Wallenberg Place, SW	20024
Small	LeTitia Ilene	Ballard Spahr, LLP 1909 K Street, NW, 12th Floor	20006
Smith	Elzaida Y.	TIAA-CREF 601 13th Street, NW	20005
Smith	Rosa W.	Holland & Hart LLP 975 F Street, NW, Suite 900	20004
Starnes	Sonya	Tilden Gardens 3000 Tilden Street, NW	20008
Stewart	Kellie	ABC Insurance Trust 440 First Street, NW, Suite 200	20001
Stovall	Christopher	Wells Fargo Bank 1300 I Street, NW, 1st Floor	20005
Taylor	Jessica	Capital One Bank, NA 1717 Pennsylvania Avenue, NW	20006
Thomas	LaToya	Weiencek + Associates Architects & Planners 1814 N Street, NW	20036
Thompson	Martinique L.	NeighborWorks America 999 North Capitol Street, NE, Suite 900	20002
Toran	Marilyn	Howard University School of Law 2900 Van Ness Street, NW	20008
Volcheck	Delores A.	Ain & Bank, P.C. 1900 M Street, NW, Suite 600	20036

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Wallace	Sean P.	International Code Council 500 New Jersey Avenue, NW, 6th Floor	20001
Weathersby	Vera M.	Boies, Schiller & Flexner, LLP 5301 Wisconsin Avenue, NW	20015
Wheeler, Sr.	George L.	Self (Dual) 35 U Street, NW	20001
White	Charise F.	Suntrust Bank 1369 Connecticut Avenue, NW	20036
Williams	Sheri L.	Wedster, Fredrickson, Correia & Puth, PLLC 11775 K Street, NW, Suite 600	20006
Xie	Jianing	Sandford Heisler, LLP 1666 Connecticut Avenue, NW	20009
Yancey	Gloria S.	Amgen 601 13th Street, NW, 12th Floor South	20005

THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL
REQUEST FOR PROPOSALS

Deadline Extended to 2/21/2014—Caterer for Annual Gala Fund-Raising Event

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks a caterer for its Shining Star Gala via this revised Request For Proposals. The annual event raises funds that support the school’s rigorous curriculum and youth development services, as well as honoring supporters and raising public awareness about the school’s work.

Ideal caterers will be able to provide, but are not limited to, the following services:

- Available on Thursday, May 1, 2014
- Ability to host 300-400 guests for 1) a main building event with at least two bar stations and six food stations spread throughout a two-story space as well as passed heavy hors d’oeuvres/dinner items; and 2) a seated dessert portion of the event in a gymnasium to include at least one bar station; **please provide per-person cost per meal**
- Elegant presentation and high-end menu options
- Provide alternative and comparable menu options for guests with dietary restrictions, particularly vegetarian and vegan options
- Provide tables, linens, chairs, utensils, glassware, china, serving/kitchen equipment as appropriate, tables/linens for display and other decorative elements (**include cost in bid**)
- Must provide appropriate number of staff to accommodate event described above: servers, cooks/kitchen attendants & bartenders
- Ability to set up four hours prior to event and clean up that evening
- Ability to assist with floral arrangements, lighting, and valet as determined necessary by Thurgood Marshall Academy
- Must hold liquor license and insurance as set by industry standards
- Experience with school fundraising events preferred
- Flexibility and capacity to negotiate further with school to finalize plans

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at www.thurgoodmarshallacademy.org.

By submitting a bid, contractors affirm that they (and subcontractors, if any) are not an excluded party by or disbarred from doing business with either the U.S. federal government or the government of the District of Columbia.

Optional (a plus): contractors may submit their registration number as a DC Community Business Enterprise (“CBE”) if registered with the DC Department of Small & Local Business Development.

For further information contact Juliet Kline, 202-563-6862 x105 or jkline@tmapchs.org.

Submit proposals—including unsigned contract and website address—no later than **Noon EST on Friday, February 21, 2014**, via e-mail to jkline@tmapchs.org.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
SPECIAL MEETING OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The special meeting of the Board of Trustees of the University of the District of Columbia will be held on Tuesday, February 18, 2014 at 5:00 p.m. in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. 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. Academic Affairs
 - a. Resolution: Approval of Master of Arts Degree in Adult Education
- III. Unfinished Business
 - a. Vision 2020 Strategic Plan
- IV. Closing Remarks

Adjournment

Expected Meeting Closure

In accordance with Section 2-575 (b) (10) of the D. C. Code, 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.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

Audit Committee

The regular bi-monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Audit Committee are held in open session on the fourth Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, February 27, 2014	9:30 a.m.
Thursday, April 24, 2014	9:30 a.m.
Thursday, June 26, 2014	9:30 a.m.
(Board recess in August)	
Thursday, September 25, 2014	9:30 a.m.
Friday, November 21, 2014	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) are held in open session on the first Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, March 6, 2014	9:30 a.m.
Thursday, April 3, 2014	9:30 a.m.
Thursday, May 1, 2014	9:30 a.m.
Thursday, June 5, 2014	9:30 a.m.
Wednesday, July 3, 2014	9:30 a.m.
(Board recess in August)	
Thursday, September 4, 2014	9:30 a.m.
Thursday, October 2, 2014	9:30 a.m.
Thursday, November 6, 2014	9:30 a.m.
Thursday, December 4, 2014	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

Environmental Quality and Sewerage Services

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Environmental Quality and Sewerage Services Committee are held in open session on the third Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, February 20, 2014	9:30 a.m.
Thursday, March 20, 2014	9:30 a.m.
Thursday, April 17, 2014	9:30 a.m.
Thursday, May 15, 2014	9:30 a.m.
Thursday, June 19, 2014	9:30 a.m.
Thursday, July 17, 2014	9:30 a.m.
(Board recess in August)	
Thursday, September 18, 2014	9:30 a.m.
Thursday, October 16, 2014	9:30 a.m.
Thursday, October 23, 2014 (Joint Meeting with Water Quality and Water Services, Finance and Budget, and DC Retail Water & Sewer Rates Committees)	9:30 a.m.
Thursday, November 20, 2014	9:30 a.m.
Thursday, December 18, 2014	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

Finance and Budget Committee

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Finance and Budget Committee are held in open session on the fourth Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, February 27, 2014	11:00 a.m.
Thursday, March 27, 2014	11:00 a.m.
Thursday, April 24, 2014	11:00 a.m.
Thursday, May 22, 2014	11:00 a.m.
Thursday, June 26, 2014	11:00 a.m.
Thursday, July 24, 2014	11:00 a.m.
(Board recess in August)	
Thursday, September 25, 2014	11:00 a.m.
Thursday, October 23, 2014 (Joint Meeting with Water Quality and Water Services, Finance and Budget, and DC Retail Water & Sewer Rates Committees)	9:30 a.m.
Friday, November 20, 2014	9:30 a.m.
Friday, December 19, 2014	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

Governance Committee

The regular bi-monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Governance Committee are held in open session on the second Wednesday. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dewater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Wednesday, March 12, 2014	9:00 a.m.
Wednesday, May 14, 2014	9:00 a.m.
(Board recess in August)	
Wednesday, September 10, 2014	9:00 a.m.
Wednesday, November 12, 2014	9:00 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

Human Resource and Labor Relations Committee

The regular bi-monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Human Resource and Labor Relations Committee are held in open session on the second Wednesday of each month. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Wednesday, March 12, 2014	11:00 a.m.
Wednesday, May 14, 2014	11:00 a.m.
Wednesday, July 9, 2014	11:00 a.m.
(Board recess in August)	
Wednesday, September 10, 2014	11:00 a.m.
Wednesday, November 12, 2014	11:00 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF 2014 MEETING SCHEDULE

Water Quality and Water Services Committee

The regular monthly meetings of the Board of Directors of the District of Columbia Water and Sewer Authority's (DC Water) Water Quality and Water Services Committee are held in open session on the third Thursday of each month. The following are dates and times for the regular monthly meetings to be held in 2014. All meetings are held at 5000 Overlook Avenue, SW, Washington, DC 20032 unless otherwise indicated. Notice of a location of a meeting other than 5000 Overlook Avenue, SW will be published in the *D.C. Register* and posted on the DC Water's website (www.dcwater.com). A notice will be published in the *D.C. Register* for each meeting with a draft agenda. In addition, a copy of the final agenda will be posted on DC Water's website, and notice of the meeting will be posted at all of DC Water facilities.

Thursday, February 20, 2014	11:30 a.m.
Thursday, March 20, 2014	11:30 a.m.
Thursday, April 17, 2014	11:30 a.m.
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Thursday, June 19, 2014	11:30 a.m.
Thursday, July 17, 2014	11:30 a.m.
(Board recess in August)	
Thursday, September 18, 2014	11:30 a.m.
Thursday, October 16, 2014	11:30 a.m.
Thursday, October 24, 2013 (Joint Meeting with Water Quality and Water Services, Finance and Budget, and DC Retail Water & Sewer Rates Committees)	9:30 a.m.
Thursday, November 20, 2014	9:30 a.m.
Thursday, December 18, 2014	9:30 a.m.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

**Joint Meeting – Environmental Quality and Sewerage Services and
Water Quality and Water Services Committees**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee and Water Quality and Water Services Committee will be holding a joint meeting on February 20, 2014 at 11:00 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 linda.manley@dcwater.com.

DRAFT AGENDA

- | | |
|---------------------------------|---|
| 1. Call to Order | Committee Chairperson |
| 2. Emergency Contracting | Assistant GM for Customer Care and Operations |
| 3. Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Sewerage Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee will be holding a meeting on Thursday, February 20, 2014 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.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. AWTP Status Updates
1. BPAWTP Performance | Assistant General Manager,
Plant Operations |
| 3. Status Updates | Chief Engineer |
| 4. Project Status Updates | Director, Engineering &
Technical Services |
| 5. Action Items
- Joint Use
- Non-Joint Use | Chief Engineer |
| 6. Emerging Items/Other Business | |
| 7. Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Water Quality and Water Services Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Water Quality and Water Services Committee will be holding a meeting on Thursday, February 20, 2014 at 11:30 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.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|---|
| 1. Call to Order | Committee Chairperson |
| 2. Water Quality Monitoring | Assistant GM for Customer Care and Operations |
| 3. Fire Hydrant Upgrade Program | Assistant GM for Customer Care and Operations |
| 4. Action Items | Assistant GM for Customer Care and Operations |
| 5. Emerging Issues/Other Business | Assistant GM for Customer Care and Operations |
| 6. Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18683 of Holy Name Parish, pursuant to 11 DCMR § 3104.1, for a special exception to establish a private school (100 students and nine staff) for adults under § 206, in the R-4 District at premises 1125 Neal Street, N.E. (Square 4065, Lot 819).

HEARING DATES: January 7, 2014; January 29, 2014; and February 4, 2014¹

DECISION DATE: February 4, 2014

SUMMARY ORDER

SELF CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 5.)

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") 5D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5D, which is automatically a party to this application. ANC 5D neither testified nor submitted a report regarding the application.²

The Office of Planning ("OP") submitted a timely report on January 22, 2014, recommending approval of the application with the condition that the school be limited to 100 students and nine staff, as proposed. (Exhibit 25.) By its letter, dated January 22, 2014, the District Department of Transportation ("DDOT") indicated it had no objection to the Applicant's request for special exception relief, but suggested four conditions.³ (Exhibit 26.)

Ninety letters of support were submitted from various members of the community, including Gallaudet University and Center City Public Charter Schools. (Exhibits 23D, E, and F.)

¹ The case was postponed from the Board's public hearing agendas of January 7 and 29 and heard on February 4, 2014.

² The Applicant testified that it had met with the Single Member District member and had been scheduled to make presentations before the full ANC, but for reasons beyond its control, had been unable to do so.

³ The Applicant testified that DDOT withdrew its fourth condition and the Applicant agreed to the other three conditions.

BZA APPLICATION NO. 18683

PAGE NO. 2

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 §§ 206. 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 report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 206, 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 SUBJECT TO THE PLANS AT EXHIBIT 4 AND THE FOLLOWING CONDITIONS**:

1. The School's enrollment shall be limited to 100 students and the number of its faculty and staff shall be limited to nine.
2. The School shall select one person of the staff to serve as the transportation director to coordinate Transportation Demand Management ("TDM") measures, distribute information on alternative transit options to students and staff, and encourage transit ridership and carpooling.
3. The School shall provide employees the maximum allowable amount of Metro Smart Benefits, only to teachers and staff who commit to riding Metro to get to and from the school.⁴
4. The School shall include an information display kiosk in the lobby with information on alternative transit modes including WMATA, CommuterConnections.com, GoDCgo.com, the Capital Bikeshare Program, and car-sharing programs.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

⁴ Employees are able to elect this as a tax-free option that employees fund themselves at a maximum contribution of \$130 per month, per DDOT's memo of January 22, 2014. (Exhibit 26.)

BZA APPLICATION NO. 18683

PAGE NO. 3

VOTE: **3-0-2** (S. Kathryn Allen, Anthony J. Hood, and Jeffrey L. Hinkle to Approve; Lloyd L. Jordan, recused; and the third Mayoral appointee 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: February 7, 2014

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. 18683

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. 18700 of Thomas Kelly, pursuant to 11 DCMR § 3104.1, for a special exception for an accessory apartment under subsection 202.10, in the R-1-B District at premises 1205 Decatur Street, N.W. (Square 2922, Lot 3).

HEARING DATE: February 4, 2014

DECISION DATE: February 4, 2014

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

This application was accompanied by a memorandum, dated October 25, 2013, from the Zoning Administrator certifying the required relief (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 Advisory Neighborhood Commission (ANC) 4C, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4C, which is automatically a party to this application. ANC 4C submitted a letter 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 report not objecting to 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 202.10. 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 202.10, 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 Plans under Exhibit 7) be **GRANTED**.

BZA APPLICATION NO. 18700**PAGE NO. 2**

VOTE: **4-0-1** (Lloyd J. Jordan, S. Kathryn Allen, Anthony J. Hood and Jeffrey L. Hinkle to APPROVE, and the third member 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: February 7, 2014

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

BZA APPLICATION NO. 18700
PAGE NO. 3

PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 08-34C
Z.C. Case No. 08-34C**

**Capitol Crossing IV, LLC and Archdiocese of Washington Holy Rosary Church
(Second-Stage Planned Unit Development)
January 27, 2014**

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on December 12, 2013, to consider an application from Capitol Crossing IV, LLC and Archdiocese of Washington Holy Rosary Church (together, the "Applicant") for approval of a second-stage Planned Unit Development ("Second-Stage PUD") for development of the Holy Rosary Church facilities in the Center Block (the "Application") in accordance with the Commission's approval in Z.C. Case No. 08-34 ("Order No. 08-34") under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR ("Zoning Regulations"). The project site includes Lot 854 and a portion of Lot 853 in Square 566 (the "Site"). The Commission considered the Application pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the Application.

FINDINGS OF FACT

Application, Parties, and Hearing

1. On July 8, 2013, the Applicant filed the Application, including architectural plans and drawings, for approval of the Second-Stage PUD for the Site in accordance with Order No. 08-34 (the "PUD Submission"). (Exhibits ["Ex."] 2-3A2.)
2. At its July 29, 2013, public meeting, the Commission set the case for hearing.
3. The Applicant filed a Prehearing Submission on August 8, 2013, including a Prehearing Statement and supporting exhibits. (Ex. 14). The Applicant then filed additional materials in its Supplemental Prehearing Submission on November 21, 2013, (the Supplemental Prehearing Submission") along with fully re-issued plans and elevations (the "HRC Second-Stage PUD Plans"). (Ex. 22-23A2.)
4. A related modification to the First-Stage PUD was set down for a public hearing by the Commission at its September 9, 2013 public meeting and assigned Z.C. Case No. 08-34D. The Applicant requested the modification because the plans approved in Order 08-34 showed a building that was 50 feet in height, and the PUD Submission showed a building that was eight feet taller. The Applicant subsequently submitted plans showing that the building's height was actually 52 feet and seven inches, and requested that the Commission revisit its decision to hold a hearing on the Applicant's First-Stage modification request. At its September 30, 2013 public meeting, the Commission considered this request, and decided that it would determine whether the additional height

Z.C. ORDER NO. 08-34C
Z.C. CASE NO. 08-34C
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shown in the HRC Second-Stage Plans was substantially in accordance with the conditions of the first-stage approval when it decided this case, and that the Applicant was proceeding at its own risk that the Commission may determine that it was not, and the Applicant would have to subsequently request a modification to the First Stage approval at that point. The Commission withdrew its set down of the Z.C. Case No. 08-34D.

5. A Notice of Public Hearing was published in the *D.C. Register* on October 11, 2013. The Notice of Public Hearing was mailed to all property owners within 200 feet of the Site as well as to Advisory Neighborhood Commission ("ANC") 2C and ANC 6C.
6. The Commission held a public hearing on the Application on December 12, 2013. The parties to the case were the Applicant as well as ANC 2C and ANC 6C, the ANCs within which the Site is located.
7. The Applicant presented the following witnesses: Sean Cahill, representing the Applicant; Rod Garrett, architect with the firm of Skidmore, Owings and Merrill LLP ("SOM"); and Jami Milanovich, traffic consultant with the firm of Wells & Associates. Mr. Garrett and Ms. Milanovich were accepted as experts in their respective fields.
8. The Office of Planning ("OP") submitted a report dated December 2, 2013, in support of the Application. (Ex. 25.) The OP Report stated that the proposal is substantially in accordance with the First-Stage PUD approval and is not inconsistent with the Comprehensive Plan. With respect to the height of the HRC Facilities, the OP report stated that the two foot, seven inch height increase was minor, particularly in the context of the anticipated 130 foot maximum height approved for the adjacent Center Block sites. The OP report further stated that the additional height would allow for additional clearance in the ceiling plenum for HVAC ducting while maintaining better than eight foot tall ceilings in the annex classroom and offices. The HRC facilities would maintain the same five stories and programming anticipated in the approved First-Stage PUD. In its testimony at the hearing, OP reiterated its support for the Application and rested on the record.
9. The District Department of Transportation ("DDOT") submitted a report dated November 25, 2013. (Ex. 24.) DDOT testified generally in support of the project at the hearing.
10. ANC 2C submitted a letter dated December 6, 2013, indicating that with a quorum present, ANC 2C voted unanimously to support the Application. (Ex. 27.) ANC 6C did not submit a letter and did not appear at the hearing.
11. At the conclusion of the hearing, the Commission took proposed action to approve the Application, including the HRC Second-Stage PUD Plans. The Commission requested that the Applicant refine the cornice of the building to better articulate the top of the

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building and provide additional views of the courtyard elevations and the view to the west. On January 6, 2014, the Applicant submitted its Post-Hearing Submission (the "Post-Hearing Submission") with this information. (Ex. 30-30A). The Commission waived the requirement that the Applicant identify the public benefits of the PUD and prove that each benefit will result for the grant of the application pursuant to 11 DCMR §§ 2403.15 through 2405.21 because the proffers and conditions of the PUD were sufficiently established by the First-Stage PUD order.

12. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. NCPC, by delegated action dated January 10, 2014, found that the Application would not have an adverse effect on federal interests nor be inconsistent with the Comprehensive Plan for the National Capital. (Ex.31.)
13. The Commission took final action to approve the Application at its public meeting held on January 27, 2014.

The Site and the Area

14. The Site includes Lot 854 and a portion of Lot 853 in Square 566, which are part of Record Lot 49 in Square 566. Square 566 is bounded by 2nd Street to the east, the proposed extension of F Street to the south, 3rd Street to the west, and the proposed extension of G Street to the north, in Northwest DC. The Site contains approximately 13,000 square feet of land area and will be combined and connected to Lot 855 in Square 566, the site of the current Holy Rosary Church and Casa Italiana.
15. The Site was approved as part of a first-stage PUD (the "First-Stage PUD") in Order No. 08-34 and is part of what is known as the Center Block. Order No. 08-34 approved the First-Stage PUD for the entire area of development in the air rights above the Center Leg Freeway, a zoning map amendment to C-4 for the entire site, and a consolidated PUD for the following: (1) the construction of the entire platform; (2) the proposed mix of uses, the height and density of each building, and site plan for the overall project; (3) the construction of the office building in the North Block; (4) the construction of all below-grade parking, concourse and service levels; and (5) the proposed landscaping and streetscape design for the overall Site.
16. The First-Stage PUD approved a single building for the Center Block to include office, residential, and retail uses along with the relocated facilities for the Holy Rosary Church. Specifically, the Center Block includes the removal of certain facilities of the Archdiocese of Washington, including the Holy Rosary Rectory and the Holy Rosary Annex from their current location within the former F Street right-of-way and the construction of new facilities, including a new rectory and annex, partially on land within the overall PUD site and partially on land owned by the Church outside of the overall

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PUD site (the "HRC Facilities"). The Application requests approval for the Second-Stage PUD for the HRC Facilities. The office, residential and retail uses are not included in this Application and will be brought forward in a separate second-stage PUD application.

17. The Site is zoned C-4 by virtue of Order No. 08-34¹.
18. The Site is not within a historic district. The Holy Rosary Church is not a designated historic landmark.

Design of South Block Building

19. The HRC Facilities include approximately 33,312 square feet of gross floor area, of which 22,765 square feet will be located within the Site. The HRC Facilities have a maximum height of building of 52.7 feet plus a parapet and roof structure as shown on the HRC Second-Stage PUD Plans.
20. The HRC Facilities have been located to re-establish the original relationship of the Church and the annex and rectory to the configuration that existed prior to construction of the Freeway. The massing of the new building is divided into four main parts: the new annex, the new rectory, a central connector, and an elevated courtyard at the second floor level. The connector is centrally located and used to moderate the difference in the floor elevations between the existing Church, the existing Casa Italiana, and the new annex and rectory structures. The new annex and rectory structures anchor off of that connector and split off perpendicular to each other to frame the new courtyard.
21. The HRC Facilities have been designed with great sensitivity to the character of the original Church, with special consideration given to the Bell Tower, and with the intent of keeping the overall scale consistent with the scale of the original rectory before the Freeway was constructed. Between the existing Bell Tower and new rectory, a new covered, single-story entry is created. The roof line of this open air entry follows the exact profile of the original annex that once stood adjacent to the Bell Tower. The top floor of the new rectory introduces a setback on F Street to reduce its height to ensure an appropriate scale adjacent to the original Bell Tower along F Street.
22. Indiana limestone was selected for the face of the rectory and entry along F Street, which has a texture and color that compliments the existing Church. The façade of the rectory that faces the courtyard will be clad in a light-colored brick in a similar color tone to the limestone. This material compliments the brick pattern selected for the new annex also facing the courtyard. The new annex has no direct face on the street and is designed with

¹ The Commission established C-4 Zoning as appropriate for the site in granting the First-Stage PUD through Order 08-34. See 11 DCMR § 2407.9. The PUD-related rezoning is effective upon the recordation of a covenant requiring development and use of the Site in accordance with the adopted orders of the Commission, or any amendments thereof. See 11 DCMR §2409.3.

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larger scale fenestration to increase daylight access in the classrooms and open views into the courtyard. The courtyard will be used for special events as well as daily activities for the Church.

23. The Commission requested that the Applicant consider modifying the cornice line of the HRC Facilities to better articulate the top of the building. In its Post-Hearing Submission, the Applicant revised the cornice to include a stone cap. The Commission finds that this revision addresses its concern.
24. The streetscape design for the HRC Facilities is consistent with the approval in Order No. 08-34. The streetscape design along the re-established F Street incorporates a traffic calming strategy in the vicinity of the Holy Rosary Church, with special paving and projecting curbs to enhance pedestrian safety while providing space for seasonal celebrations and festivals. Street trees at this location serve to soften the street edge and reduce the perceived scale of the nearby buildings. The design of the streetscape extends the planted green zone along the north side of F Street. The final detailed design of the F Street landscaping will ultimately require approval from the DDOT Public Space Division.

Parking Access and Circulation

25. In Order No. 08-34, the overall project was approved to include a total of 1,146 parking spaces in the consolidated, below-grade parking facility. This Application proposes no change to the amount of parking approved in Order No. 08-34.
26. The HRC Facilities include limited parking behind the Holy Rosary Church, below the raised courtyard. This parking facility, which replaces parking for the Church that is currently located in the former F Street right-of-way, will be accessed from an existing curb cut on 3rd Street. This limited parking is exclusively for use by the Church and is not included in the approximately 1,146 parking spaces required for the overall project.
27. Access to the below-grade parking facilities was originally approved to be from 3rd Street, with one entrance in the North Block and one entrance in the South Block. A third access to the below-grade parking facility was provided from F Street in the Center Block. In this Application, the third access has been eliminated and replaced with a stair to provide access from F Street to the second-level courtyards.
28. DDOT raised concerns relating to the impact of the elimination of the F Street access on the transportation network in the area as well as the capacity of the driveways to handle the vehicles entering and exiting the below-grade parking facility.
29. The Applicant's traffic consultant testified that there is no adverse impact on the transportation network when comparing the approved access and the proposed access.

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This conclusion was based on comparative levels of service based on the approved and proposed access scenarios, assuming implementation of identified mitigation elements.

30. In addition, the Applicant's traffic consultant testified that even though the F Street access would be eliminated, the total number of lanes accessing the below-grade parking garage would not change. Specifically, in the approved access scenario, each access included two lanes, for a total of six lanes. With the elimination of the F Street access, each access would include three lanes, for a total of six lanes. Accordingly, the proposed access scenario maintains the same capacity as the approved access scenario.
31. The Commission finds that there will be no additional impact on the transportation network for the proposed access scenario based on the levels of service and mitigation presented. In addition, the capacity of the access to the below-grade parking facility does not change in the proposed access scenario.
32. DDOT raised concerns regarding the curb cut design for access to the below-grade facility. The final design of the curb cuts will be addressed during the public space permitting process.

Phasing of the Project

33. In accordance with Z.C. Order No. 08-34B, Condition No. 27 of Order No. 08-34 has been replaced to approve the consolidated PUD until December 13, 2014. By that date, an application must be filed for a public space permit for the utility relocation. Within nine months of the issuance of the utility relocation permit, the Applicant shall commence construction of the utility relocation work. Within 30 months of the issuance of the utility relocation permit, the Applicant shall apply for the construction of the platform and base infrastructure. Construction of the platform and base infrastructure shall begin within one year of the issuance of that building permit. The Commission provided that within two years of the completion of the construction of the platform and base infrastructure, the Applicant must apply for a building permit for the construction of the North Block. The Applicant must commence construction of the North Block within four years of the completion of the construction of the platform and base infrastructure.
34. Given the necessity of having the platform constructed prior to the vertical development, the Applicant requests that the Second-Stage PUD for the HRC Facilities be approved in the same manner as the consolidated PUD was approved for the North Block in Order No. 08-34 and as the office building in the South Block in Z.C. Order No. 08-34A. Specifically, the Applicant requests that upon approval of the Second-Stage PUD for the HRC Facilities, a building permit application must be submitted within two years of the completion of the construction of the platform and base infrastructure and that construction must commence within four years of that date. The Commission finds that the proposed timeframe for approval of the Second-Stage PUD is acceptable.

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Compliance with PUD Standards

35. The Applications comply with the standards for a PUD set forth in Chapter 24 of the Zoning Regulations.
36. The Commission is required to find that the second-stage application is in accordance with the purpose and intent of the First-Stage PUD. Condition 1 of Order No. 08-34 requires development “substantially in accordance with the plans prepared by SOM, dated May 23, 2011, in the record at Exhibit 66”. The HRC facilities are two feet and seven inches taller than what was shown in the plans approved in Z.C. Case No. 08-34. However, when considered in combination with (a) the HRC Facilities maintain the same five stories and programming shown in the plans approved in First-Stage PUD, (b) the additional height would permit a larger clearance in the ceiling plenum for HVAC ducting while maintaining ceiling heights in the classroom and office space, and (c) the HRC facility would stand next to 130 foot tall buildings in the Center Block sites, the additional height represents only a minor increase. The Commission therefore finds that the proposed height is in substantial accordance with the First-Stage approval.
37. The Commission finds that the Application is in accordance with the intent and purposes of the Zoning Regulations, the PUD Process and the First-Stage PUD approval in Order No. 08-34 as is evidenced in the PUD Submission, the Prehearing Submission, the Supplemental Prehearing Submission, the Post-Hearing Submission and the testimony at the public hearing.
38. The overall project, including the HRC Facilities, provides important public benefits and project amenities which are described in detail in Order No. 08-34. These public benefits and project amenities have not changed with this Application. Accordingly, the Commission's finding that the relative value of the project amenities and public benefits offered is sufficient given the degree of development incentives requested and any potential adverse effects of the overall project, including the HRC Facilities, should not change.
39. The HRC Facilities have been evaluated under the PUD guidelines for the C-4 Zone District. The density of the HRC Facilities is below the density permitted for a PUD within the C-4 Zone District and is less than that approved in Order No. 08-34. The maximum height of the South Block Building is within that permitted for a PUD in the C-4 Zone District and is consistent with the First-Stage PUD approval in Order No. 08-34.
40. The Application has been evaluated by the relevant District agencies and has been found to have no unacceptable adverse impact. The Commission finds that the HRC Facilities will have a positive impact on the city and will have no unacceptable adverse impacts.

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41. As set forth in Order No. 08-34, the Commission finds that the HRC Facilities advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan. The Commission finds that the HRC Facilities is not inconsistent with the Comprehensive Plan of 2006.

Office of Planning

42. By report dated December 2, 2013 ("OP Report"), and through testimony presented at the public hearing, OP recommended approval of the Application. (Ex. 25.)
43. In the OP Report and its testimony at the hearing, OP concluded that the proposal is substantially in accordance with the First-Stage PUD approval and is not inconsistent with the Comprehensive Plan. OP recommended approval of the Application.

District Department of Transportation

44. DDOT filed a report dated November 25, 2013, summarizing DDOT's assessment of the impacts of the Application on the District's transportation network. In its report and in its testimony, DDOT testified generally in support of the Application.
45. DDOT raised concerns relating to the impact of the elimination of the F Street access on the transportation network in the area, the capacity of the driveways to handle the vehicles entering and exiting the below-grade parking facility, and the design of the curb cuts providing access to the below-grade parking facility. These issues are addressed in Finding Nos. 29 through 32.

ANC 2C Report

46. By letter dated December 6, 2013, ANC 2C indicated that it voted to support the Applications by a vote of 3-0-0. (Ex. 27.)
47. The Commission afforded the views of ANC 2C the "great weight" to which they are entitled.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2.)

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2. Under the PUD process of the Zoning Regulations, the Commission has the authority to consider and approve the Second-Stage PUD. The Commission may impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking, loading, yards, and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.
3. The development of the HRC Facilities carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
4. The Application is in substantial accordance with the intent and purpose of First-Stage PUD approval in Order No. 08-34.
5. The HRC Facilities are within the applicable height, bulk, and density standards of the Zoning Regulations for a PUD within the C-4 Zone District. This mixed-use project which serves to reconnect the city is appropriate for the Site. The impacts of the HRC Facilities are not unacceptable.
6. The impact of the HRC Facilities is acceptable given the quality of the public benefits of the project.
7. The number and quality of the project benefits and amenities offered are a more than sufficient trade-off for the flexibility and development incentives requested.
8. Approval of the Application is not inconsistent with the Comprehensive Plan.
9. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give great weight to the affected ANC's recommendations. The Commission has carefully considered ANC 2C's support for the project and has given that support great weight.
10. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code § 6-623.04) to give great weight to OP recommendations. The Commission has carefully considered OP's support for the project and has given that support great weight.

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11. The approval of the Application will promote the orderly development of the Site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Zoning Map of the District of Columbia.
12. Notice was provided in accordance with the Zoning Regulations and applicable case law.
13. The Application is subject to compliance with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission **ORDERS APPROVAL** of the application for a Second-Stage PUD for the HRC Facilities. This approval is subject to the following guidelines, conditions, and standards. Whenever compliance is required prior to, on or during a certain time, the timing of the obligation is noted in bold and underlined text.

A. PROJECT DEVELOPMENT

1. The HRC Facilities shall be developed substantially in accordance with the plans prepared by SOM, dated November 21, 2013, in the record at Exhibits 23A1-23A2, as supplemented by the additional plan pages dated January 6, 2013, submitted with the Post-Hearing Submission in the record at Exhibit 30A, (collectively, the "HRC Second-Stage PUD Plans") all as modified by the guidelines, conditions, and standards herein.
2. The HRC Facilities shall have an approximate gross floor area of 33,312 square feet, of which approximately 22,765 square feet of gross floor area will be located within the Site.
3. The maximum height of the South Block Building shall be 52.7 feet, as shown on the HRC Second-Stage PUD Plans.
4. The Applicant shall have flexibility with the design of the PUD in the following areas:
 - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and mechanical rooms, provided that the variations do not change the exterior configuration of the building;

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- b. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of materials;
- c. To vary the location, attributes and general design of the public spaces and streetscapes incorporated in the project to comply with the requirements of and the approval by the District Department of Transportation Public Space Division;
- d. To modify the location of the fireman access to the below-grade tunnel as necessary to comply with the life safety standards within the eastern portion of the F Street façade of this Second-Stage PUD application; and
- e. To make minor refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals.

B. PUBLIC BENEFITS

5. **The Applicant shall submit with its building permit application** a checklist evidencing that the portion of the project for which the permit is submitted has been designed to meet the USGBC LEED Silver standard for the core and shell of the building.
6. **During construction of the project**, the Applicant shall abide by the First Source Employment Agreement under which the Applicant has agreed to fill 51% of all new jobs resulting from the construction of the project with District residents and to fill 67% of all new apprenticeship positions with District residents.
7. **During construction of the project**, the Applicant shall abide by an agreement that provides for Certified Business Enterprises to represent 20% of the developer's equity and development participation in the project and that provides for the Applicant to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the project.

C. MISCELLANEOUS

8. No building permit shall be issued for this PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the owner of the

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Site and the District of Columbia, that is satisfactory to the Office of the Attorney General and DCRA. Such covenant shall bind the Applicant and all successors in title to construct on and use the Site in accordance with this Order or amendment thereof by the Commission.

9. The Second-Stage PUD approved by the Commission shall be valid for a period of two years from the date of completion of the platform and base infrastructure approved in Order No. 08-34. Within such time, the Applicant shall apply for a building permit for the construction of the HRC Facilities. The Applicant shall commence construction of the HRC Facilities within four years of the completion of the construction of the platform and base infrastructure.
10. The Applicant is required to comply fully with the provisions the D.C. Human Rights Act of 1977, D.C. Law 2-38, as amended, D.C. Official Code § 2-1401.01 et seq., (“Act”). This Order is conditioned upon full compliance with those provisions. 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.

On December 12, 2013, upon the motion of Commissioner May, as seconded by Vice Chairman Cohen, the Zoning Commission **APPROVED** the Application at the conclusion of its public hearing by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to approve).

On January 27, 2014, upon the motion of Commissioner Miller, as seconded by Vice Chairman Cohen, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on February 14, 2014, 2014.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 11-15B**

Z.C. Case No. 11-15B

Howard University

**(Amendment to and Further Processing of Approved Campus Master Plan -
Expansion of Dining Facility at Bethune Annex)**

December 19, 2013

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on December 19, 2013, in order to consider an application by Howard University ("Howard" or the "Applicant"), pursuant to 11 DCMR § 507.1, for an amendment to its approved campus plan and special exception approval for further processing of the campus plan, as amended, in order to permit the expansion of the dining facility at the Bethune Annex Residence Hall ("Bethune Annex"). The Bethune Annex is located at 2225 Fourth Street, N.W., in Square 3068, Lot 30, in the D/SP-2 Zone Districts (the "Property"). The Commission considered the application pursuant to Chapters 30 and 31 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the rules of the Board of Zoning Adjustment at Chapter 31 of Title 11 DCMR.

Hearing Date: December 19, 2013

Decision Date: December 19, 2013

FINDINGS OF FACT

A. The Application, Parties, and Hearing

1. On October 1, 2013, Howard filed an application with the Commission seeking an amendment to its approved campus plan (the "Campus Plan")¹ to include two additions to the Bethune Annex and special exception approval for further processing of said plan, as amended to approve the construction of the additions (the "Application"). The purpose of the Application is to permit the expansion of the dining facility at the Bethune Annex. (Exhibit ["Ex."] 3.)
2. The proposed expansion includes a two-story building addition that consists of approximately 8,007 square feet, which will increase the capacity at the dining facility from 227 to 550 seats. There will also be a one-story addition on the east side of the Bethune Annex that consists of approximately 793 square feet, which will be used for kitchen, storage, and similar functions to support the operation of the dining facility.
3. The construction proposed under the Application is internal to the Howard University Campus. To the north and south of the Property (on College and Bryant Streets, respectively) two new residence halls are under construction and

¹ The Campus Plan was approved by the Commission effective March 2, 2012 through its issuance of Z.C. Order No. 11-15.

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to the west is Howard's School of Communications. The DC Water Bryant Street Pumping Station is located immediately east of the Bethune Annex.

4. The expansion of the Bethune Annex dining facility is necessary to accommodate approximately 1,362 students who will reside in the two residence halls under construction on College and Bryant Streets, which are scheduled to open in the Fall of 2014.
5. On December 5, 2013, the Applicant submitted a Prehearing Statement. (Ex. 17-17M.) The Prehearing Statement included letters of support from Advisory Neighborhood ("ANC") 1B, ANC 5E, the Bloomingdale Civic Association, the Georgia Avenue Community Development Task Force, the LeDroit Park Civic Association, and the Pleasant Plains Civic Association.
6. A description of the proposed development and the notice of the public hearing in this matter were published in the *D.C. Register* on October 18, 2013. The notice of public hearing was mailed to all property owners within 200 feet of the Property and to ANC 1B. On December 19, 2013, the Commission held a public hearing on the Application. The parties to the case were the Applicant and ANC 1B.
7. No persons or parties testified in opposition to the Application.
8. By report dated December 12, 2013, the Office of Planning ("OP") recommended approval of the Application. (Ex. 19.) The OP report states that the project has been thoughtfully designed to complement current uses and building materials of the adjacent residence halls and would not result in any additional students; would not generate additional parking; would not negatively affect neighboring properties; would be consistent with the approved Campus Plan; would be in harmony with the general purpose and intent of the Zoning Regulations; and would meet all use and bulk requirements of the D/SP-2 zones. At the hearing OP affirmed its recommendation of approval of the Application.
9. By report dated December 13, 2013, the District Department of Transportation ("DDOT") stated that it did not object to the Application and concluded that the Application would not have an adverse impact on the transportation network. (Ex. 22.) At the hearing, DDOT confirmed that it had no objection to the Application.

CONCLUSIONS OF LAW

The Applicant is seeking special exception approval, pursuant to §§ 507 and 3104 of the Zoning Regulations, for an amendment to its campus plan and an expansion of a dining facility on its campus. The Commission is authorized to grant a special exception where, in the judgment of

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the Commission, based on a showing through substantial evidence, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. (D.C. Official Code § 6-641.07(g)(2)(2012 Repl.), 11 DCMR § 3104.1.)

The Zoning Regulations for the SP Zone District state that in approving a specific college or university building or use, the Commission shall determine that the proposed building or use is consistent with the approved campus plan; and further, that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions. (11 DCMR § 507.8.) The Commission concludes that the Applicant has met its burden of showing that the proposed use of the Property will not be objectionable to neighboring property.

The Commission is required under § 3 of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.10(d)) to give great weight to the issues and conditions expressed in the written report of an affected ANC. In this case, ANC 1B voted to support the Application and recommended that the Commission approve the application. (Ex. 17G.) The Commission has given ANC 1B's recommendation great weight in approving the Application.

The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code § 6-623.04) to give great weight to OP recommendations. For the reasons stated above, the Commission concurs with OP's recommendation for approval and has given the OP recommendation the great weight it is entitled.

The Application is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the Application, subject to the following condition:

The expansion of the Bethune Annex dining facility shall be constructed in accordance with the plans titled "Bethune Dining Facility Addition and Renovation" dated December 5, 2013, and prepared by EYP.

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

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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.

VOTE: 5-0-0 (Peter G. May, Michael G. Turnbull, Anthony J. Hood, Marcie I. Cohen, and Robert E. Miller to approve).

BY ORDER OF THE D.C. ZONING COMMISSION
Each concurring member approved the issuance of this Order.

FINAL DATE OF ORDER: February 11, 2014

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