

D.C. OFFICE OF PERSONNEL**NOTICE OF FINAL 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 pursuant to the authority set forth in § 10 of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (the "Act") (D.C. Law 9-114; D.C. Official Code § 32-709), Mayor's Order 2002-56, dated March 4, 2002, and PR14-887 (deemed approved on November 22, 2002), hereby gives notice that final rulemaking action was taken to adopt the following rules. These rules amend Chapter 21 of the *D.C. Personnel Regulations*, Health Benefits, by providing that persons first employed by the District government on or after October 1, 1987 who are eligible for health benefits coverage under the District of Columbia Employees Health Benefits Program (Program) may elect to enroll their domestic partners and the dependent children of the domestic partner in that Program. The rules also establish the provisions for enrollment and financing of health benefits coverage for domestic partners and dependents pursuant to the Act; amend § 2130.15; update the citations to the D.C. Official Code in §§ 2130 and 2199; and add definitions of the terms "committed relationship," "dependent child of a domestic partner," "domestic partner," and "family member" to § 2199. No comments were received under the notice of proposed rulemaking published at 50 DCR 1910 (February 28, 2003). Final rulemaking action was taken on April 8, 2003.

CHAPTER 21**HEALTH BENEFITS**

Sections 2101 through 2128 are being reserved. A new § 2129 is being added to read as follows:

**2129 OPTIONAL SELF-FINANCED HEALTH BENEFITS COVERAGE
FOR DOMESTIC PARTNERS**

- 2129.1 The provisions of this section shall be applicable to persons first employed by the District government on or after October 1, 1987 who are eligible for health benefits coverage under the District of Columbia Employees Health Benefits Program established pursuant to D.C. Official Code § 1-621.02 *et seq.*
- 2129.2 A person who is eligible for health benefits coverage as specified in § 2129.1 may elect to enroll his or her domestic partner and the dependent children of the domestic partner upon employment, or once annually during the District of Columbia Employees Health Benefits Program open enrollment period.
- 2129.3 Notwithstanding the provisions of § 2129.2, employees newly registered in a domestic partnership are eligible to enroll their domestic partners and their dependents in the District of Columbia Employees Health Benefits Program

within thirty-one (31) days of the date the domestic partnership registration is issued by the D.C. Department of Health.

- 2129.4 In order to enroll a domestic partner and any dependent children of the domestic partner in the District of Columbia Employees Health Benefits Program, an eligible employee shall:
- (1) Have a valid certificate of domestic partnership issued by the D.C. Department of Health;
 - (2) Present such certificate to the personnel authority; and
 - (3) Complete an Affidavit of Domestic Partnership for Health Insurance Benefits with the personnel authority.
- 2129.5 As applicable, an eligible employee shall provide proof of the dependency of a child of a domestic partner by presenting the birth certificate or other legal document demonstrating legal custodial care to the personnel authority.
- 2129.6 The eligible employee shall assume one hundred percent (100%) of the cost of the health insurance premium for his or her domestic partner and any eligible dependent children.
- 2129.7 Any health insurance premiums pursuant to this section shall be deducted on an after-tax basis directly from the employee's paycheck.
- 2129.8 Health benefits for domestic partners and their dependents shall be terminated upon the death of the employee. Surviving domestic partners who are enrolled as dependents may convert to an individual health insurance policy directly through the health insurance provider(s).
- 2129.9 Upon termination of District government service, the eligible employee may elect to continue health benefits coverage as specified in § 2130 of this chapter, and may include continued health benefits coverage for his or her domestic partner and the dependents of the domestic partner.
- 2129.10 An eligible employee shall inform his or her personnel authority, in writing, of any change in the circumstances attested to in the Domestic Partnership for Health Insurance Benefits Affidavit referenced in § 2129.4.
- 2129.11 A domestic partnership may be terminated, with or without the consent of both partners, by filing a termination of domestic partnership statement with the D.C. Department of Health. The termination of the domestic partnership statement filed shall become effective six (6) months after the date the statement is filed with the D.C. Department of Health.
- 2129.12 An employee who terminates a domestic partnership as specified in § 2129.11 shall notify his or her personnel authority within thirty (30) days of the filing of the termination of domestic partnership statement. Health benefits

enrollment of the domestic partner and his or her dependents shall continue, at the cost of the eligible District employee, during the six (6) months that the termination of the domestic partnership is pending, provided District government employment is maintained.

The citations to the D.C. Official Code in §§ 2130.1, 2130.2(c), 2130.8(b), 2130.11(b), and 2130.14(c) are updated; and § 2130.15 is amended to read as follows:

2130 CONTINUED HEALTH BENEFITS COVERAGE

- 2130.1 A person who is eligible for health benefits coverage in accordance with D.C. Official Code § 1-621.02 *et seq.*, but who subsequently loses eligibility for coverage, may elect to continue coverage as provided in this section without regard to benefits available under any temporary extension of coverage or any non-group contract.
- 2130.2 Such a person may elect to continue health benefits coverage if the person is any of the following:
- (a) An employee eligible for health benefits under this section who is separated from service on or after December 14, 1990, whether voluntarily or involuntarily, and, on the day before being separated from service, was enrolled in a health plan under this title;
 - (b) A person who ceases to be an unmarried dependent child on or after December 14, 1990, and was covered as a member of a family of an employee or annuitant under a health benefits plan on the day before ceasing to be an unmarried dependent child; or
 - (c) A person who ceases to be a spouse on or after December 14, 1990, and was covered as a family member of an employee or annuitant under a health benefits plan at some time during the preceding eighteen (18) months before the marriage ended, but who is not eligible to enroll for health benefits in accordance with D.C. Official Code § 1-529.01 *et seq.* because he or she either has remarried before reaching age fifty-five (55) or is not entitled to a portion of the employee's or annuitant's annuity benefit or a survivor benefit based on the employee's or annuitant's service.
- 2130.3 The personnel authority shall give written notice to any employee described in § 2130.2(a) stating that the employee may elect to continue health benefits coverage prior to the expiration of thirty (30) days after the date on which coverage would otherwise end.
- 2130.4 The personnel authority, within fourteen (14) work days of receiving notice from the employee or annuitant, shall give notice to any person described in § 2130.2(b) stating that the person may elect to continue health benefits coverage under this title, if the employee or annuitant has provided appropriate written notice to the personnel authority prior to the expiration of sixty (60) days after the date that such a person ceased to be an unmarried dependent child.

- 2130.5 The personnel authority, within fourteen (14) work days of receiving notice from the employee, annuitant, or former spouse, shall give notice to any person described in § 2130.2(c) that the person may elect to continue health benefits coverage under this title, if the employee, annuitant, or the person himself or herself has provided written notice to the personnel authority prior to the expiration of sixty (60) days after the date such person ceased to be a spouse.
- 2130.6 In order to continue health benefits coverage, an employee described in § 2130.2(a) shall submit an appropriate written election prior to the expiration of sixty (60) days from the later of any of the following:
- (a) The effective date of separation from service;
 - (b) The date that notice required by § 2130.3 was given to the employee; or
 - (c) In the event that the notice required by § 2130.3 was mailed, the date the notice was posted.
- 2130.7 In order to continue health benefits coverage, a person described in § 2130.2(b) shall submit an appropriate written election prior to the expiration of sixty (60) days from the later of any of the following:
- (a) The date the person ceased to be an unmarried dependent child;
 - (b) The date that the notice required by § 2130.4 was given to the person; or
 - (c) In the event that the notice required by § 2130.4 was mailed, the date the notice was posted.
- 2130.8 In order to continue health benefits coverage, a person described in § 2130.2(c) shall submit an appropriate written election prior to the expiration of sixty (60) days from the later of any of the following:
- (a) The date the person ceased to be a spouse of an employee;
 - (b) The date the person ceased to be eligible for health benefits under the provisions of D.C. Official Code § 1-529.01 *et seq.*;
 - (c) The date the notice required by § 2130.5 was given to the person; or
 - (d) In the event that the notice required by § 2130.5 was mailed, the date the notice was posted.
- 2130.9 An election made in accordance with either § 2130.6, § 2130.7, or § 2130.8 may be for coverage either as an individual or family.

- 2130.10 If the person's coverage expires before the person makes an election in accordance with either § 2130.6 or § 2130.7, that coverage shall be restored retroactively, as if no break in coverage had occurred.
- 2130.11 If the person's coverage expires before the person makes an election in accordance with § 2130.8, that coverage shall be restored retroactively to the later of either of the following:
- (a) The date the person ceased to be the spouse of an employee; or
 - (b) The date the employee ceased to be eligible for health benefits under the provisions of D.C. Official Code § 1-529.01 *et seq.*
- 2130.12 Continued health benefits coverage shall be available to any employee who makes an election under § 2130.6 for a period of eighteen (18) months from the effective date of the employee's separation.
- 2130.13 Continued health benefits coverage shall be available to any person who makes an election under § 2130.7 for a period of thirty-six (36) months from the earlier of either of the following:
- (a) The date the person ceased to be unmarried dependent child; or
 - (b) In the case of a person who was covered as a family member by continuing benefits under this section at the time the person ceased to be an unmarried dependent child, the date of separation from service of the employee on whom the person was dependent.
- 2130.14 Continued health benefits coverage shall be available to any person who makes an election under § 2130.8 for a period of thirty-six (36) months from one (1) of the following, as appropriate:
- (a) The date the person ceased to be a spouse;
 - (b) In the case of a person who was covered as a family member by continuing benefits under this section at the time the person ceased to be a spouse, the date of separation from service of the employee to whom the person was married; or
 - (c) In the case of a person who had health benefits coverage under the provisions of D.C. Official Code § 1-529.01 *et seq.*, from the date eligibility for coverage under those provisions ceased.
- 2130.15 Any person who elects to continue coverage under this section shall pay to the District of Columbia Treasurer, or to a contractor or other agent designated by the Director of Personnel, one hundred percent (100%) of the premium plus two percent (2%) of the sum of such contributions.

2130.16 Any person who is eligible for retroactive coverage under § 2130.10 shall pay for the coverage restored retroactively in a manner prescribed by the Director of Personnel.

Section 2199 is amended to add definitions of the terms "committed relationship," "dependent child of a domestic partner," "domestic partner," and "family member;" and the citation to the D.C. Official Code contained in the definition of the term "personnel authority" is updated to read as follows:

2199 DEFINITIONS

2199.1 When used in this chapter, the following terms have the meaning ascribed:

Committed relationship – a familial relationship between two (2) individuals characterized by mutual caring and the sharing of a mutual residence.

Dependent child of a domestic partner – an unmarried person under 22 years of age, an unmarried person under 25 years of age who is a full-time student, or an unmarried person regardless of age who is incapable of self-support because of a mental or physical disability that existed before age 22. A dependent child of a domestic partner shall include a natural child, adopted child, stepchild, foster child, or child in the legal custody of a domestic partner.

Domestic partner – a person with whom an employee maintains a committed relationship and who has registered the domestic partnership with the District of Columbia Department of Health.

Family member – a domestic partner; or the dependent child of a domestic partner.

Personnel authority – an individual or entity authorized by D.C. Official Code § 1-604.06(b) to implement personnel rules and regulations for employees of an agency or group of agencies of the District of Columbia; or persons delegated that authority by that individual or entity.

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

NOTICE OF FINAL RULEMAKING

FORMAL CASE NO. 962, IN THE MATTER OF THE
IMPLEMENTATION OF THE DISTRICT OF COLUMBIA
TELECOMMUNICATIONS COMPETITION ACT OF 1996 AND
IMPLEMENTATION OF THE TELECOMMUNICATIONS ACT OF 1996

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice, pursuant to Section 2-505 of the District of Columbia Code,¹ of its final rulemaking action taken on April 4, 2003, in Order No. 12700, granting the application of Verizon Washington DC, Inc. ("Verizon DC") submitted on January 17, 2003,² requesting authority to amend the following tariff pages:

GENERAL INDEX, INTERSTATE TARIFFS, P.S.C.-D.C.

Index, 2nd Revised Pages 3 and 8

GENERAL REGULATION TARIFF, P.S.C.-D.C. No. 201

Section 1, 2nd Revised Page 1

NETWORK INTERCONNECTION SERVICES TARIFF, P.S.C.-D.C.-NO. 218

Section 2, 1st Revised Pages 1, 56, 57, 59, and 62a

2. Verizon DC's application proposed several changes to correct cite references, updating the General Index, Intrastate tariff pages.³ In addition the proposed tariff introduced an option permitting Competitive Local Exchange Carriers ("CLECs") to purchase security access cards individually rather than in groups of five.⁴ Verizon DC's tariff filing also maintained that the standard method of interconnection is through a point of interconnection ("POT") bay and clarified that CLECs may propose alternative methods of interconnection by submitting a request for negotiation.

3. A Notice of Proposed Rulemaking ("NOPR") was published in the *D.C. Register* on February 7, 2003.⁵ Sprint filed comments on this NOPR on February 20,

¹ D. C. Code, 2001 Ed. § 2-505.

² *Formal Case No. 962, In The Matter of The Implementation of The District of Columbia Telecommunications Competition Act of 1996 And Implementation of The Telecommunications Act of 1996*, Letter to Sanford M. Speight, Acting Commission Secretary, from J. Henry Ambrose, Vice President for Regulatory Matters of Verizon DC, re: Formal Case No. 962, Tariff Revision, filed January 17, 2003 (hereinafter referred to as "Application").

³ Application at 1.

⁴ *Id.*

⁵ 50 *D.C. Reg.* 1233 (February 7, 2003).

2003.⁶ Verizon DC filed reply comments on the NOPR on March 24, 2003.⁷ By Order No. 12700, the Commission approved Verizon DC's Application, making it effective upon publication in the *D.C. Register*.

⁶ *Formal Case No. 962, In The Matter of The Implementation of The District of Columbia Telecommunications Competition Act of 1996 And Implementation of The Telecommunications Act of 1996*, Comments of Sprint Communications Company, L.P. ("Sprint Comments"), filed February 23, 2003.

⁷ *Formal Case No. 962, In The Matter of The Implementation of The District of Columbia Telecommunications Competition Act of 1996 And Implementation of The Telecommunications Act of 1996*, Verizon Washington DC, Inc.'s Reply to Sprint's POT Bay Comments ("Verizon DC Reply Comments"), filed March 24, 2003.

WASHINGTON CONVENTION CENTER AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Directors of the Washington Convention Center Authority, pursuant to section 206 of the Washington Convention Center Authority Act of 1994, D.C. Law 10-188, D.C. Code § 10-1202.06, hereby gives notice of its adoption on March 27, 2003, of the following amendment to chapter 4 of Title 19 DCMR.

No comments were received on the notice of proposed rulemaking published in the District of Columbia Register at 50 DCR 1581 on February 14, 2003. Except for minor editorial additions, no changes have been made to the text of the proposed rulemaking. This rulemaking shall take effect immediately upon publication in the District of Columbia Register.

CHAPTER 4 WASHINGTON CONVENTION CENTER AUTHORITY: BOOKINGS**400 BOOKING POLICY**

- 400.1 The key objective of the Washington Convention Center Authority (the Authority) is to serve as a generator of convention dollars brought into the community by convention delegates and exhibitors.
- 400.2 First priority in booking events at the Washington Convention Center shall be given to convention events.

401 EXCLUSIVE AGENT FOR CONVENTION EVENTS

- 401.1 The Washington Convention and Tourism Corporation (the Corporation) shall be the Authority's exclusive agent for booking convention events.
- 401.2 As the Authority's exclusive agent, the Corporation shall negotiate tentative arrangements with customers, including the following:
- (a) Reservation of dates;
 - (b) Committing of specific areas in the facility; and
 - (c) Quoting of current rental rates.

401.3 The Corporation shall not assign or reserve areas of the Center designated for retail sales or areas designated as common spaces (other than registration areas specified by the Authority).

401.4 The Corporation shall include in each agreement negotiated with a customer for space in the Center, a clause in bold type in a prominent location stating the following:

All terms of this agreement are contingent upon the written approval of the Washington Convention Center Authority.

402 NON-CONVENTION EVENTS

402.1 The Authority may book non-convention events on its own behalf no more than one year before the date of the event, without prior notice to the Corporation. The Authority may not book of a non-convention event more than one year before the date of the event, without first providing notice to and consulting with the Corporation.

402.2 To ensure that convention event reservations are given first priority, the Authority shall not assign any date to a non-convention event within one year of the event, if the Authority has received notice that the Corporation is in active negotiations to reserve that date for a convention event.

403 CONTRACT APPROVAL

403.1 The Authority's General Manager shall be the final approving authority for all bookings, whether negotiated by the Corporation or by the Authority.

404 ESTABLISHMENT OF RATES

404.1 The Authority shall develop a rental rate schedule for all events booked at the Center.

404.2 The rate schedule, and any amendments to the schedule, shall be subject to approval by the Board of Directors.

404.3 The General Manager may in his discretion charge agencies of the District government a rate equal to one-half the published rental rate.

405 POLITICAL AND COMMUNITY EVENTS

- 405.1 The facilities and resources of the Center shall not be used to provide any contribution, whether direct or indirect, cash or in-kind, to any political party, political committee, candidate, or constituent services program.
- 405.2 The facilities and resources of the Center shall not be used for any event (other than a convention event) of which a political party, political committee, candidate or constituent services program is the host, organizer, or beneficiary, unless the rate to be paid for the event is at least equal to the rate paid by for-profit clients for comparable events, but in no event less than the cost to the Center for holding the event.
- 405.3 The terms "political party", "political committee", "candidate", and "constituent services program" used in this section shall have the meanings ascribed to them by the election laws of the District of Columbia, D.C. Code §§1-140 and 1-1443.
- 405.4 Except as prohibited by Sections 405.1 and 405.2, the facilities and resources of the Center may be used to provide direct or indirect support for community-related non-profit events, whether charitable or governmental.
- 405.5 Before the Center provides support for any community-related non-profit event pursuant to Section 405.4, the General Manager shall determine in writing that the amount and terms of such support further the mission of the Center, for example, by enhancing the Center's ability to attract convention event bookings or by promoting essential community relations.
- 405.6 Except as prohibited by Sections 405.1 and 405.2, the resources of the Center may be used to purchase tickets to community-related events and other events at the Center for distribution at less than the Center's purchase price to public officials or other persons who do business with the Center.
- 405.7 Before the Center purchases or distributes tickets pursuant to Section 405.6, the General Counsel shall determine in writing that such purchase or distribution does not violate the laws of the United States or the District of Columbia.

499 DEFINITIONS

When used in this chapter the following words shall have the following meanings:

Authority -- the Washington Convention Center Authority.

Center -- the Washington Convention Center located at 801 Mount Vernon Place, NW, Washington, DC.

Convention event -- an event for which any reservation of space at the Center includes a commitment to purchase a significant number of room nights in hotels within the District of Columbia, as determined by the Corporation.

Corporation -- the Washington Convention and Tourism Corporation.

Data/word/BookingNFRM031703.doc