

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKINGFormal Case No. 988, In the Matter of the Development of Universal Service Standards and a Universal Service Trust Fund for the District of Columbia

The Public Service Commission of the District of Columbia (“Commission”), pursuant to its authority under D.C. Code § 34-802 and D.C. Code § 34-2003 (2001 Ed.), hereby gives notice of the amendment of Chapter 28 of Title 15 DCMR. The Notice of Proposed Rulemaking to amend these rules was published in the *D.C. Register* on July 17, 2009 at *D.C. Reg.* 5768-5770. These amendments clarify the reimbursement process for eligible telecommunications carriers. The final version of these rules contains no modifications from the Notice of Proposed Rulemaking. Final action adopting these rules was taken September 22, 2009 by Commission Order No. 15552. The final rules listed below will become effective upon publication of this notice in the *D.C. Register*.¹ Additional copies of the final rules may be obtained by writing Dorothy Wideman, Commission Secretary, Public Service Commission of the District of Columbia, 1333 H Street, NW, 2nd Floor, West Tower, Washington, DC 20005.

2805 SIZING THE DISTRICT OF COLUMBIA UNIVERSAL SERVICE TRUST FUND

2805.2 The Fund Administrator shall submit to the Commission:

- (a) An income statement of the Fund’s activity based on the preceding calendar year by April 15; and
- (b) A proposed budget for the Fund for the upcoming calendar year by September 30.

2812 REPORTING REQUIREMENTS FOR LOCAL EXCHANGE CARRIERS

2812.1 By July 31 of each year, each LEC shall submit to the Fund Administrator a report containing total jurisdictional revenue for its local exchange service provided in the District of Columbia based on the 12-month period beginning January 1 of the preceding year and ending December 31 of the preceding year (e.g. January 2XXX –December 2XXX).

¹ The remainder of the rules from the July 17, 2009 Notice of Proposed Rulemaking became effective upon publication in the *D.C. Register* on September 25, 2009. See, 56 *D.C. Reg.* 7694.

2814 CONTRIBUTIONS TO THE DC USTF

2814.1 The amount of contribution required from each LEC shall be based on total revenues for local exchange services of the local exchange carrier as a percentage of all the LEC's total retail revenues for local exchange service provided in the District of Columbia, for the previous 12-month period ending December 31.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance, pursuant to the authority set forth in Section 7a of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code §7-1405.01), as amended, and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code §7-771.05(6)), hereby gives notice of the adoption of final rulemaking to amend Chapter 33 of Title 22 of the District of Columbia Municipal Regulations (DCMR). The purpose of these final rules is to clarify the criteria through which applicants may prove DC residency for the purpose of gaining enrollment to the D.C. HealthCare Alliance program.

The emergency and proposed rules were adopted on August 27, 2009. A notice of emergency and proposed rulemaking was published in the DC Register on September 4, 2009 (56 DCR 007345) and the emergency and proposed rules took effect on September 15, 2009. No comments were received in response to the notice of emergency and proposed rulemaking. No changes have been incorporated into the final rules. These rules were submitted to the Council of the District of Columbia for approval pursuant to Section 7a of the Health Care Privatization Amendment Act of 2001. The Council of the District of Columbia approved the proposed rules through Resolution No. 18-0605 on December 15, 2009. These rules will become final upon publication of this notice in the *DC Register*.

The Alliance program was designed to be a safety net for District residents without any health insurance. The program currently provides health benefits for more than 50,000 low-income residents. Alliance enrollment has expanded rapidly, particularly in the past few years. Consolidation of Alliance enrollment at the Department of Human Service Income Maintenance Administration (IMA) using a single Combined Application for public benefits has increased the accessibility of the program to many District residents previously unreached. This final rulemaking protects the public welfare by insuring that only residents of the District of Columbia are able to obtain coverage through the Alliance, thereby preserving the availability of resources for the proper administration of the program for residents. The clarifications contained in this rulemaking will allow greater integrity and accuracy in verifying residency of DC HealthCare Alliance applicants, while expanding and standardizing the possibilities through which an applicant can prove residency.

Chapter 33 (Health Care Safety Net Administration) of Title 22 of the DCMR (Public Health and Medicine) is amended as follows:

Section 3304.4 shall be deleted in its entirety and amended to read as follows:

3304.4 Acceptable forms of verification (either copies or originals) for residency shall be limited to the following items in the name of the applicant:

- (a) A valid motor vehicle operator's permit (or a non-driver identification card) that is issued by the District's Department of Motor Vehicles;
- (b) A voter registration card with an address in the District of Columbia;
- (c) An unexpired lease, rental receipt, or rental agreement for real property located in the District of Columbia;
- (d) A deed, settlement agreement, or mortgage statement for real property located in the District of Columbia;
- (e) An unexpired homeowner's or renter's insurance policy for real property located in the District of Columbia;
- (h) A Property Tax bill issued within the last sixty (60) days for real property located in the District of Columbia;
- (f) A utility bill (water, gas, electric, oil, cable, or landline telephone) issued within the last sixty (60) days for real property located in the District of Columbia;
- (g) A pay stub or earning statement received within the previous thirty (30) days with a District of Columbia address indicating on it that District of Columbia income taxes were withheld; or
- (h) Any other reasonable form of residency verification, as designated by the Department of Health Care Finance.

Section 3304.7 shall be deleted in its entirety and amended to read as follows:

3304.7 Applicants who are homeless or otherwise unable to produce forms of residency verification listed in Section 3304.4 may submit written confirmation from a verifiable source that the applicant resides in the District. Written confirmation shall be supplied using a form (as designated by the Department of Health Care Finance), and shall be completed by one of the following:

- (a) A District of Columbia resident who can verify that the applicant lives in the District of Columbia. The written confirmation must include the name, address, phone number, signature, and one proof of District of Columbia residency from the list in Section 3304.4 for the verifiable source; or
- (b) A non-profit social services organization located in District of Columbia that can verify that the applicant lives in the District. The written confirmation must include the name, address, phone number, signature,

and job title of the signatory and non-profit tax ID number of the organization.

Section 3304.8 shall be deleted in its entirety and amended to read as follows:

3304.8 The foregoing eligibility requirements and the procedures in § 3305 below shall not apply to the medical care and health services provided through the School Health Program or to persons who are in the custody of the Department of Corrections or the Metropolitan Police Department.

Section 3304.9 shall be deleted in its entirety.