

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the District of Columbia Health Occupations Revision Act of 1985 to authorize a health occupation board to take disciplinary action against a health professional who engages in the financial exploitation of a patient, client, or employer, to provide for the summary suspension or restriction, without a hearing, of the license, registration, or certification of a health professional who engages in the financial exploitation of a patient, client, or employer, as determined by the Mayor following an investigation, and to authorize a trauma technologist to provide infiltration application of a local anesthetic; and to amend Chapter 106 of Title 17 of the District of Columbia Municipal Regulations to authorize a trauma technologist to provide infiltration application of a local anesthetic.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Vulnerable Population and Employer Protection Amendment Act of 2018”.

TITLE I. VULNERABLE POPULATION AND EMPLOYER PROTECTION

Sec. 101. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 3-1201.01) is amended by adding a new paragraph (6C) to read as follows:

“(6C) “Financial exploitation” means the non-accidental act or omission by a health professional, without the consent of the patient, client, or employer, causing monetary or property loss to the patient, client, or employer, or monetary or property gain to the health professional which gain would otherwise benefit a patient, client, or employer, but for the non-accidental action or omission of the health professional. Financial exploitation may result from consent obtained as a result of misrepresentation, undue influence, coercion, or threat of force by the health professional. Financial exploitation may not result from a bona fide gift.”.

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

(1) Paragraph (49) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Paragraph (50) is amended by striking the period and inserting the phrase “; or” in its place.

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(3) A new paragraph (51) is added to read as follows:

“(51) Engages in the financial exploitation of a patient, client, or employer.”.

(c) Section 515(a)(1) (D.C. Official Code § 3-1205.15(a)(1)) is amended as follows:

(1) Subparagraph (C) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Subparagraph (D) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new subparagraph (E) is added to read as follows:

“(E) Whose financial exploitation of a patient, client, or employer has or will harm the economic welfare of the client, patient, or employer, as determined by the Mayor following an investigation.”.

### TITLE II. NON-GERMANE AMENDMENTS

Sec. 201. Section 651(b)(4) of the District of Columbia Health Occupations Revision Act of 1985, effective January 25, 2014 (D.C. Law 20-64; D.C. Official Code § 3-1206.51(4)), is amended by striking the phrase “topical application” and inserting the phrase “topical and infiltration application” in its place.

Sec. 202. Section 10613.2(d) of Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 10613.2(d)) is amended by striking the phrase “topical application” and inserting the phrase “topical and infiltration application” in its place.

### TITLE III. FISCAL IMPACT STATEMENT; EFFECTIVE DATE

Sec. 301. Fiscal impact statement.

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

Sec. 302. 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

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia