

**ENGROSSED ORIGINAL**

A BILL

22-1019

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on a temporary basis, the Health Services Planning Program Re-establishment Act of 1996 to clarify that the State Health Planning and Development Agency currently has the authority to approve or disapprove the closure or termination of services of any Health Care Facility, and to amend the Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983 to authorize the Director of the Department of Health to issue a provisional license in the specified circumstance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Clarification of Hospital Closure Procedure Temporary Amendment Act of 2018”.

Sec. 2. Section 7(c) of the Health Services Planning Program Reestablishment Act of 1996, effective April 9, 1997 (D.C. Official Code § 44-406(c)), is amended by striking the phrase “extent possible.” and inserting the phrase “extent possible, which may include organizing meetings with affected stakeholders, and providing planning and technical assistance for possible patient load transition, and, if the notice of closure is approved by SHPDA, continue to assist in the orderly transition by overseeing the placement of patients into new HCFs in a manner that ensures that the health and well-being of the patients is protected.”.

Sec. 3. The Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Official Code § 44-506), is amended as follows:

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29           (a) Subsection (c) is amended by striking the phrase “Provisional licenses” and inserting  
30 the phrase “Except as provided in subsection (f) of this section, provisional licenses.” in its place.

31           (b) A new subsection (f) is added to read as follows:

32           “(f) If a notice of closure of a Health Care Facility or health service (“facility”) is denied  
33 by the State Health Planning and Developmental Agency, the Director of the Department of  
34 Health shall have the authority to issue a provisional license to the facility to continue to operate  
35 for up to 3 years.

36           Sec. 4. Fiscal impact statement.

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

40           Sec. 5. Effective date.

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

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