

**BOARD OF EDUCATION**

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**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

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The District of Columbia Board of Education ("Board"), pursuant to the authority set forth in D.C. Code, 2001 Edition, Section 38-101 et seq., hereby gives notice of emergency and proposed rulemaking action taken by the Board at its meeting on June 18, 2003 to amend Chapter 38 of the Board Rules, Title 5 of the District of Columbia Municipal Regulations. The amendment enables the State Education Agency of the District of Columbia to comply with the Unsafe School Choice Option requirements of Public Law 107-110 (No Child Left Behind).

The provisions of this Rulemaking include the establishment of criteria, processes and timelines for the identification of persistently dangerous schools by the SEA, appeals of such designation by the LEAs, notification of parents, the transfer of students from persistently dangerous schools and the transfer of students who have been victims of violent crimes. Students who are determined to be the victim of a pattern of harassment or sexual harassment in or on the grounds of the schools they attend will also be eligible for transfer.

The emergency results from the SEA's need to implement the Rulemaking by July 1, consistent with the requirements of federal legislation. The effective date of the rulemaking is June 18, 2003. This Emergency Rulemaking shall expire within 120 days of June 18, 2003.

The Board also gives notice of its intent to adopt these emergency and proposed rules in not less than thirty (30) days following publication of this notice in the D.C. Register.

Chapter 38 is amended as follows:

**3804 Identification of Persistently Dangerous Schools and Unsafe School Transfer Option**

**3804.1 Identification of Persistently Dangerous Schools**

- (a) Pursuant to the requirements of P.L. 107-110, the District of Columbia Public Schools acting as the State Educational Agency (SEA) shall identify, by July 1 of each year, all public schools within District of Columbia LEAs that are "persistently dangerous" pursuant to criteria established by the SEA and set forth in subsection 3804.1 (c).

- (b) By July 1, the SEA also shall send a letter of concern to each LEA and school administrator whose statistics for the previous year indicate that his or her schools are at risk of being identified as persistently dangerous the following year.
- (c) A school is determined to be persistently dangerous if the annual number of officially reported violent crimes against students, on the school grounds, during school operating hours, over a period of two consecutive years is equal to or greater than:
  - 1) 2.5% of the school's official membership, for schools with enrollments of 200 students or more, or
  - 2) five, for schools with enrollments of 200 students or less.
- (d) Juvenile detention facilities are exempt from the provisions of this section.

**3804.2 Persistently Dangerous Schools Transfer Option**

- (a) A student who is enrolled at a school determined to be persistently dangerous shall have the right to transfer to a destination school within the District of Columbia's LEAs and remain there until the originating school is no longer identified as persistently dangerous, provided such transfer is consistent with all applicable laws, including IDEA.
- (b) The destination school shall be a public school that
  - 1) is not identified as persistently dangerous;
  - 2) is not in school improvement, under corrective action, or restructuring;
  - 3) is making adequate yearly progress (AYP), and
  - 4) has space to accommodate the student.
- (c) A student shall not be eligible to seek a transfer under §3804.2 (a) if he or she is
  - 1) in a court-ordered educational placement; or
  - 2) in an alternative setting into which he or she has been placed by the LEA pursuant to expulsion from his or her school.
- (d) The eligible student's right to seek a transfer pursuant to this section must be exercised within 21 days following parental notification of his or her school's designation as "persistently dangerous."
- (e) A transfer for reasons under this section shall be in effect until the persistently dangerous school is no longer designated as such, at which

point the LEA or the destination school administrator may return the student to his or her neighborhood school.

**3804.3 Local Education Agency (LEA) Notification and Appeals Process**

- (a) No later than June 15, the SEA shall notify the LEAs about schools that are likely to be designated persistently dangerous and provide each school with the following data used by the SEA to base its designation:
  - 1) The school's official membership for the two most recent, consecutive school years, and
  - 2) The number of violent crimes against students on the school grounds, during school operating hours, for the two most recent, consecutive school years.
- (b) The LEA shall have 10 days within which to review the data and submit to the SEA any evidence proving that a school is not persistently dangerous.
- (c) If, after reviewing the evidence, the SEA determines that the designation is appropriate, it shall issue formal designation, pursuant to §3804.3, that a school is persistently dangerous.
- (d) The LEA or the school administrator shall have the right to appeal a school's designation, in writing, to the State Education Officer within 7 days of notification by the SEA.
- (e) Appeals shall be resolved as follows:
  - 1) Upon receipt of a written appeal, the SEA shall convene representatives from its monitoring office and representatives of the LEA.
  - 2) At the meeting, the LEA shall present evidence challenging either the official membership numbers or specific reports of violent crimes, which may include a revised official membership audit for the affected school years, copies of official incident reports from the Metropolitan Police which clarify that the alleged violent crime(s) do not meet criteria established in §3804.3, or official findings that show the reported crime could not be substantiated.
  - 3) The monitoring officer will review the evidence and make a determination if the school's designation is still warranted.
- (f) Appeals shall be resolved within 7 – 10 days by the Superintendent, acting in his or her capacity as State Education Officer, or his or her designee, and he or she shall issue his or her finding on the LEA's

status in writing to the LEA and the administrator of the school in question.

**3804.4 Notification of Parents and Completion of Transfers**

- (a) The LEA shall notify parents of students at affected schools of their school's status and the option to transfer no later than one month following a school's designation as persistently dangerous.
- (b) The LEA shall notify parents who intend voluntarily to transfer a student into a school that has been identified as persistently dangerous of that school's designation and provide them with a list of alternate schools, if available, to which the student can apply.
- (c) Pursuant to § 3804.4 (a), the SEA will recommend that each LEA provide the parent of the student seeking admission to a school identified as persistently dangerous with a copy of the school's corrective action plan, pursuant to § 3804.5 (a).
- (d) These notices shall be provided in language that is understandable to all parents or guardians of students enrolled in the school, including either written translation or oral interpretation into the native language of the parents and provided by competent interpreters, unless it is clearly not feasible to do so.
- (e) The LEA, pursuant to a parent's written request, shall effect student transfers within twenty-one (21) calendar days following parental notification by the LEA.

**3804.5 Corrective Action for Persistently Dangerous Schools**

- (a) Each LEA must develop and submit to the SEA a corrective action plan for all schools within the LEA that have been identified as persistently dangerous within twenty (20) days of a school's final designation as persistently dangerous by the SEA.
- (b) A school shall remain in corrective action for a period of two years, during which time the SEA will provide technical assistance to the school, pursuant to the availability of funds.
- (c) The LEA shall report to the SEA and to parents semi-annually on the progress the persistently dangerous school is making toward the goals of its corrective action plan.
- (d) The SEA shall remove a school's designation as persistently dangerous if the annual number of documented reported violent crimes against students on the school grounds, during school operating hours, over a period of two, consecutive years following its designation is
  - 1) less than 2.5% of the school's official membership for schools with enrollments of 200 students or more; or
  - 2) Less than five, for schools with enrollments of 200 students or less.

- (e) By August 1 of each year, the LEA shall notify parents of affected students when a school is no longer designated as persistently dangerous.

3804.6

**Individual Student Victim Transfer Option**

- (a) A student shall also have the right to transfer to a destination school within the District of Columbia's LEAs if he or she has been the victim of
  - 1) a violent crime committed on school grounds, during school operating hours, that has been substantiated by the LEA or
  - 2) a pattern of harassment or sexual harassment pursuant to §2503.2 (g) and (h) of this title, that has been perpetrated on school grounds, during school operating hours, and that has been substantiated by the LEA, pursuant to a grievance filed under §2405.4 or §2405.5 of this title. For purposes of this subsection, a "pattern of harassment or sexual harassment" shall mean one substantiated incident of harassment that created an intimidating, threatening or abusive environment or two other substantiated harassment incidents.
- (b) No later than 48 hours after an allegation pursuant to §3804.6 (a) (1), the LEA shall provide parents with notice of the right to transfer pursuant to this section, the limitations on the right to exercise this option set forth in §3804.6 (d).
- (c) In the event of the alleged harassment or sexual harassment of a student enrolled in the District of Columbia Public Schools (DCPS), the notice required under §3804.6 (b) shall also include notice of the right to file a grievance under §2405.4 or §2405.5.
- (d) If the student is alleged to have been the victim of a violent crime perpetrated on school grounds during school operating hours, the LEA shall substantiate the alleged incident, and report its findings to the parent in no more than three days.
- (e) If a student alleges a pattern of harassment or sexual harassment, the timeline and procedures for resolution of such grievances by the LEA provides in §2405.4 and §2405.5, shall apply.
- (f) In the event that the LEA finds that a violent crime alleged under §3804.6 (a)(1) is not substantiated, the LEA's notice to parents shall include notification of the student's right to file a grievance pursuant to §2405.4.
- (g) The parent shall have three weeks from the date of the completion of the LEA's substantiation of allegations made under §3806.4 (a) (1) or (2) to request a transfer under the provisions of this subsection.

- (h) The LEA shall file a cumulative report of incidents reported under this section annually with the SEA.

Definitions:

**Adequate Yearly Progress (AYP)**

Making acceptable progress toward the goals defined by the State's accountability and assessment plan.

**Corrective Action**

Action taken to eliminate the conditions that have led to a school's designation as persistently dangerous.

**Corrective Action Plan**

A plan submitted by the LEA to the SEA describing the corrective action to be taken by a persistently dangerous school, which shall include, at a minimum analysis of the conditions under which the violent crimes occurred and specific activities planned to mitigate those conditions.

**Official Membership**

A school's official enrollment on October 5 of each year, as certified by the State Education Office.

**School Operating Hours**

The regular operating hours established by a school, when classes are in session and/or a school-sponsored event takes place on school grounds.

**School Year**

For purposes of this Regulation, the school year is defined as beginning on the first official day of school and ending on June first of the following year.

**Students**

Pre-K – 12 students who are currently enrolled in a school.

**Violent Crime**

Any of the following offenses, documented by an official police report, that is designated a "crime of violence" under Section 22-4501(f) of the DC Code: murder; manslaughter; first degree sexual abuse; second degree sexual abuse; malicious disfigurement of another; abduction; kidnapping; any assault with intent to kill, commit first degree sexual abuse, second degree sexual abuse, or child sexual abuse or robbery; assault with a dangerous weapon; assault with intent to commit any offense punishable by imprisonment; extortion or blackmail accompanied by threats of violence or aggravated assault.

**School Grounds:**

LEA-owned or leased building and land surrounding the school building.

Written comments on the emergency and proposed rulemaking are invited from interested citizens. Such comments should be addressed to Mr. Russell Smith, Executive Secretary, D.C. Board of Education, 825 North Capitol Street, N.E., Suite 9108, Washington, D.C. 20002. Copies of this rulemaking are available from the Office of the Board of Education by calling (202) 442-4289.

## DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health, 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), Reorganization Plan No. 4 of 1996, and Mayor's Order 97-42, dated February 18, 1997, hereby gives notice of the adoption, on an emergency basis, of an amendment to Chapter 9 of Title 29 of the District of Columbia Municipal Regulations (DCMR) entitled "Method Established for Determining Prescription Reimbursement". The effect of the amendment is to increase the pharmacy dispensing reimbursement from \$3.75 to \$4.50.

A notice of proposed rulemaking to increase the Medicaid reimbursement to pharmacy providers for dispensing medicine, effective April 1, 2003 was published on February 14, 2003 (50 DCR 1534). After publication, the Department of Health, Medical Assistance Administration determined that the District government was experiencing a shortfall in the local budget. Because of the shortfall the reimbursement increase was postponed until July 5, 2003 consistent with the District's FY 2003 budget and financial plan. To ensure compliance with the federal law, the Medicaid Program is also amending the District of Columbia State Plan for Medical Assistance (State Plan). The Medicaid Program projects an increase in local and federal expenditures of \$187,500 attributable to the increased reimbursement. Emergency action is necessary for the immediate preservation of the health, safety and welfare of persons in need of pharmacy services.

The emergency rulemaking was adopted on June 6, 2003 and will become effective one day after publication of this notice in the *D.C. Register*. The emergency rulemaking will remain in effect for 120 days or until October 4, 2003 unless superceded by another emergency rulemaking or by publication of a notice of final rulemaking in the *D.C. Register*, whichever comes first.

The Director also gives notice of the intent to take final rulemaking action to adopt these rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Amend subsection 924.1 (Method Established For Determining Prescription Reimbursement) of Chapter 9 of Title 29 DCMR by deleting the existing paragraph (a) and inserting the following paragraph (a) in its place:

**924            METHOD ESTABLISHED FOR DETERMINING PRESCRIPTION REIMBURSEMENT**

924.1            Pharmacy claims for services rendered on or after July 5, 2003 shall be reimbursed at the lower of the following:

- (a) The allowable cost, established pursuant to section 922 or 923, as appropriate, plus a dispensing fee of four dollars and fifty cents (\$4.50) per prescription.

Comments on the proposed rules should be sent in writing to Wanda R. Tucker, Interim Senior Deputy Director for Medical Assistance Administration, Department of Health, 825 North Capitol Street, N.E., 5<sup>th</sup> Floor, Washington, DC, not later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules and corresponding State Plan may be obtained from the same address.

## DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health, 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), Reorganization Plan No. 4 of 1996, and Mayor's Order 97-42, dated February 18, 1997, hereby gives notice of the adoption, on an emergency basis, of a new section 964 to Chapter 9 of Title 29 of the District of Columbia Municipal Regulations (DCMR) entitled "Medicaid Reimbursement for Dental Services". These rules would authorize an increase in the amount of reimbursement by the District of Columbia Medicaid Program (Medicaid Program) for dental services.

These rules would increase the current reimbursement rates by 150% for services provided to persons under 21 years of age and by 175% for services provided to persons residing in an intermediate care facility for persons with mental retardation. Dental providers have indicated that current reimbursement rates are insufficient. Federal rules require that the state Medicaid rates are sufficient to enlist enough providers such that access to services is, at a minimum, comparable between program recipients and the general population. The Medicaid Program is currently experiencing a health care crisis due to the limited number of dental professionals. Emergency action is necessary for the immediate preservation of the health, safety and welfare of Medicaid recipients who are in need of dental services. The Medicaid Program projects an increase in total state and federal expenditures of approximately \$75,000 for FY 2003 as a result of the increased reimbursement rates.

The emergency rulemaking was adopted on June 11, 2003 and will become effective one day after publication of this notice in the *D.C. Register*. The emergency rules will remain in effect for 120 days or until October 9, 2003 unless earlier superceded by another emergency rulemaking or by publication of a notice of final rulemaking in the *D.C. Register*, whichever comes first.

Amend Chapter 9 (Medicaid Program) of Title 29 DCMR by adding the following new section 964, to read as follows:

**SECTION 964 DENTAL SERVICES**

964.1 The reimbursement rates for dental services provided on or after July 5, 2003 to eligible Medicaid recipients under the age of twenty-one (21) shall be as follows:

DESCRIPTION OF SERVICE	RATE
Periodic Dental Screening	\$20.00
ER Treatment Control Blood	\$27.50

DESCRIPTION OF SERVICE	RATE
Periconitis Palliative Therapy	\$22.50
Limit Oral Eval Problm Focus	\$27.50
Comprehensive Oral Evaluation	\$77.50
Intraor Complete Film Series	\$67.50
Full Mouth X Rays	\$67.50
Periapical X Ray; First Film	\$12.50
One Periapical Film	\$12.50
Two Periapical X Rays	\$22.50
Three Periapical X Rays	\$25.00
Periapical X Ray-Each additional film	\$20.00
Occlusal X Ray	\$25.00
Dental Bitewings Two Films	\$40.00
P.A. Film	\$100.00
Panorex	\$67.50
Cephalometric Film	\$100.00
Pulp Test	\$15.00
Study Models	\$35.00
Prophylaxis, Mouth Exam	\$77.50
Preventive Prophylaxis (Adult)	\$32.50
Preventive Prophylaxis (Child)	\$22.50
Topical Fluor w/o Prophy Child	\$20.00
Sodium Floride Application	\$20.00
Dental Sealants	\$15.00
Fixed, Band Type	\$187.50
Lingual Arch Wire	\$225.00
Amalgam One Surface, Primary	\$25.00
Amalgam Two Surfaces, Primary	\$35.00
Amalgam, Three Surfaces, Primary	\$52.50
Amalgam Four Surfaces, Primary	\$67.50
Amalgam One Surface, Permanent	\$30.00
Amalgam Two Surfaces, Permanent	\$42.50
Amalgam Three Surfaces, Permanent	\$65.00
Amalgam Four Surfaces, Permanent	\$85.00
Acrylic or Plastic Restoration	\$50.00
Esthetic Restoration Including Angle	\$62.50
Acrylic or Plastic Restoration, III	\$30.00
Esthetic Restoration Class IV	\$62.50
Acrylic Jacket	\$225.00
Gold (Full Cast)	\$295.00
Dowel Crown	\$375.00
Pulp Cap Direct Excluding Final Rest	\$25.00
Pulpotomy	\$50.00
One Canal: Excludes Final Restoration	\$235.00

DESCRIPTION OF SERVICE	RATE
Three Canal; Excludes Final Restoration	\$362.50
Gingivectomy or Gingivoplasty, 5 Mor.t	\$250.00
Subgingival Curettage Root PLN Peri	\$125.00
Deep Scaling	\$125.00
Complete Lower Denture	\$437.50
Partial Upper Denture With Gold	\$625.00
Single Tooth Extraction	\$35.00
Multiple Extractions	\$35.00
Extraction of Tooth, Erupted	\$92.50
Extraction of Tooth, Soft Tiss Imp	\$140.00
Extraction of Tooth, Partial Bony Imp	\$185.00
Extraction of Tooth Complete Bony Impac	\$202.50
Root Tips	\$77.50
Replantation of Tooth with Splint	\$265.00
Surgical Exposure of Bony Impaction	\$140.00
Removal of Subcutaneous Tissue	\$280.00
Incision Drainage Abscess, Intracol	\$77.50
Bite Plane	\$140.00
Habit Breaker	\$235.00
Consultation	\$75.00
Office Visit	\$45.00

964.2 The reimbursement rates for dental services provided on or after July 1, 2003 to eligible Medicaid recipients residing in an intermediate care facility for persons with mental retardation shall be as follows:

DESCRIPTION OF SERVICE	RATE
Periodic Dental Screening	\$22.00
ER Treatment Control Blood	\$30.25
Periconitis Palliative Therapy	\$24.75
Limit Oral Eval Problm Focus	\$30.25
Comprehensive Oral Evaluation	\$85.25
Intraor Complete Film Series	\$74.25
Full Mouth X Rays	\$74.25
Periapical X Ray; First Film	\$13.75
One Periapical Film	\$13.75
Two Periapical X Rays	\$24.75
Three Periapical X Rays	\$27.50
Peripical X Ray-Each additional film	\$22.00
Occlusal X Ray	\$27.50
Dental Bitewings Two Films	\$44.00
P.A. Film	\$110.00

DESCRIPTION OF SERVICE	RATE
Panorex	\$74.25
Cephalometric Film	\$110.00
Pulp Test	\$16.50
Study Models	\$38.50
Prophylaxis, Mouth Exam	\$85.25
Preventive Prohylaxis (Adult)	\$35.75
Preventive Prohylaxis (Child)	\$24.75
Topical Fluor w/o Prophy Child	\$22.00
Sodium Floride Application	\$22.00
Dental Sealants	\$16.50
Fixed, Band Type	\$206.25
Lingual Arch Wire	\$247.50
Amalgam One Surface, Primary	\$27.50
Amalgam Two Surfaces, Primary	\$38.50
Amalgam, Three Surfaces, Primary	\$57.75
Amalgam Four Surfaces, Primary	\$74.25
Amalgam One Surface, Permanent	\$33.00
Amalgam Two Surfaces, Permanent	\$46.75
Amalgam Three Surfaces, Permanent	\$71.50
Amalgam Four Surfaces, Permanent	\$93.50
Acrylic or Plastic Restoration	\$55.00
Esthetic Restoration Including Angle	\$68.75
Acrylic or Plastic Restoration, III	\$33.00
Esthetic Restoration Class IV	\$68.75
Acrylic Jacket	\$247.50
Gold (Full Cast)	\$324.50
Dowel Crown	\$412.50
Pulp Cap Direct Excluding Final Rest	\$27.50
Pulpotomy	\$55.00
One Canal: Excludes Final Restoration	\$258.50
Three Canal; Excludes Final Restoration	\$398.75
Gingivectomy or Gingivioplasty, 5 Mor.t	\$275.00
Subgigival Curretage Root PLN Peri	\$137.50
Deep Scaling	\$137.50
Complete Lower Denture	\$481.25
Partial Upper Denture With Gold	\$687.50
Single Tooth Extraction	\$38.50
Multiple Extractions	\$38.50
Extraction of Tooth, Erupted	\$101.75
Extraction of Tooth, Soft Tiss Imp	\$154.00
Extraction of Tooth, Partial Bony Imp	\$203.50
Extraction of Tooth Complete Bony Impac	\$222.75
Root Tips	\$85.25
Replantation of Tooth with Splint	\$291.50

DESCRIPTION OF SERVICE	RATE
Surgical Exposure of Bony Impaction	\$154.00
Removal of Subcutaneous Tissue	\$308.00
Incision Drainage Abscess, Intracol	\$85.25
Bite Plane	\$154.00
Habit Breaker	\$258.50
Consultation	\$82.50
Office Visit	\$49.50

**964.99 DEFINITIONS**

When used in this section, the following terms and phrases shall the meanings ascribed:

Intermediate care facility for persons with mental retardation- Shall have the same meaning as set forth in 42 CFR 483.400 *et seq.*

Comments of the proposed rules shall be sent in writing to Wanda R. Tucker, Interim Senior Deputy Director, Medical Assistance Administration, Department of Health, 825 North Capitol Street, N.E., 5<sup>th</sup> Floor, Washington, D.C. 20003, not later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may be obtained from the same address.

## DEPARTMENT OF HEALTH

## NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health, 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), Reorganization Plan No. 4 of 1996, and Mayor's Order 97-42, dated February 18, 1997, hereby gives notice of the adoption, on an emergency basis, of an amendment to section 995 of Chapter 9 of Title 29 of the District of Columbia Municipal Regulations (DCMR), governing reimbursement rates for transportation services.

These rules amend reimbursement rates for the District of Columbia Medicaid Program for transportation of ambulatory single individuals and groups, non-emergency stretcher shuttle services and van transportation of single individuals in wheelchairs. In 1997, the Medicaid Program reduced by ten percent (10%) the rates paid for transportation services. These rules will restore the rates to the levels paid prior to the 1997 rate reduction. The Medicaid Program projects an increase in local and federal expenditures of approximately \$327,000 in fiscal year 2003 as a result of the rate increase. Emergency action is necessary for the immediate preservation of the health, safety and welfare of persons in need of transportation services.

The emergency rulemaking was adopted on June 4, 2003 and will become effective one day after publication of this notice in the *D.C. Register*. The emergency rulemaking will remain in effect for 120 days or until October 2, 2003 unless earlier superseded by another emergency rulemaking or by publication of a notice of final rulemaking in the *D.C. Register*.

The Director also gives notice of the intent to take final rulemaking action to adopt these proposed rules not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Amend section 995 (Reimbursement Rates for Transportation Services) of Chapter 9, Title 29 DCMR to read as follows:

**995 REIMBURSEMENT RATES FOR TRANSPORTATION SERVICES**

995.1 The reimbursement rates for transportation services rendered for ambulatory single individuals on or after July 5, 2003 are as follows:

SERVICE DESCRIPTION	RATE
Van, one way inside the Capitol Beltway	\$16.50

Van, round-trip inside the Capitol Beltway	\$27.50
Van, one way inside Capitol Beltway with extra assistant	\$22.00
Van, round-trip inside Capitol Beltway with extra assistant	\$33.00
Van, one-way outside Capitol Beltway	\$27.50 + .75 per loaded mile
Van, round-trip outside Capitol Beltway	\$44.00 + .75 per loaded mile
Van, one-way outside Capitol Beltway with extra assistant	\$33.00 + .75 per loaded mile
Van, round-trip outside Capitol Beltway with extra assistant	\$49.50 + .75 per loaded mile
Trip cancellation if cancelled upon arrival	\$8.25

995.2 The reimbursement rates for transportation services of a group of ambulatory persons rendered on or after July 5, 2003 are as follows

SERVICE DESCRIPTION	RATE
Van, one way inside the Capitol Beltway	\$38.50
Van, round-trip inside the Capitol Beltway	\$71.50
Van, one way inside Capitol Beltway with extra assistant	\$41.25
Van, round-trip inside Capitol Beltway with extra assistant	\$77.00

Van, one-way outside Capitol Beltway	\$49.50 + .75 per loaded mile
Van, round-trip outside Capitol Beltway	\$82.50 + .75 per loaded mile
Van, one-way outside Capitol Beltway with extra assistant	\$52.25 + .75 per loaded mile
Van, round-trip outside Capitol Beltway with extra assistant	\$88.00 + .75 per loaded mile
Trip cancellation if cancelled upon arrival	\$8.25

995.3 The reimbursement rates for non-emergency stretcher shuttle services rendered on or after July 5, 2003 are as follows:

SERVICE DESCRIPTION	RATE
Shuttle, one way inside the Capitol Beltway	\$46.20
Shuttle, round-trip inside the Capitol Beltway	\$89.10
Shuttle, one way inside Capitol Beltway with extra assistant	\$69.30
Shuttle, round-trip inside Capitol Beltway with extra assistant	\$134.20
Shuttle one-way outside Capitol Beltway	\$46.20 + 1.50 per loaded mile
Shuttle, round-trip outside Capitol Beltway	\$89.10 + 1.50 per loaded mile

Shuttle, one-way outside Capitol Beltway with extra assistant	\$70.95 + 1.50 per loaded mile
Shuttle, round-trip outside Capitol Beltway with extra assistant	\$134.20 + .1.50 per loaded mile
Trip cancellation if cancelled upon arrival	\$11.00

995.4 The reimbursement rate for van transportation for single individuals in wheelchairs rendered on or after July 5, 2003 are as follows:

SERVICE DESCRIPTION	RATE
Wheelchair van, one way inside the Capitol Beltway	\$24.75
Wheelchair van, round-trip inside the Capitol Beltway	\$35.75
Wheelchair van, one way inside Capitol Beltway with extra assistant	\$30.25
Wheelchair van, round-trip inside Capitol Beltway with extra assistant	\$41.25
Wheelchair van one-way outside Capitol Beltway	\$33.00 + .75 per loaded mile
Wheelchair van, round-trip outside Capitol Beltway	\$49.50 + .75 per loaded mile
Wheelchair van, one-way outside Capitol Beltway with extra assistant	\$38.50 + .75 per loaded mile
Wheelchair van, round-trip outside Capitol Beltway with extra assistant	\$55.00 + .75 per loaded mile

Trip cancellation if cancelled upon  
arrival

\$8.25

Comments on the proposed rules should be sent in writing to Wanda R. Tucker, Interim Senior Deputy Director, Medical Assistance Administration, Department of Health, 825 North Capitol Street, N.E., 5<sup>th</sup> Floor, Washington, DC 20002, not later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Copies of the proposed rules may be obtained from the same address.