




OFFICE OF VINCENT C. GRAY  
CHAIRMAN, COMMITTEE ON HEALTH  
COUNCIL OF THE DISTRICT OF COLUMBIA

MEMORANDUM

**TO:** Chairman Phil Mendelson

**FROM:** Councilmember Vincent C. Gray, Chairperson 

**DATE:** June 24, 2021

**SUBJECT:** Request to Place Emergency Measures on the Agenda for June 29, 2021  
Legislative Meeting

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This memo is to request that the following measures be placed on the agenda for the June 29, 2021 Legislative Meeting:

- **Good Faith Waiver of Certificate of Need for Healthcare Providers Emergency Declaration Resolution of 2021**
- **Good Faith Waiver of Certificate of Need for Healthcare Providers Emergency Amendment Act of 2021**
- **Good Faith Waiver of Certificate of Need for Healthcare Providers Temporary Amendment Act of 2021**

In the days before the Mayor's order declaring a public health emergency, the health care industry had already been experiencing the initial effects of the effects of COVID-19. Shortly before and during the public health emergency, several health care providers' certificate of need issued by the Department of Health's State Health Planning and Development Agency ("SHPDA") to offer health services to District residents expired. When a provider's certificate of need expires, a provider no longer is able to provide health services or complete necessary construction projects that would promote the delivery of health services.

The Department of Health has acknowledged that the District is experiencing a healthcare worker shortage. Currently, regulations do not permit SHPDA to readily extend the validity of certificates of need.

The underlying emergency legislation would extend the validity of certificates of need that otherwise would have expired until 60 days after the end of the public health emergency, allowing hospitals and healthcare service providers to continue to operate during the public health emergency and the District to continue to manage the health care needs of District residents.

- **“Local Food Access Grants Emergency Declaration Resolution of 2021”**
- **“Local Food Access Grants Emergency Amendment Act of 2021”**
- **“Local Food Access Grants Temporary Amendment Act of 2021”**

On June 15, 2021, the Council approved the Fiscal Year 2021 Revised Local Budget Advance School Payment Emergency Amendment Act of 2021 (B23-0277) which adjusted, on an emergency basis, certain allocations in the Fiscal Year 2021 Local Budget Act of 2020 to maintain a balanced budget for the fiscal year ending in September 30, 2021. Included in B23-0277 is \$23,647,315 in local funds to the Deputy Mayor for Planning and Economic Development.

These funds will be used to support grants and loans to support the equitable distribution of food businesses across the District, specifically in Wards 7 and 8 and other areas that have traditionally lacked access to food businesses. The Mayor included a subtitle in the Fiscal Year 2022 Budget Support Act of 2021 that, if approved, will authorize the Deputy Mayor for planning and economic development to issue grants and loans for this purpose.

The Fiscal Year 2022 Budget Support Act will not be approved by the Council until well after the Deputy Mayor for Planning and Economic Development receives this FY21 funding, and therefore emergency action is necessary so that the Deputy Mayor can timely issue grants and loans for this purpose in FY21.

Drafts of the measures are attached. If you have any questions regarding these measures, please contact Michelle Loggins, Deputy Committee Director, on 202-724-7774 or [mloggins@dccouncil.us](mailto:mloggins@dccouncil.us).