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Councilmember Vincent C. Gray

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Health Services Planning Program Re-establishment Act of 1996 to provide hospitals and health care service providers with a valid certificate of need that expired during or within 30 days prior to the declaration of a public health emergency a waiver from the need to renew the certificate of need until 60 days after the end of the public health emergency.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Good Faith Waiver of Certificates of Need for Health Care Providers Emergency Amendment Act of 2021”.

Sec. 2. Section 12 of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-411) is amended by adding a new subsection (e) to read as follows:

“(e) Notwithstanding subsection (a) of this section, a certificate of need that expired during or within 30 days prior to the Mayor’s declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) shall continue to remain effective and valid until 60 days after the end of the public health emergency.”.

32 Sec. 3. Fiscal impact statement.

33 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
34 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
35 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

36 Sec. 4. Effective date.

37 This act shall take effect following approval by the Mayor (or in the event of veto by the
38 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
39 90 days, as provided for emergency acts of the Council of the District of Columbia in section
40 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
41 D.C. Official Code § 1-204.12(a)).

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