

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 Occupations Revision Act of 1985 ("Act"), effective March 15, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)), dated August 20, 1998, hereby gives notice of his intent to take final rulemaking action to adopt the following amendment to Title 17 (Business, Occupations & Profession) (May 1990) 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 the amendment is to establish licensure and practice regulations for the newly established profession of anesthesiologist assistant.

Proposed Amendment: Amend Title 17 (Business, Occupations & Professions) (May 1990) by adding a new Chapter 52 to read as follows:

CHAPTER 52: ANESTHESIOLOGIST ASSISTANTS**5200 GENERAL PROVISIONS**

- 5200.1 This chapter shall apply to applicants for and holders of a license to practice as an anesthesiologist assistant.
- 5200.2 Chapter 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) shall supplement this chapter.

5201 TERM OF LICENSE

- 5201.1 Subject to § 5201.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of December 31 of each even-numbered year.
- 5201.2 If the Director changes the renewal system pursuant to § 4006.3 of chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

5202 RENEWAL OF LICENSE

- 5202.1 The holder of a license to practice as an anesthesiologist assistant shall renew his or her license by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the license.

- 5202.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the license expires.
- 5202.3 The license holder shall have the burden of notifying the Board if a renewal notice is not received.
- 5202.4 A license holder shall notify the Board in writing of a change of home or business address within thirty (30) days after the change.
- 5202.5 A license holder applying for renewal of a license to practice as an anesthesiology assistant shall submit evidence of current national certification or recertification as an Anesthesiologist Assistant – Certified (AA-C), as applicable, by the National Commission for Certification of Anesthesiologist Assistants, or its successor.
- 5202.6 A license holder applying for renewal of a license who fails to submit proof of having completed the requirement as set forth in §5202.5 by the date the license expires may renew the license within sixty (60) days after the expiration by submitting the required documents and paying the required late fees.
- 5202.7 Upon submitting the required documents and paying the required late fees, the license holder shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documents and fees.
- 5202.8 If a license holder applying for renewal of a license fails to submit proof of completion of the requirements set forth in §5202.5 or pay the late fee within sixty (60) days after the expiration of the license holder's license, the license shall be considered to have lapsed on the date of expiration and the license holder shall thereafter be required to apply for reinstatement of an expired license and meet all requirements and fees for reinstatement.
- 5202.9 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the license after expiration, if the license holder's failure to submit proof of the requirements or pay the late fee was for good cause. As used in this section, "good cause" includes the following:
- (a) Serious and protracted illness of the license holder;
 - (b) The death or serious and protracted illness of a member of the license holder's immediate family; or
 - (c) Active military deployment pursuant to 17 DCMR § 4015.

5203 EDUCATIONAL REQUIREMENTS

5203.1 Except as otherwise provided in this subtitle an applicant shall furnish proof satisfactory to the Board in accordance with § 504 of the Act, D.C. Official Code §3-1205.04 that the applicant has met the following requirements:

- (a) Earned a degree or certification from an anesthesiologist assistant program accredited by the Commission on Accreditation of Allied Health Educational Programs, or by the Commission's successor; and
- (b) Successfully completed and has current certification for the Advanced Cardiac Life Support (ACLS) program as administered by the American Heart Association or its successor organization.

5203.2 Pursuant to § 5202.1(b), an application for licensure as an anesthesiologist assistant may be filed by an individual who has taken the national certification examination but has not yet received the results.

5204 EXAMINATION

5204.1 In addition to the requirements in § 5203, to qualify for a license to practice as an anesthesiologist assistant in the District of Columbia, an applicant shall have successfully completed and met all certification requirements of the National Commission for Certification of Anesthesiologist Assistants (NCCAA), or its successor organization.

5204.2 An applicant shall submit proof of having obtained a passing score on the examination by arranging to have official written verification of the certification sent directly to the Board.

5204.3 The Board shall issue and update a list of nationally recognized certifying bodies accepted by the Board.

5204.4 Failure to maintain recertification as a certified anesthesiologist assistant shall result in the loss of status as a licensed anesthesiologist assistant.

5205 LICENSURE BY ENDORSEMENT

5205.1 An applicant is eligible for licensure by endorsement if the applicant is currently licensed or certified, in good standing, as an anesthesiologist assistant under the laws of a state or territory of the United States.

- 5205.2 To apply for licensure by endorsement, an applicant shall:
- (a) Submit a completed application on the forms required by the Board;
 - (b) Submit a copy of his or her current license or certificate as an anesthesiologist assistant with the application;
 - (c) Obtain licensure or certification verification from the current state or territory of licensure or certification, that the license or certificate is current and in good standing. The verification form shall be sent directly to the Board by the verifying Board;
 - (d) Meet any other requirements as set forth by the Board; and
 - (e) Pay all the required fees.
- 5205.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.
- 5205.4 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify current licensure standing in other jurisdictions of the U.S. and to review disciplinary records.
- 5206-5207 [RESERVED]**
- 5208 CONTINUING EDUCATION REQUIREMENTS**
- 5208.1 This section shall apply to applicants for the renewal of a license and does not apply to applicants for an initial license by examination or endorsement, nor does it apply to applicants for the first renewal of a license granted by examination.
- 5208.2 A licensee applying for renewal shall meet continuing education requirements by demonstrating that he or she has been recertified by the National Commission for Certification of Anesthesiologist Assistants (NCCAA), or its successor organization.
- 5208.3 A licensee applying for renewal of a license who fails to submit proof of the standards in § 5208.2 by the date the license expires may renew the license within sixty (60) days after the expiration by submitting proof and by paying the required late fees.

5208.4 Upon submitting proof and paying the required late fees, the licensee shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documents and fees.

5209 – 5212 [RESERVED]

5213 SCOPE OF PRACTICE

5213.1 An anesthesiologist assistant shall, in accordance with this chapter and the Act, have the authority to perform the following tasks:

- (a) Obtain a comprehensive patient history, perform relevant elements of a physical examination, and present the history to the supervising anesthesiologist;
- (b) Pretest and calibrate anesthesia delivery systems and obtain and interpret information from the systems and monitors, in consultation with an anesthesiologist;
- (c) Assist the supervising anesthesiologist with the implementation of medically accepted monitoring techniques;
- (d) Establish basic and advanced airway interventions, including intubation of the trachea and performing ventilatory support;
- (e) Administer intermittent vasoactive drugs and start and adjust vasoactive infusions;
- (f) Administer anesthetic drugs, adjuvant drugs, and accessory drugs, including narcotics;
- (g) Assist the supervising anesthesiologist with the performance of epidural anesthetic procedures, spinal anesthetic procedures, and other regional anesthetic techniques;
- (h) Administer blood, blood products, and supportive fluids;
- (i) Provide assistance to a cardiopulmonary resuscitation team in response to a life-threatening situation;
- (j) Monitor, transport, and transfer care to appropriate anesthesia or recovery personnel;
- (k) Participate in administrative, research, and clinical teaching activities, as authorized by the supervising anesthesiologist; and

- (l) Perform such other tasks that an anesthesiologist assistant has been trained and is proficient to perform.

5213.2 An anesthesiologist assistant shall not perform the following tasks:

- (a) Prescribe any medications or controlled substances;
- (b) Practice or attempt to practice unless under the supervision of an anesthesiologist who is immediately available for consultation, assistance, and intervention;
- (c) Practice or attempt to administer anesthesia during the induction or emergence phase without the personal participation of the supervising anesthesiologist; or
- (d) Administer any drugs, medicines, devices, or therapies the supervising anesthesiologist is not qualified or authorized to prescribe.

5214 SUPERVISING ANESTHESIOLOGIST

5214.1 A supervising anesthesiologist shall be immediately available to participate directly in the care of the patient whom the anesthesiologist assistant and the supervising anesthesiologist are jointly treating, and shall at all times accept and be responsible for the oversight of the health care services rendered by the anesthesiologist assistant.

5214.2 A supervising anesthesiologist shall be present during the induction and emergence phases of a patient to whom anesthesia has been administered.

5214.3 A supervising anesthesiologist may supervise up to three (3) anesthesiologist assistants at any one time during normal circumstances, and up to four (4) anesthesiologist assistants at any one time during emergency circumstances, consistent with federal rules for reimbursement of anesthesia services.

5214.4 No faculty member of an anesthesiologist assistants program shall concurrently supervise more than two (2) anesthesiologist assistant students who are delivering anesthesia.

5299 DEFINITIONS

5299.1 As used in this chapter the following terms have the meanings ascribed:

Anesthesiologist Assistant - a person licensed to practice as an anesthesiologist assistant under the Act.

Anesthesiologist – a physician who has completed a residency in anesthesiology approved by the American Board of Anesthesiology or the American Osteopathic Board of Anesthesiology and who is currently licensed to practice medicine in the District of Columbia.

Board – the Board of Medicine, established by § 203(a) of the Act, D.C. Code § 3-1202.03(a)(1) (2001).

Committee – the Advisory Committee on Anesthesiologist Assistants, established by § 203 (c-1) of the Act. D.C. Official Code § 3-1202.03(c-1) (2001).

Immediately available – means the supervising anesthesiologist is:

- (a) Present in the building or facility in which anesthesia services are being provided by assistant; and
- (b) Able to directly provide assistance to the anesthesiologist assistant in providing anesthesia services to the patient in accordance with the prevailing standards of:
 - (1) Acceptable medical practice;
 - (2) The American Society of Anesthesiologists' guidelines for best practice of anesthesia in a care team model; and
 - (3) Any additional requirements established by the Board of Medicine through a formal rulemaking process.

Supervision – directing and accepting responsibility for the anesthesia services rendered by an anesthesiologist assistant in a manner approved by the Board of Medicine.

5299.2 The definitions in § 4099 of chapter 40 of this title and the Act are incorporated by reference into and are applicable to this chapter.

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 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.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF PROPOSED RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §3-1306, District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapters 5,6 and 9 of Title 30 DCMR, "Lottery and Charitable Games." These amendments are necessary to introduce the Rolling Cash 5TM game that will start on November 20, 2005. The Executive Director gives notice of her intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

AMEND CHAPTER 5. "LOTTERY TICKET"

Amend subsection 503.4 by substituting the following:

503.4 A ticket for POWERBALL®, KENO, Hot LottoTM, DC Daily 6TM, Quick Cash, Rolling Cash 5TM and HOT FIVETM tickets shall not be voided or cancelled.

AMEND CHAPTER 6. "CLAIMS AND PRIZE PAYMENTS"

Amend subsection 605.1 by substituting the following:

605.1 In addition to the validation requirements of § 603, an on-line game ticket shall not be valid unless all of the following conditions are met:

- (a) The ticket validation number shall be presented and shall correspond in its entirety, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket;
- (b) For the POWERBALL®, Hot LottoTM and Rolling Cash 5TM games, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A," "B," "C," "D," or "E";
- (c) For the Quick Cash game, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter "A," "B" and "C." The requisite number and the associated letters constitute a single lettered game board play;
- (d) For the DC Daily 6TM game, the player selected numbers on the ticket shall be in individual groups of prescribed numbers each associated with a single letter

“A” and “B”. The requisite number and the associated letters constitute a single lettered game board play;

(e) The ticket data shall have been recorded on the central computer system on magnetic tape or disk prior to the drawing, and the ticket data shall match this computer record in every respect;

(f) The player selected numbers, the validation number data and the drawing data of an apparent winning lottery ticket shall appear on the official file of winning tickets, and a ticket with that exact data shall not have been previously paid; and

(g) The Agency shall not pay tickets that cannot be processed for validation purposes by the terminal except as provided in § 503.7.

AMEND CHAPTER 9. “DESCRIPTION OF ON-LINE GAMES”

Amend Chapter 9 by amending sections 920 and 921 in their entirety and replace with the following:

920. DESCRIPTION OF THE ROLLING CASH 5TM GAME

920.1 The Agency may offer a game known as Rolling Cash 5TM.

920.2 The Rolling Cash 5TM game is a five (5) out of thirty-five (35) on-line lottery game that pays set prizes for matching two (2), three (3) or four (4) of the five (5) selected numbers. Rolling Cash 5TM pays a parimutuel jackpot prize for matching five (5) out of five (5) of the Agency selected numbers. The Jackpot prize is a rolling jackpot with a guaranteed minimum.

920.3 To play the Rolling Cash 5TM game, a player shall select five (5) numbers from one (1) to thirty-five (35) for input into a terminal. The Agency shall select five (5) out of thirty-five (35) numbers in a Rolling Cash 5TM drawing. The holder of a winning Rolling Cash 5TM game ticket may win in only one prize category per game board.

920.4 The price of a Rolling Cash 5TM game ticket shall be one (1) board for one dollar (\$ 1) or any other price designated by the Executive Director from a price schedule adopted by the Agency.

920.5 If a single ticket contains more than one (1) winning play on separate game boards, the prize amounts shall be added together and shall be paid in accordance with the prize payment limits set forth in §§ 920.6 and 921.2.

920.6 The holder of a winning Rolling Cash 5TM ticket may win in only one prize category per board in connection with the winning numbers drawn, and shall be entitled only to the prize for the highest prize category won by those numbers.

920.7 A ticket subject to the validations requirements of this title shall be the only proof of a wager.

921 ROLLING CASH 5TM PRIZE POOL, PRIZE STRUCTURE AND PROBABILITY OF WINNING

921.1 The prize pool for all prize categories shall consist of fifty-seven percent (57%) of each drawing period sales.

921.2 The Rolling Cash 5TM game with a rolling jackpot and fixed payout game for lower tier prizes which pays prizes based on a one-dollar (\$1) bet are as follows:

Number of Matches Per Play

(a) All five (5) winning numbers on a single lettered game board	Jackpot
(d) Any four (4) winning numbers on a single lettered game board	\$ 100
(f) Any three (3) winning numbers on a single lettered game board	\$ 10
(g) Any two (2) winning numbers on a single lettered game board	\$ 1

921.3 The Rolling Cash 5TM Jackpot prize shall be determined on a parimutuel basis for each draw and shall consist of forty-five point twenty percent (45.20%) of the prize pool.

921.4 If the Rolling Cash 5TM Jackpot is not won in a drawing, the prize money allocated for the Jackpot prize shall roll over and be added to the next Rolling Cash 5TM Jackpot prize pool for the next drawing and the process is repeated until there is a Rolling Cash 5TM Jackpot prizewinner.

921.5 If there are more than one Rolling Cash 5TM Jackpot prizewinners for any draw, then the Jackpot amount will be shared by each Jackpot prizewinners on a parimutuel basis.

921.6 The Agency may offer guaranteed minimum jackpot prize amounts or minimum increases in the Jackpot prize between drawings or make other changes in the allocation of prize money where the Agency finds that it would be in the best interest of the game.

921.7 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in Rolling Cash 5TM game.

Number of Matches Per Ticket	Probability Distribution	Number of Winners	Probable Set Prize Amount	Percentage Allocation to Prize
Any five (5) winning numbers on a single lettered game board	1: 324,632	1	Jackpot	45.20%
Any four (4) winning numbers on a single lettered game board	1: 2,164	150	\$100	8.29%
Any three (3) winning numbers on a single lettered game board	1: 75	4,320	\$10	24.05%
Any two (2) winning numbers on a single lettered game board	1: 8	40,600	\$1	22.45%
Overall	1: 7.20	45,101		100%

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days from the date of publication of this notice in the Register. Comments should be filed with the Executive Director, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, S.E., Washington, D.C. 20020. Copies of these proposed rules may be obtained at the address stated above.

D.C. OFFICE OF PERSONNEL**NOTICE OF PROPOSED RULEMAKING**

The Director, D.C. Office of Personnel, with the concurrence of the City Administrator, pursuant to Mayor's Order 2000-83, dated May 30, 2000, and in accordance with Title XVIII 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 § 1-618.01 *et seq.*) (2001), hereby gives notice of the intent to adopt the following rules in not less than thirty (30) days from publication of this notice in the *D.C. Register*. These rules would amend section 1803 of Chapter 18, Employee Conduct, of Title 6 of the District of Columbia Municipal Regulations, by adding a new section 1803.14 to the chapter to establish standards governing the circumstances under which District government personnel may be engaged as part of their official duties in matters involving former employers or may be required to refrain from such contact on grounds of real or potential conflicts of interest. Upon adoption these rules would amend Chapter 18, Employee Conduct, of the District of Columbia Municipal Regulations, published at 31 DCR 6794 (October 31, 1986), and amended at 35 DCR 764 (February 5, 1988), 36 DCR 3860 (June 2, 1989), 40 DCR 8358 (December 3, 1993), 48 DCR 3074 (April 6, 2001), 48 DCR 9639 (October 19, 2001), and 50 DCR 10517 (December 5, 2003).

CHAPTER 18**EMPLOYEE CONDUCT**

Section 1803 of these regulations is amended to add a new section 1803.14, to read as follows:

- 1803.14 (a) It is the policy of the District government to avoid conflicts of interest concerning the award, implementation, monitoring, and performance of contracts for services. As a means of assisting District government agencies to evaluate real or potential conflicts of interest in this area, a new hire will be required to disclose to the personnel authority upon initial appointment such previous employment relationships (whether in the private or public sectors) as the personnel authority may direct, including full disclosure of any ongoing economic benefits to the employee from previous employment relationships.
- (b) The new hire will make such disclosure to the personnel authority as part of the new hire processing conducted by the personnel authority, and to the employee's supervisor upon arrival at the employing agency.
- (c) The personnel authority will communicate the information required to be disclosed under this section to the head of the employing agency, and will

advise the employee in writing of the restrictions imposed by sections 1803.14 (d) and (e) of this section.

- (d) For one (1) year after the date of initial employment with the District government, an employee required to make a disclosure under this section will be screened from, and shall not participate in any manner, in the District government's decision to enter into, extend, modify, or renew a contract or consultancy engagement with the employee's former employer (hereafter, "procurement action").
- (e) The one-year (1-year) restriction from participation in any procurement action prescribed in section 1803.14 (d) of this section will be extended for as long as the employee receives an ongoing economic benefit from a former employer. It will be the employee's responsibility to advise his or her immediate supervisor of the continued receipt of the ongoing economic benefit from a former employer.
- (f) Notwithstanding the prohibitions set forth in sections 1803.14 (d) and (e) of this section, the head of the employing agency may authorize an employee required to make a disclosure under this section, as part of the employee's official duties, to do any of the following: (1) participate in the oversight or review of the work-product or performance of a former employer that is currently a contractor or consultant with the District government; (2) serve as the District government's liaison with the former employer; or (3) otherwise communicate with the former employer on matters pending before the employee's employing agency.
- (g) The determination to require that the employee perform any of the duties listed in section 1803.14 (f) of this section will be based upon the written determination of the agency head, made in light of all relevant circumstances, that the interest of the District government in the employee's participation outweighs the concern that a reasonable person might question the integrity of the District government's programs or operations. Applying this standard, the agency head may determine that the employee's participation reasonably may be permitted in certain activities involving the employee's former employer, but not in others. In all instances under this section in which the employee is prohibited from participation, the employee will be screened from the receipt of any information regarding the former employer's matter that is pending before the District government.
- (h) An agency head may delegate the responsibility for making any of the determinations prescribed in this section to other personnel in the agency. The person in the agency making any such determinations may consult with the D.C. Ethics Counselor or with the agency's ethics counselor.

- (i) For the purposes of this section, an “ongoing economic benefit from a former employer” will include any pension, annuity, stock option, bonus, cash or in-kind distribution in satisfaction of equitable interest, payment of all or a portion of the premiums on a life or health insurance policy, or any other comparable benefit; and a “former employer” is any person or organization: (1) for which the employee has, within the one (1) year preceding his or her employment by the District government, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee, or (2) from which the employee receives an ongoing economic benefit.

Comments on these proposed regulations should be submitted, in writing, to Ms. Lisa R. Marin, SPHR, Director of Personnel, 441 4th Street, N.W., Suite 310S, Washington, D.C. 20001, within thirty (30) days of the date of publication of this notice in the *D.C. Register*. Additional copies of these proposed rules are available from the above address.

DISTRICT OF COLUMBIA SPORTS AND ENTERTAINMENT COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Sports and Entertainment Commission ("Commission") hereby gives notice of its intent to adopt the following amendment to chapter 33 of Title 19 DCMR in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The proposed amendments will revise the application requirements and procedures for awarding community outreach grants by the Commission.

Proposed Amendment: Delete the present language of chapter 33 of Title 19 and substitute the following:

3300 PURPOSE

3300.1 The purpose of this chapter is to establish standards and guidelines for the submission of applications for grants to the District of Columbia Sports and Entertainment Commission (the "Commission").

3301 ELIGIBILITY REQUIREMENTS

3301.1 A grant awarded hereunder shall be made solely to District of Columbia based, non-profit organizations, groups, agencies, associations and partnerships that demonstrate the capacity to develop and implement sports and recreation and arts and entertainment programs within the District of Columbia that serve District youth and children.

3301.2 Individuals, as well as Advisory Neighborhood Commissions, shall be ineligible to apply for a grant hereunder.

3302 PRIORITIES

3302.1 In reviewing grant applications, the Commission shall give priority to such applications according to the following criteria:

- (a) Capital projects designed to provide, promote, foster, support, or encourage sports and recreation and arts and entertainment activities among District of Columbia youth and children;
- (b) Projects, programs, or activities designed to provide, promote, foster, support, or encourage sports and recreation and arts and

entertainment activities among District of Columbia youth and children;

- (c) Projects, programs, or activities designed to provide, promote, foster, support, or encourage sports and recreation and arts and entertainment activities among disadvantaged District of Columbia youth and children;
- (d) Applicants that have not previously received a Commission Community Outreach grant;
- (e) Funding for discrete purchases of equipment, supplies, services, and other identifiable budget line items over contribution to general staffing and operational expenses.

3303 FUNDING AMOUNTS AND LIMITATIONS

3303.1 Grants hereunder shall be awarded annually and may not exceed Twenty Five Thousand (\$25,000) per year.

3303.2 Unless otherwise approved by the Commission, in writing, funds remaining at the end of the grant period shall be returned to the Commission for reallocation to other projects and programs hereunder.

3303.7 All grantees, at the end of the grant period, shall file with the Commission a final report, including without limitation, a comparison between the projected and actual results with respect to the following items:

- (a) Financial results of the project, program, or activity funded by the grant;
- (b) How specifically the grant funds were used;
- (c) Goals of the project, program, or activity funded by the grant;
- (d) Number of individuals served by the project, program, or activity funded by the grant; and
- (e) Location of the individuals served by the project, program, or activity funded by the grant

3304 APPLICATIONS

3304.1 The Commission shall not consider an application for a grant hereunder unless it includes the following information:

- (a) The applicant's legal name, address, email address, and telephone number;
- (b) The names, addresses, and telephone numbers of all officers, directors, members, trustees, partners, and shareholders;
- (c) As applicable, a copy of the applicant's charter, articles of incorporation, partnership agreement or registration;
- (d) As applicable, a document demonstrating that the applicant has been incorporated in the District of Columbia;
- (e) As applicable, a copy of the applicant's Internal Revenue Code § 501(c)(3) letter of exemption, as well as the applicant's local and federal tax exempt identification number;
- (f) As applicable, the applicant's audited financial statements for the three years preceding the application date, IRS 990 filings for the three years preceding the application date, or other financial information designed to demonstrate the financial condition of the applicant;
- (g) A narrative on the project, program, or activity to be funded by the grant, including:
 - (i) Purpose;
 - (ii) Objectives;
 - (iii) Target population, including geographic location of population;
 - (iv) Number of individuals and age range to be served;
 - (v) Plans for adult supervision of youth and children
- (h) The project, or program, manager's name and a statement as to his/her qualifications;
- (i) An itemized budget and budget narrative listing the proposed expenditures to be funded by the grant hereunder and describing the financial operation of the project, program, or activity to be funded by the grant;

- (j) A notarized certificate that the grant will be used exclusively to provide, promote, foster, support, or encourage sports and recreation or arts and entertainment activities among District of Columbia youth.

- 3304.2 A false statement by the applicant on any part of the application may be grounds for disqualification or termination of the grant and may be punishable in accordance with D.C. Code §22-2514.

- 3304.3 All information provided may be investigated as permitted by law or regulation.

- 3304.4 Grant applications shall be submitted to the DC Sports Commission, Community Outreach Committee, 2400 East Capitol Street, SE, Robert F. Kennedy Memorial Stadium, Fourth Floor, Washington, DC 20004

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be filed with the General Counsel, District of Columbia Sports and Entertainment Commission, 2400 E. Capitol Street, SE, Washington, DC 20003. Copies of these proposed rules may be obtained from the Commission at the same address.

DISTRICT OF COLUMBIA SPORTS AND ENTERTAINMENT COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Sports and Entertainment Commission ("Commission") hereby gives notice of its intent to adopt the following amendment to §§ 3404.1 and 3421.8 of chapter 34 of Title 19 DCMR in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The proposed amendments will authorize the Commission to use the services of private recruiting agencies and to pay severance to senior level employees.

Proposed Amendment: Delete the present language of § 3404.1 and substitute the following amended paragraph:

3404.1 The Commission may pay fees for services of private agencies in recruiting senior level staff positions, including advertising fees.

Proposed Amendment: Delete the present language of § 3421.8 and substitute the following amended paragraph:

- 3421.8**
- (a) The Board of Directors are authorized to provide severance pay to senior level employees when the Board determines it is in the Commission's best interests to provide such pay.
 - (b) Any determination by the Board to provide severance pay to a senior level employee shall be made in writing stating the reasons why making such a payment is in the Commission's best interests.
 - (c) The written justification shall be placed in the personnel file of the employee who is the recipient of a severance payment.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be filed with the General Counsel, District of Columbia Sports and Entertainment Commission, 2400 E. Capitol Street, SE, Washington, DC 20003. Copies of these proposed rules may be obtained from the Commission at the same address.