

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302 (14) of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02 (14)) ("Act"), and Mayor's Order 98-140, dated August 20, 1998, gives notice of his intent to amend chapter 66 of Title 17 of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendment is to repeal waiver of examination and education requirements.

Chapter 66 (Professional Counseling) of Title 17 DCMR (Business, Occupations & Professions) (May 1994) is amended to read as follows:

6607 REPEALED

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty days after the date of publication of this notice in the D.C. Register. Comments should be sent to the Department of Health, Office of the General Counsel, 825 North Capitol Street, N.E., 4th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained from the Department at the same address during the hours of 9:00 a.m. to 5 p.m., Monday through Friday, excluding holidays.

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the D.C. Health Occupations Revision Act of 1985, effective March 15, 1986 (D.C. Law 6-99; D.C Official Code § 3-1203.02(14)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of his intent to take final rulemaking action to adopt the following amendment to Chapter 66 of Title 17 of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. The purpose of these amendments is to add continuing education credit requirements for the profession of Professional Counseling.

Chapter 66 (Professional Counseling) of Title 17 DCMR (Business, Occupations & Professions) (May 1994) is amended by adding new sections 6610, 6611, and 6612 to read as follows:

Add new sections 6610, 6611, 6612 and 6613 to read as follows:

6610 CONTINUING EDUCATION REQUIREMENTS

- 6610.1 This section shall apply to applicants for the renewal, reactivation, or reinstatement of a license expiring December 31, 2008, and for subsequent terms.
- 6610.2 This section shall not apply to applicants for an initial license by examination, reciprocity, or endorsement, nor shall it apply to applicants for the first renewal of a license granted by examination.
- 6610.3 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 6611.
- 6610.4 An applicant for renewal of a license shall submit proof of having completed forty (40) hours of approved continuing education credit during the two-year (2) period preceding the date the license expires. Six (6) of the forty (40) hours shall be in Ethics and four (4) of the forty (40) hours shall be in Trauma Counseling.
- 6610.5 To qualify for a license, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11, who submits an application to reactivate a license shall submit proof of having completed twenty (20) hours of approved continuing education credit within one (1) year prior to application for each license year after December 31, 2000, that the applicant was in inactive status. A minimum of six (6) hours shall

be in Ethics and four (4) hours shall be in Trauma Counseling.

- 6610.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof of having completed twenty (20) hours of approved continuing education credit for each year after December 31, 2000, that the applicant was not licensed. A minimum of six (6) hours shall be in Ethics and four (4) hours shall be in Trauma Counseling.
- 6610.7 An applicant 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;
 - (e) Verification by the sponsor of completion, by signature or stamp; and
 - (f) An applicant under this section shall prove completion of continuing education course work by submitting with the application a signed statement from the instructor on university stationery for each class attended.
- 6610.8 An applicant under this section shall prove completion of individualized learning under § 6611.6(c) by submitting a signed statement from the supervisor which sets forth the information required by § 6602.4.
- 6610.9 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting proof and paying the required additional late fee.
- 6610.10 Upon submitting proof and paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.
- 6610.11 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of the applicant's license, the license shall be

considered to have lapsed on the date of expiration.

6610.12 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause.

6611 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

6611.1 The Board may, in its discretion, approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the professional counseling field and which meet the other requirements of this section.

6611.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of § 6611.4:

- (a) A graduate course given at an accredited college or university;
- (b) A seminar or workshop;
- (c) An educational program given at a conference;
- (d) In-service training; and
- (e) Formally organized learning activities including distance learning and home study.

6612.3 Formally organized learning activities including distance learning and home study shall be counted at their full hour value. Hours shall be obtained from one or a combination of the following board-approved mental health related activities:

- (a) Regionally accredited university graduate level academic courses in a behavioral health discipline;
- (b) Continuing education programs offered by universities or colleges;
- (c) Workshops, seminars, conferences, or courses in the behavioral health field offered by federal, state, or licensed health facilities and licensed hospitals;
- (d) Workshops, seminars conferences, or courses in the behavioral health field offered by an individual or organization that has been certified or

approved by one of the following:

- (1) The American Mental Health Counselors Association (AMHCA) including state and local affiliates;
- (2) The International Association of Marriage and Family Counselors and its state affiliates;
- (3) The American Association of Marriage and Family Therapists and its state affiliates;
- (4) The American Association of State Counseling Boards;
- (5) The American Counseling Association and its state and local affiliates;
- (6) The American Psychological Association and its state affiliate;
- (7) The Commission on Rehabilitation Counselor Certification;
- (8) The Association for Addiction Professionals and its state and local affiliates;
- (9) The National Association of Social Workers;
- (10) The National Board for Certified Counselors;
- (11) A national behavioral health organization or certification body;
- (12) Individuals or organizations that have been approved as continuing competency sponsors by the American Association of State Counseling Boards or a counseling board in another state;
- (13) The Association for Play and Art Therapy; and
- (14) The American School Counselor Association and its state affiliates.

6611.4 To qualify for approval by the Board, a continuing education program shall:

- (a) Be current in its subject matter;
- (b) Be developed and taught by qualified individuals; and

(c) Meet one of the following requirements:

(1) Be administered or approved by a recognized professional counseling organization, accredited health care facility, or accredited college or university; or

(2) Be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board.

6611.5 The Board may issue and update a list of approved continuing education programs.

6611.6 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program.

6611.7 The Board may approve the following continuing education activities:

(a) Serving as a speaker at a conference, seminar, workshop, or in-service training;

(b) Publication of an article in a professional journal or publication of a book or a chapter in a book or publication of a book review in a professional journal or bulletin; and

(c) Individualized learning under the immediate supervision of a professional counselor, psychologist, psychiatrist, or independent clinical social worker licensed in a jurisdiction of the United States.

6612 CONTINUING COMPETENCY COURSES

6612.1 The Board may, in its discretion, approve courses that contribute to the competency of a professional counselor in one or more of the following areas:

(a) Ethics (standards of practice or laws governing behavioral science professions);

(b) Counseling theory;

(c) Human growth and development;

(d) Social and cultural foundations;

(e) The helping relationship;

- (f) Group dynamics, processing and counseling;
- (g) Lifestyle and career development;
- (h) Appraisal of individuals;
- (i) Research and evaluation;
- (j) Professional orientation;
- (k) Clinical supervision;
- (l) Marriage and family therapy;
- (m) Addictions; or
- (n) Trauma.

6613 CONTINUING EDUCATION CREDITS

- 6613.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.
- 6613.2 The Board may, in its discretion, audit up to five percent (5%) of the renewal applications to ensure that the continuing education requirement has been met.
- 6613.3 For graduate courses that are taken for educational credit, each semester hour of credit shall constitute ten (10) hours of continuing education credit, and each quarter hour of credit shall constitute fifteen (15) hours of continuing education credit. For the purposes of this section, one (1) semester hour is equal to one and one-half (1.5) quarter hours.
- 6613.4 The Board may grant a maximum of five (5) continuing education credits per year to an applicant who attends in-service education programs.
- 6613.5 The Board may grant a maximum of fifty percent (50%) of an applicant's continuing education requirement for completing continuing education activities under § 6611.6
- 6613.6 The Board may grant credit for preparation and presentation time to an applicant who serves as a speaker at an approved program.

- 6613.7 The maximum amount of credit that may be granted for preparation time is twice the amount of the associated presentation time.
- 6613.8 If an applicant has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject.
- 6613.9 The presentation shall have been completed during the period for which credit is claimed.
- 6613.10 The Board may grant continuing education credit under § 6611.6(b) only if the applicant proves to the satisfaction of the Board that the work has been published or accepted for publication during the period for which credit is claimed.
- 6613.11 The Board may grant continuing education credits for the following:
- (a) New program development that shall count for a maximum of eight (8) hours. New program development includes a new course, seminar, or workshop. New courses shall be graduate or undergraduate level college or university courses.
 - (b) Dissertation that shall count for a maximum of 18 hours. Dissertation credit may only be counted once.
 - (c) Clinical supervision or consultation given or received outside of the place of employment shall count for a maximum of ten hours.
 - (d) Leadership positions that shall count for a maximum of ten (10) hours.
- 6613.12 The following leadership positions are acceptable for continuing competency credit:
- (1) Officer of state or national counseling organization;
 - (2) Editor and or reviewer of professional counseling journal;
 - (3) Member of a national ethics disciplinary review committee rendering licenses;
 - (4) Active member of a counseling committee producing a substantial written product; and
 - (5) Chair of a major counseling conference or convention;

(6) Other leadership positions with justifiable professional learning experiences.

- 6613.13 Pursuant to § 6613.12, to receive credit for the leadership position, the position shall last for a minimum of one (1) year after the date of first licensure.
- 6613.14 Practice-related programs shall count up to a maximum of eight (8) hours. The board may allow up to eight (8) contact hours of continuing competency as long as the licensee submits proof of attendance plus a written justification of how the activity assists him or her in his or her direct service to clients. Examples include: language courses, software training, medical topics, etc.
- 6613.15 Membership in a state counseling licensure or certification board shall count for a maximum of ten (10) hours of continuing education credit for each year of membership.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty days after the date of publication of this notice in the D.C. Register. Comments should be sent to the Department of Health, Office of the General Counsel, 825 North Capitol Street, N.E., 4th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained from the Department at the same address during the hours of 9:00 a.m. to 5 p.m., Monday through Friday, excluding holidays.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

NOTICE OF PROPOSED RULEMAKING

FORMAL CASE NO. 1002, IN THE MATTER OF THE JOINT APPLICATION OF
PEPCO AND THE NEW RC, INC. FOR AUTHORIZATION AND APPROVAL OF
MERGER TRANSACTION

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice, pursuant to Section 2-505 of the District of Columbia Official Code,¹ of its intent to act upon the Application of the Potomac Electric Power Company ("Pepco" or "Company")² in not less than thirty (30) days from the date of publication of this Notice of Proposed Rulemaking ("NOPR") in the *D.C. Register*.

2. On March 20, 2008, Pepco filed a revised smart meter tariff application on behalf of the Smart Meter Pilot Program ("SMPPI")³ to propose revisions to its hourly pricing option contained in its Smart Meter Pilot Residential Tariff.⁴ Pepco made the filing under the Commission's expedited review process outlined in 15 DCMR § 3500 *et seq.* The Company states that it seeks to revise its hourly pricing option so that the average residential customer will not pay more on the program pricing plans (critical peak pricing, critical rebate pricing, and hourly pricing) than the average residential customer on the standard offer service (SOS) pricing plan.⁵ Pepco anticipates that billing will begin during the early summer; thus, Pepco requests that this revised tariff become effective on May 1, 2008.⁶

3. In addition, Pepco requests that future adjustments to the hourly rates occur without the need to file a revised tariff.⁷ Pepco states that this request is consistent with prior

¹ D. C. Code, 2001 Ed. § 2-505.

² *Formal Case No. 1002, In the Matter of the Joint Application of Pepco and the New RC, Inc. for Authorization and Approval of Merger Transaction ("F.C. 1002")*, Application of the Potomac Electric Power Company on Behalf of the Smart Meter Pilot Program, Inc. for Approval of a Compliance Tariff, filed March 20, 2008 ("Smart Meter Revised Tariff Application").

³ SMPPI is comprised of the following entities: Pepco; District of Columbia Office of the People's Counsel ("OPC"); District of Columbia Consumer Utility Board ("CUB"); International Brotherhood of Electrical Workers Local 1900 ("IBEW"); and the Commission. The SMPPI program, operating under the name PowerCentsDC™, is a pilot program to test the concept of different types of time-based rates in assisting residential customers in the District of Columbia to better manage their electricity bill.

⁴ *F.C. 1002*, Smart Meter Revised Tariff Application at 1.

⁵ *Id.* at 2.

⁶ *Id.* at 1.

⁷ *Id.* at 2.

Commission precedent.⁸ Accordingly, Pepco seeks authority to revise and put into service the following tariff pages:

POTOMAC ELECTRIC POWER COMPANY, P.S.C. of D.C. No. 1

39th Revised Page No. R-1

39th Revised Page No. R-2

32th Revised Page No. R-2.1

8th Revised Page No. 2.2

2nd Revised Page No. R-44

2nd Revised Page No. R-44.1

2nd Revised Page No. R-44.2

2nd Revised Page No. R-44.3

2nd Revised Page No. R-44.4

2nd Revised Page No. R-44.5

4. The 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, D.C. 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 tariff pages are also available upon request, at a per-page reproduction cost.

5. Comments on the Smart Meter Revised Tariff Application must be made in writing to Dorothy Wideman, Commission Secretary, at the above address. All comments must be received within 30 days of the date of publication of the NOPR in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on the Smart Meter Revised Tariff Application.

⁸ *Id.* at 3.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING**

Z.C. Case No. 07-25

(Map Amendment – 11 DCMR)

**(Scott Whittier, et al. - Amend Zoning Map from R-5-A to R-5-C in Square 2794,
Lots 18, 19, 877, 879, 895, 899, 2001-2047)**

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; D.C. Official Code § 6-641.01), hereby gives notice of its intent to amend the Zoning Map of the District of Columbia.

The purpose of this map amendment is to rezone various properties to R-5-C to be consistent with the District Elements of the Comprehensive Plan for the National Capital.

Final rulemaking action shall be taken in not less than thirty (30) days after the date of publication of this notice in the D.C. Register. The following rulemaking action is proposed:

Amend the Zoning Map of the District of Columbia to zone the following lots from R-5-A to R-5-C:

Square	Lots
2974	18, 19, 877, 879, 895, 899, 2001 through 2047

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 200/210-S, Washington, D.C. 20001. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.