

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-310

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 18, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.

West Group  
Publisher

To amend, on an emergency basis, the Hospital and Medical Services Corporation Regulatory Act of 1996 to authorize the Mayor to utilize in fiscal year 2010 up to \$5.9 million from the Healthy DC Fund to support delivery of acute care services to uninsured and under-insured individuals; to amend the Community Access to Health Care Amendment Act of 2006 and the Community Access to Health Care United Medical Center Amendment Act of 2009 to allow the Mayor to withdraw the loan deferment for United Medical Center; and to provide the authority for the appointment of a receiver of a hospital.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Healthy DC Equal Access Fund and Hospital Stabilization Emergency Amendment Act of 2010".

Sec. 2. Section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02.), is amended as follows:

Note,  
§ 31-3514.02

(a) Subsection (a) is amendment by striking the phrase "without regard" and inserting the phrase ", and any other purpose as set forth in this section, without regard" in its place.

(b) A new subsection (c) is added to read as follows:

"(c)(1) Notwithstanding subsection (a) of this section, the Mayor is authorized to utilize, in fiscal year 2010, up to \$5.9 million from the Fund to support the delivery of acute care services for uninsured or under-insured individuals at United Medical Center; provided, that:

"(A) An amount of \$3 million be distributed by March 2, 2010; and

"(B) Up to \$2.9 million be distributed, in equal monthly installments, beginning by March 15, 2010, and continuing through to September 30, 2010.

"(2) United Medical Center shall submit a quarterly report to the Mayor providing an accounting of any funds received pursuant to this subsection, including a detailed account of the acute care services that were provided.

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“(3)(A) The Mayor shall seek to recoup any funds from United Medical Center that the Mayor determines were expended contrary to the authority granted by this subsection.

“(B) The Mayor may conduct an audit of the uncompensated acute care expenditures, if necessary, to verify that the funds were expended in accordance with this subsection.

“(4) The Department of Health Care Finance shall have grant-making authority for purposes of effectuating this subsection.”.

Sec. 3. Section 102(b)(1) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)(1)), is amended by striking the phrase “Community Hospital;” and inserting the phrase “Community Hospital; provided, that notwithstanding any agreement regarding the repayment of funds associated with this public-private partnership, beginning in calendar year 2009, repayment by Specialty Hospitals of America, LLC, or certain of its subsidiaries, of the \$20 million working capital loan shall be deferred until December 31, 2015, at which time the originally agreed to repayment schedule shall resume; provided further, that the Mayor may withdraw the deferment and re-establish the loan repayment schedule.” in its place.

Note,  
§ 7-1932

Sec. 4. Section 5161 of the Community Access to Health Care United Medical Center Amendment Act of 2009, signed by the Mayor on December 18, 2009 (D.C. Act 18-255; 57 DCR 181), is amended to read as follows:

Note,  
§ 7-1932

“Sec. 5161. Section 102(b)(1) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1932(b)(1)), is amended by striking the phrase “Community Hospital;” and inserting the phrase “Community Hospital; provided, that notwithstanding any agreement regarding the repayment of funds associated with this public-private partnership, beginning in calendar year 2009, repayment by Specialty Hospitals of America, LLC, or certain of its subsidiaries, of the \$20 million working capital loan shall be deferred until December 31, 2015, at which time the originally agreed to repayment schedule shall resume; provided further, that the Mayor may withdraw the deferment and re-establish the loan repayment schedule.” in its place.”.

Sec. 5. Hospital receivership.

(a) For the purposes of this section, the term:

(1) “Emergency” means a situation, physical condition, or one or more practices, methods, or operations that presents imminent danger of death or serious physical or mental harm to a patient, including imminent or actual abandonment of an occupied hospital.

(2) “Habitual violation” means a violation of the standards of health, safety, or patient care established under District or federal law that, due to its repetition, presents a reasonable likelihood of serious physical or mental harm to patients.

## ENROLLED ORIGINAL

(3) "Hospital" means a facility that provides 24-hour inpatient care, including diagnostic, therapeutic, and other health-related care for a variety of physical or mental conditions, and may provide outpatient services, such as emergency care.

(4) "Licensee" means a person or other legal entity, other than a receiver appointed pursuant to this section, that is licensed or required to be licensed to operate a hospital.

(5) "Owner" means the holder of the title to the real estate on which the hospital is maintained.

(6) "Patient" means a person living in or receiving care from a hospital.

(7) "Substantial violation" means a violation of the standards of health, safety, or patient care established under District or federal law that presents a reasonable likelihood of serious physical or mental harm to patients.

(b) The Mayor may bring an action in the Superior Court of the District of Columbia requesting the appointment of a receiver to operate a hospital on the following grounds:

(1) A hospital intends to close, but has not arranged for the orderly transfer of patients at least 30 days prior to its closure date;

(2) An emergency exists at the hospital;

(3) A habitual or substantial violation exists at the hospital; or

(4) Insolvency or lack of financial resources of an owner or the licensee has placed the continued operation of the facility in jeopardy.

(c)(1) The court shall hold a hearing no later than 10 days after an action requesting the appointment of a receiver is filed, unless all parties agree to a later date.

(2) Notice of the hearing shall be served on both the owner and the licensee not less than 5 days before the hearing. If either the owner or the licensee cannot be served, the court shall specify the alternative notice to be provided.

(3) The Mayor shall post notice of the hearing, using a court-approved form, in a conspicuous place in the hospital, for not less than 3 days before the hearing.

(4) After the hearing, the court may appoint a receiver if it finds that any one of the grounds for an appointment set forth in subsection (b) of this section has been satisfied:

(d)(1) The court may:

(A) Appoint any person considered appropriate as receiver, except a District employee; and

(B) Remove a receiver for good cause.

(2) The court shall set a reasonable compensation for the receiver, which shall be paid from the revenue of the hospital.

(3) A receiver shall not be considered an agent of the District of Columbia.

(e) A receiver appointed pursuant to this act shall have such powers as the court may direct to:

(1) Operate the hospital;

## ENROLLED ORIGINAL

- (2) Remedy the conditions that constituted the grounds for the receivership;
- (3) Protect the health, safety, and welfare of the patients;
- (4) Preserve the assets and property of the patients, owner, and licensee;
- (5) Remedy violations of District or federal law governing the operation of the hospital;
- (6) Hire, direct, manage, and discharge any employee, including the administrator of the hospital;
- (7) Receive and expend, in a reasonable and prudent manner, the revenues of the hospital received by the hospital during the 30-day period preceding the date of his or her appointment and any revenue due thereafter;
- (8) Continue the operation of the hospital;
- (9) Continue the care of the patients;
- (10) Correct and eliminate any deficiency of the hospital that endangers the safety or health of the patients; and
- (11) Exercise such additional powers and perform such additional duties, including regular accountings, as the court considers appropriate.
- (f)(1) The receiver shall:
- (A) Apply the revenues of the hospital to current operating expenses and, subject to subparagraphs (B) and (C) of this paragraph, to debts incurred by the licensee prior to the appointment of the receiver;
- (B) Ask the court for direction in the treatment of debts incurred prior to his or her appointment where such debts appear extraordinary, of questionable validity, or unrelated to the normal and expected maintenance and operation of the hospital, or where payment of a debt will interfere with the purposes of the receivership; and
- (C) Give priority to expenditures needed for current, direct patient care.
- (2)(A) If a receiver does not have sufficient funds to cover expenditures needed to prevent or remove jeopardy to the patients, the receiver may petition the court for permission to borrow non-District funds for this purpose. Notice of the receiver's petition to the court for permission to borrow must be given to the owner, the licensee, and the Mayor.
- (B) The court, after a hearing, may authorize the receiver to borrow money upon specified terms of repayment and pledge security, if necessary, if the court determines:
- (i) That the hospital should not be closed and that the loan is reasonably necessary to prevent or remove jeopardy; or
- (ii) That the hospital should be closed and that the loan is necessary to prevent or remove jeopardy to patients for the limited period of time they are awaiting transfer to another hospital or other facility.
- (g) A receiver may not close a hospital without leave of the court. In ruling on the issue of closure, the court shall consider:

## ENROLLED ORIGINAL

- (1) The rights and best interests of the patients;
- (2) The availability of suitable alternative placements;
- (3) The rights, interests, and obligations of the owner and licensee;
- (4) The licensure status of the hospital; and
- (5) Any other factors the court considers relevant.

(h) The owner and the licensee shall be divested of possession and control of the hospital during the period of receivership, under the conditions the court specifies.

(i) An order appointing a receiver pursuant to this section shall have the effect of a license of operation for the duration of the receivership. The receiver shall be responsible to the court for the conduct of the hospital during the receivership, and a violation of regulations governing the conduct of the hospital, if not promptly corrected, shall be reported to the court.

(j)(1) The court shall review the continued necessity of a receivership at least semiannually.

(2) The court shall terminate a receivership when it certifies that the conditions that prompted the receivership have been corrected or, in the case of a discontinuance of operation, when the patients have been safely relocated.

(3) The court shall not terminate a receivership in favor of the former licensee or of a new licensee, unless the person, or entity, assumes all obligations incurred by the receiver and provides collateral or other assurances of payment considered sufficient by the court.

(k) No person may bring suit against a receiver appointed pursuant to this section without first securing leave of the court. Except in cases of gross negligence or intentional wrongdoing, a receiver shall be liable only for actions taken in his or her official capacity and any adverse judgment shall be satisfied out of receivership assets.

(l) The District of Columbia shall not be liable for repayment of funds borrowed by a receiver during the course of the receivership or responsible for any financial obligations of the hospital.

#### Sec. 6. Fiscal impact statement.

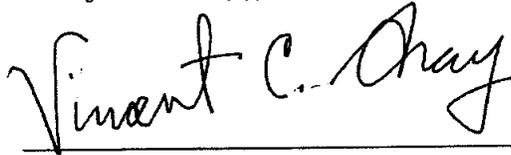
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

#### Sec. 7. Effective date.

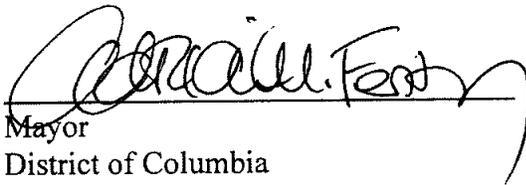
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



\_\_\_\_\_  
Chairman  
Council of the District of Columbia



\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 18, 2010

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-311

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 23, 2010

To approve, on an emergency basis, Contract No. CFOPD-06-C-075 with Grant Capital Management, Inc., to provide financing for the Master Equipment Lease Program to the Office of the Chief Financial Officer, and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFOPD-06-C-075 Approval and Payment Authorization Emergency Act of 2010".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. CFOPD-06-C-075 with Grant Capital Management, Inc., to provide financing for the Master Equipment Lease Program to the Office of the Chief Financial Officer and authorizes payment in an amount not to exceed \$50 million for the services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

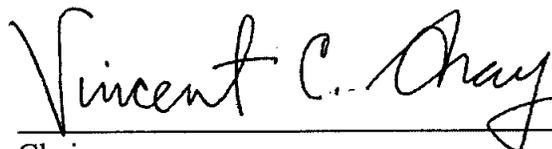
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of

ENROLLED ORIGINAL

Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia

UNSIGNED

Mayor  
District of Columbia  
February 22, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-312

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 22, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

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Publisher

To amend, on an emergency basis, the District of Columbia Latino Community Development Act to authorize the Director of the Office on Latino Affairs to issue grants to organizations serving Latino residents of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office on Latino Affairs Grant-Making Authority Emergency Amendment Act of 2010".

Sec. 2. Section 303 of the District of Columbia Latino Community Development Act, effective September 29, 1976 (D.C. Law 1-86; D.C. Official Code § 2-1313), is amended as follows:

*Note,  
§ 2-1313*

- (a) Paragraph (8) is amended by striking the word "and" at the end.
- (b) Paragraph (9) is amended by striking the period at the end and inserting the phrase "and" in its place.
- (c) A new paragraph (10) is added to read as follows:

"(10)(A) Issue grants not to exceed \$3.7 million in the aggregate to organizations that provide services to Latino residents of the District of Columbia in furtherance of the mission of the Office or the purposes of this act.

"(B) Notwithstanding D.C. Official Code § 47-368.06, grants that may be issued pursuant to this paragraph include grants made with funds the Office receives through an intra-District transfer, a memorandum of understanding, or a reprogramming from an agency that does not have grantmaking authority."

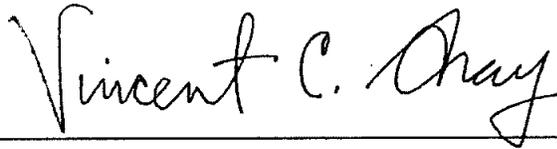
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

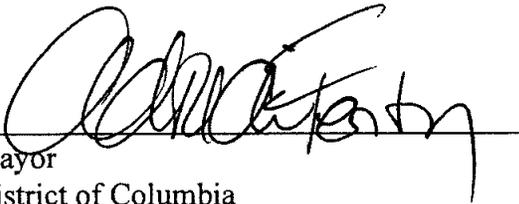
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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 22, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-313

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 22, 2010

To amend, on an emergency basis, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to provide for a definition of blighted buildings, notice of the classification thereof, and appeal of the classification; and to amend section 47-813 of the District of Columbia Official Code to redefine Class 1, 2, and 3 Properties, to tax vacant but not blighted residential property as Class 1 Property, to tax vacant land based on the classification applicable to its zoning, and to tax blighted property as Class 3 Property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real-Property-Tax-Reform Emergency Amendment Act of 2010".

Sec. 2. An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 42-3131.05) is amended as follows:

Note,  
§ 42-3131.05

(1) Paragraph (1) is re-designated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

"(1)(A) "Blighted building" means a vacant building that is determined by the Mayor to be unsafe, insanitary, or which is otherwise determined to threaten the health, safety, or general welfare of the community.

"(B) In making a determination that a building is a blighted building, the Mayor shall consider the following:

"(i) Whether the vacant building is the subject of a condemnation proceeding before the Board of Condemnation and Insanitary Buildings;

"(ii) Whether the structure is boarded up; and

"(iii) Failure to comply with the following vacant building maintenance standards:

"(I) Doors, windows, areaways, and other openings are weather-tight and secured against entry by birds, vermin, and trespassers, and missing or broken doors, windows, and other openings are covered;

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“(II) The exterior walls are free of holes, breaks, graffiti, and loose or rotting materials, and exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint; or

“(III) All balconies, porches, canopies, marquees, signs, metal awnings, stairways, accessory and appurtenant structures, and similar features are safe and sound, and exposed metal and wood surfaces are protected from the elements by application of weather-coating materials, such as paint.”

(3) Paragraph (5)(A) is amended to read as follows:

“(A) Electrical, gas, or water meter either not running or showing low usage;”

(b) Section 11 (D.C. Official Code § 42-3131.11) is amended to read as follows:

Note, § 42-3131.11

“Sec. 11. Notice of vacancy designation and right to appeal.

“The Mayor shall identify nonregistered vacant buildings in the District, excluding vacant buildings identified in section 8. The Mayor shall also identify within the District blighted buildings. The owner shall be notified that the owner’s building has been designated as vacant or as vacant and blighted and of the owner’s right to appeal.”

(c) Section 15(a) (D.C. Official Code § 42-3131.15(a)) is amended to read as follows:

Note, § 42-3131.15

“(a) Within 15 days after the designation of an owner’s building as a vacant building, the determination of delinquency of registration or fee payment, the denial or revocation of registration, or the designation of a vacant building as a blighted building, the owner may petition the Mayor for reconsideration by filing the form prescribed by the Mayor. Within 30 days after receiving the petition, the Mayor shall issue a notice of final determination.”

(d) Section 16(a) (D.C. Official Code § 42-3131.16(a)) is amended to read as follows:

Note, § 42-3131.16

“(a) Semiannually, the Mayor shall transmit to the Office of Tax and Revenue a list of buildings designated by the Mayor as blighted buildings for which a notice of final determination has been issued under this act and administrative appeals have been exhausted or expired.”

Sec. 3. Section 47-813 of the District of Columbia Official Code is amended as follows:

(a) Subsection (c-8) is amended as follows:

Note, § 47-813

(1) Paragraph (2) is amended as follows:

(A) Subparagraph (A) is amended to read as follows:

“(A) Except as otherwise provided in this paragraph and subject to paragraph (4) of this subsection, Class 1 Property shall be comprised of residential real property that is improved and its legal use (or in the absence of use, its highest and best permitted legal use) is for nontransient residential dwelling purposes.”

(B) Subparagraph (B) is amended to read as follows:

“(B) Unimproved real property located within a zone designated as residential shall be classified as Class 1 Property.”

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(C) Subparagraph (E) is amended to read as follows:

“(E) Unimproved real property which is separated from Class 1 Property by a public alley less than 30 feet wide shall be classified as Class 1 Property if:

“(i) The real property is less than 1,000 square feet;

“(ii) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the real property as a matter of right; and

“(iii) The real property and the Class 1 Property separated by the alley from the real property have common ownership.”

(2) Paragraph (3) is amended to read as follows:

“(3) Class 2 Property shall be comprised of all real property which is not Class 1 Property or Class 3 Property.”

(3) Paragraph (4) is amended to read as follows:

“(4)(A) Class 3 Property shall be comprised of all improved real property that appears on the list compiled under § 42-3131.16.

“(B) The Office of Tax and Revenue may request the Mayor to inspect the improved real property to determine whether the property is correctly included on the list compiled under § 42-3131.16.”

(b) Subsection (d-1) is amended as follows:

(1) Paragraph (3A) is repealed.

(2) Paragraph (4A) is amended by striking the phrase “For improved real property that is not used as a parking lot,” and inserting the word “The” in its place.

(3) Paragraph (5) is amended as follows:

(A) Subparagraph (A) is repealed.

(B) Subparagraph (A-i) is amended as follows:

(i) Sub-subparagraph (i) is amended by striking the phrase “that is not used as a parking lot and appears on the list compiled under § 42-3131.16”.

(ii) Sub-subparagraph (ii) is amended by striking the phrase “that is not used as a parking lot and”.

(C) Subparagraph (B) is amended by striking the phrase “subparagraphs (A) and” and inserting the word “subparagraph” in its place.

#### Sec. 4. Applicability.

This act shall apply to periods beginning after September 30, 2009.

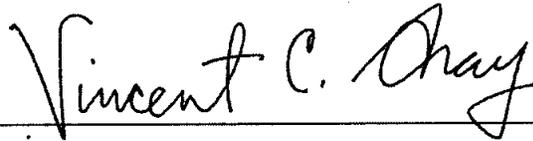
#### Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

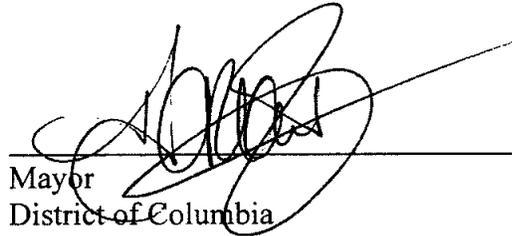
ENROLLED ORIGINAL

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
February 22, 2010

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-314

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 22, 2010Codification  
District of  
Columbia  
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2001 Edition

2010 Summer  
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To amend, on an emergency basis, due to Congressional review, An Act To require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes to require that the owner of certain buildings more than 75 feet in height develop and maintain a fire safety and evacuation plan and conduct fire drills at least once every 12 months; and to amend the Smoke Detector Act of 1978 to require apartment building owners to post notice in conspicuous places in common areas of the building and provide tenants or unit owners, by hand or by first-class mail, with information on the operation of a building's fire alarm system, whether the building's fire alarm system is connected to smoke detectors in individual dwelling units or to the Fire and Emergency Medical Services Department, and to instruct tenants to immediately call 911 in the event of a fire.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fire Alarm Notice and Tenant Fire Safety Congressional Review Emergency Amendment Act of 2010".

Sec. 2. An Act To require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes, approved March 19, 1906 (34 Stat. 70; D.C. Official Code § 6-701.01 *et seq.*), is amended by adding a new section 3a to read as follows:

"Sec. 3a. Fire safety requirements for high-rise buildings.

"(a) The owner of a high-rise building shall:

"(1) Prepare and maintain a fire safety and evacuation plan for the building; and

"(2) Conduct fire drills at least once every 12 months.

"(b) A violation of this section shall be subject to civil penalties as established by the Mayor pursuant to rulemaking.

"(c) For the purposes of this section, the term "high-rise building" shall mean any building having occupied floors more than 75 feet above the lowest level of fire department vehicle access."

## ENROLLED ORIGINAL

Sec. 3. The Smoke Detector Act of 1978, effective June 20, 1978 (D.C. Law 2-81; D.C. Official Code § 6-751.01 *et seq.*), is amended by adding a new section 9c to read as follows:

“SMOKE DETECTOR AND FIRE ALARM NOTICE.

“Sec. 9c. (a)(1) An owner of an apartment building shall post in conspicuous places in the common areas of the building and provide to each tenant or unit owner, by hand or first-class mail, a written notice that includes:

“(A) Instructions on the operation of the apartment building fire alarm;

“(B) Whether the apartment building fire alarm is separate from or connected to the smoke detectors in the individual dwelling units;

“(C) Whether the apartment building fire alarm is connected to the Fire and Emergency Medical Services Department; and

“(D) A warning that in the event of a fire the Fire and Emergency Medical Services Department must be contacted immediately by calling 911.

“(2) The notice required by paragraph (1) of this subsection shall be on a form developed by the Mayor and published by the Mayor in English and in the languages required under section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933).

“(b) For the purposes of this section, the term:

“(1) “Apartment building” means a structure containing 4 or more dwelling units, including a condominium or cooperative but excluding a single-family residence.

“(2) “Condominium” shall have the same meaning as provided in section 2(2) of the Horizontal Property Act of the District of Columbia, approved December 21, 1963 (77 Stat. 449; D.C. Official Code § 42-2002(2)).

“(3) “Cooperative” shall have the same meaning as provided for the term “cooperative housing association” in section 103(7) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.03(7)).”.

Sec. 4. Applicability.

This act shall apply as of February 17, 2010.

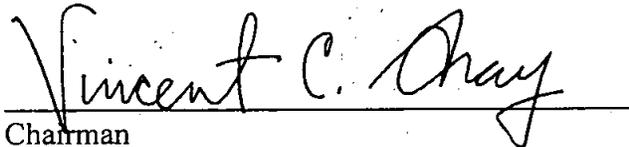
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Fire Alarm Notice and Tenant Fire Safety Amendment Act of 2009, signed by the Mayor on January 11, 2010 (D.C. Act 18-264; 57 DCR 893), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

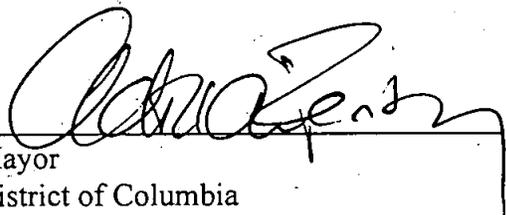
ENROLLED ORIGINAL

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 22, 2010

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-315

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 23, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.

West Group  
Publisher

To require, on an emergency basis, the Mayor to implement a working group consisting of the affected Councilmember, Advisory Neighborhood Commission, and businesses to address the challenge of day laborers congregating at the Rhode Island Place Shopping Center:

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rhode Island Place Shopping Center Working Group Emergency Act of 2010".

Sec. 2. (a) The Mayor shall implement a Rhode Island Place Working Group ("working group") within 30 days to collaborate with businesses located in the Rhode Island Place Shopping Center bordered by Rhode Island Avenue, N.E., and Brentwood Road, N.E., in Ward 5 to address the challenge of day laborers congregating at the site.

(b) The working group shall make recommendations for a civil resolution to the day-laborer concern at the Rhode Island Place Shopping Center site.

(c) The working group in subsection (a) of this section shall meet at least every 2 weeks. The members of the working group shall include:

- (1) The Ward 5 Councilmember, or his designee;
- (2) The Chairperson of Advisory Neighborhood Commission 5B;
- (3) The Attorney General, or a designated staff attorney;
- (4) The Director of the Office of Latino Affairs, or her designee;
- (5) Representatives from businesses located in the Rhode Island Place Shopping

Center;

- (6) Representatives from other District agencies as determined by the Mayor;

and

- (7) Other workers' rights stakeholders as determined by the Ward 5

Councilmember.

(d) The Mayor shall submit a report regarding the District's proposed course of action to resolve the challenge of day laborers in the Rhode Island Place Shopping Center, based on the working group recommendations, by July 1, 2010.

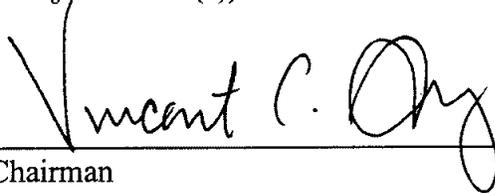
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Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia

UNSIGNED

\_\_\_\_\_  
Mayor  
District of Columbia  
February 22, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-316

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 23, 2010

To require, on an emergency basis, the Mayor to submit a reprogramming request to transfer funding to the Office of Public Education Facilities Modernization for the Barry Farms Recreation Center and the Fort Stanton Recreation Center redevelopment projects.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 8 Recreation Project Emergency Act of 2010".

Sec. 2. Barry Farms Recreation Center project.

The Mayor shall submit a reprogramming request to transfer up to \$20 million in bond proceeds derived from the Housing Production Trust Fund, established by section 3 of the Housing Production Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), for the New Communities initiative to the Office of Public Education Facilities Modernization for the Barry Farms Recreation Center project, as needed.

Sec. 3. Fort Stanton Recreation Center project.

The Mayor shall submit a reprogramming request to transfer up to \$12.5 million from currently authorized capital projects, to the Office of Public Education Facilities Modernization for the Fort Stanton Recreation Center project, as needed.

Sec. 4. Fiscal impact statement.

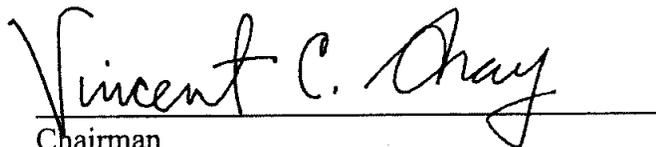
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).

A handwritten signature in black ink that reads "Vincent C. Gray". The signature is written in a cursive style and is positioned above a horizontal line.

Chairman  
Council of the District of Columbia

UNSIGNED

Mayor  
District of Columbia  
February 22, 2010

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-317

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 22, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

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Publisher

To amend, on an emergency basis, the Office of Administrative Hearings Establishment Act of 2001 to permit the Rent Administrator, and those persons exercising authority delegated by the Rent Administrator, to retain authority to issue final orders and rule on post-hearing motions in cases in which they have held evidentiary hearings before October 1, 2006, and in cases remanded to the Rent Administrator by the Rental Housing Commission that do not require a new hearing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Administrator Hearing Authority Emergency Amendment Act of 2010".

Sec. 2. Section 6(b-1)(1) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03 (b-1)(1) ), is amended as follows:

Note,  
§ 2-1831.03

- (a) The existing language is designated as subparagraph (A).
- (b) A new subparagraph (B) is added to read as follows:

“(B) Notwithstanding subparagraph (A) of this paragraph, the Rent Administrator, or any employee or other person to whom authority has been delegated by the Rent Administrator, may issue a final order in any case in which an evidentiary hearing was conducted before October 1, 2006, but in which no final order was issued before that date, and in any case remanded by the Rental Housing Commission that does not require a new hearing to be conducted. The Rent Administrator, or a delegee, may also rule upon any post-hearing motion, including a motion for reconsideration.”

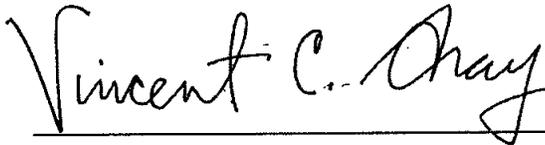
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

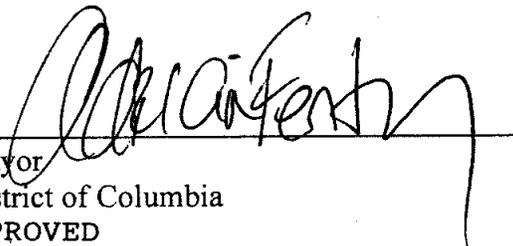
ENROLLED ORIGINAL

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 22, 2010

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 18-318

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 22, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.

West Group  
Publisher

To authorize, on an emergency basis, the Mayor to designate a nonprofit organization to accept and distribute donated pharmaceutical products and medical supplies for use in the emergency relief effort in Haiti, to allow health care facilities and pharmacies to donate pharmaceuticals and medical supplies to the designated nonprofit organization, and to provide immunity from criminal prosecution, civil liability, and exemption from disciplinary action to a person, health care facility, pharmacy, and the designated nonprofit organization acting reasonably, in good faith, and within the scope of this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Haiti Earthquake Relief Drug and Medical Supply Assistance Emergency Act of 2010".

Sec. 2. Definitions.

For the purposes of this act:

(1) "Adulterated" shall have the same meaning as provided in section 402 of the Federal Food, Drug, and Cosmetic Act, approved June 25, 1938 (52 Stat. 1046; 21 U.S.C. § 342)("Food, Drug, and Cosmetic Act")..

(2) "Health care facility" means a hospital, assisted living facility, or nursing home.

(3) "Medical supply" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component, part, or accessory that is:

(A) Recognized in the official National Formulary or the United States Pharmacopeia, or any supplement to them;

(B) Intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease or other conditions; or

(C) Intended to affect the structure or any function of the body that does not achieve its primary intended purpose through chemical action within or on the body and is

## ENROLLED ORIGINAL

not dependent upon being metabolized for the achievement of its primary intended purpose.

(4) "Misbranded" shall have the same meaning as provided in section 402 of the Food, Drug, and Cosmetic Act (21 U.S.C. § 343).

(5) "Pharmaceutical product" means a drug or biologic for human use regulated by the federal Food and Drug Administration.

(6) "Pharmacy" means an establishment or institution where the practice of pharmacy is conducted and drugs or prescriptions are compounded or dispensed, offered for sale, given away, or displayed for sale.

Sec. 3. Donations of unused pharmaceutical products and medical supplies.

(a) The Mayor may designate a nonprofit organization to accept pharmaceutical products and medical supplies from health care facilities and pharmacies for the relief of earthquake victims in Haiti.

(b) Notwithstanding any other District law, a District pharmacy or health care facility may donate to the nonprofit organization designated by the Mayor a pharmaceutical product or medical supply, including those donated to the pharmacy or health care facility by a patient, or the patient's relative following the death of the patient, provided that:

(1) The pharmaceutical product:

(A) Is in its original, sealed, and tamper-evident packaging; except, that a pharmaceutical product in a single-unit dose or blister pack with the outside packaging opened may be accepted provided that the single-unit dose packaging remains intact;

(B) Bears an expiration date that is more than 3 months after the date the pharmaceutical product is donated;

(C) Has been inspected by a pharmacist and the pharmacist has determined it is not adulterated or misbranded; and

(D) Is not a controlled substance; and

(2) The medical supply is inspected by a pharmacist and the pharmacist has determined that the medical supply is not adulterated or misbranded.

(c) A health care facility or pharmacy that donates a pharmaceutical product or medical supply that receives notice that the pharmaceutical product or medical supply has been recalled shall notify the designated nonprofit organization of the recall.

(d) If the designated nonprofit organization receives a recall notification from a health care facility or pharmacy, it shall ensure that the recalled pharmaceutical products and medical supplies within its control are destroyed and, if a recalled pharmaceutical product or medical supply has been sent to Haiti, attempt to ensure that the recalled pharmaceutical products and medical supplies sent to Haiti are destroyed.

ENROLLED ORIGINAL

Sec. 4. Immunity from liability and exemption from disciplinary action.

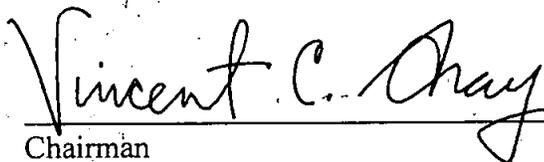
A person, health care facility, pharmacy, or the nonprofit organization designated by the Mayor acting reasonably, in good faith, and within the scope of this act, or any rules issued pursuant to this act, shall be immune from civil liability and criminal prosecution and exempt from disciplinary action for acts and omissions, including injury to or the death of an individual to whom a donated pharmaceutical product or medical supply is provided pursuant to this act.

Sec. 5. Fiscal impact statement.

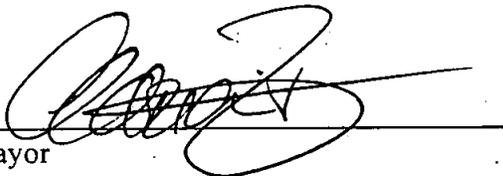
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED

February 22, 2010

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-319

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 23, 2010

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2010 Summer  
Supp.

West Group  
Publisher

To amend, on a temporary basis, the Clean and Affordable Energy Act of 2008 to authorize continuing expenditures for the Government Building Energy Efficiency program in fiscal year 2010 from existing fund balances in the Sustainable Energy Trust Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Clean and Affordable Energy Fiscal Year 2010 Fund Balance Temporary Amendment Act of 2010".

Sec. 2. Section 210(c)(11) of the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1774.10(c)(11)), is amended to read as follows:

Note,  
§ 8-1774.10

"(11) A Government Building Energy Efficiency program in the amount of \$1,618,750 for fiscal year 2010."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

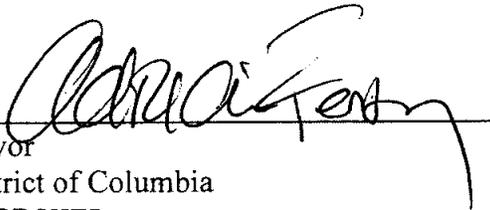
ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 22, 2010