

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
RESPIRATORY
THERAPY**

CHAPTER 76 RESPIRATORY THERAPY

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7600 GENERAL PROVISIONS

7600.1 This chapter applies to persons authorized to practice respiratory therapy in the District including applicants for or holders of a license issued in accordance with this chapter.

7600.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title supplement this chapter.

7601 TERM OF LICENSE

7601.1 Except as provided in § 7601.3, a license issued pursuant to this chapter shall be effective for not more than two years and shall expire at 12:00 Midnight on January 31st of each odd-numbered year.

7601.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birth date of the holder of the license, or other date established by the Director.

7601.3 Notwithstanding § 7601.1, a new license issued within the ninety (90) day period prior to the expiration of a licensure term may be issued for a period covering the remainder of the licensure term and the subsequent term.

7602 EDUCATIONAL REQUIREMENTS

7602.1 Except as provided in § 7605, each applicant for a license to practice respiratory therapy shall submit proof, satisfactory to the Board, that the applicant has successfully completed an educational program in the practice of respiratory care that has been accredited by the Commission on Accreditation for Respiratory Care (CoARC) or its successor organization.

7603 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

7603.1 An applicant who was educated in a foreign country shall satisfy the educational requirements in § 7602.

7604 NATIONAL EXAMINATION

7604.1 In addition to satisfying the educational requirement set forth in § 7602, an applicant shall receive a passing score on the Therapist Multiple-Choice Examination for Certified Respiratory Therapist (CRT) or for Registered Respiratory Therapist (RRT), developed and administered by the National Board for Respiratory Care (NBRC). The passing score for the purposes of these rules shall be the passing score determined by the NBRC.

7604.2 Each applicant for a license by examination shall submit to the Board a completed application and the applicant's CRT or RRT examination results, which shall be certified or validated by the NBRC.

7604.3 An applicant for a license by examination who took and passed an NBRC examination required pursuant to § 7604.1 more than five (5) years prior to the date of the application shall be required to take and pass the examination again unless the applicant has continuously maintained valid credential as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT) and such credential was obtained after July 1, 2002.

7605 LICENSURE BY ENDORSEMENT

7605.1 The Board may issue a license to practice respiratory therapy by endorsement to an applicant who:

- (a) Is currently licensed to practice respiratory care in another state according to standards that were the substantial equivalent to the District's at the time of the licensing;
- (b) Has continually remained in good standing under the laws of another state with standards that the Board determines to be comparable to the requirements of the Act and this chapter;
- (c) Possesses a valid and current certification as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT), issued by the National Board for Respiratory Care (NBRC); and
- (c) Meets the other applicable requirements of D.C. Official Code § 3-1205.03.

7606 RENEWAL, REACTIVATION, OR REINSTATEMENT OF A LICENSE; CONTINUING EDUCATION REQUIREMENTS

- 7606.1 Except as provided in § 7606.2, all applicants for the renewal, reactivation, or reinstatement of a license to practice respiratory therapy in the District shall demonstrate successful completion of approved continuing education units (“CEUs”) in accordance with this section.
- 7606.2 This section does not apply to applicants for an initial license, nor to applicants for the first renewal of a license after the initial grant.
- 7606.3 To qualify for reactivation of a license to practice respiratory therapy, a person in inactive status, as defined in § 511 of the Act (D.C. Official Code § 3-1205.11), shall possess a valid and active credential as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT).
- 7606.4 To qualify for reinstatement of a license, an applicant shall submit proof of the following:
- (a) Having successfully completed eight (8) approved CEUs for each year that the license remains expired and two (2) of the required CEUs shall be in ethics, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate; and
 - (b) A current and valid credential as a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT), issued by the National Board for Respiratory Care (NBRC).
- 7606.5 To qualify for the renewal of a license, an applicant shall have completed sixteen (16) CEUs of approved continuing education programs or activities during the two (2) year period preceding the date the license expires, which shall include:
- (a) Three (3) CEUs of ethics, for an applicant seeking to renew his or her license on or before January 31, 2019; or
 - (b) Two (2) CEUs of ethics and two (2) CEUs of LGBTQ continuing education, for an applicant seeking to renew his or her license after January 31, 2019, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.
- 7606.6 A CEU shall be valid only if it is part of a program or activity approved by the Board in accordance with § 7607.
- 7606.7 The Board may conduct a random audit of active licensees to determine compliance with the continuing education requirements and the requirement for

continuously valid credential pursuant to § 7611. A licensee who is selected for audit shall submit satisfactory proof of continuing education compliance and possession of valid and active CRT or RRT credential within thirty (30) days of receiving the notice of the audit.

7607 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

7607.1 The Board may grant CEU credit for continuing education programs or activities that it deems to contribute to the growth or maintenance of competency in the practice of respiratory therapy and meets other applicable requirements of this section.

7607.2 The Board may grant CEU credit to an instructor or speaker at a seminar, workshop, or program that is approved by one of the organizations listed in § 7607.4 of this chapter for both preparation and presentation time, subject to the following restrictions:

- (a) The maximum CEU credit granted for preparation time is equal to the presentation time;
- (b) The maximum CEU credit that may be granted pursuant to this subsection is fifty percent (50%) of a requestor's CEU requirement;
- (c) If a requestor has previously received CEU credit in connection with a particular presentation, the Board shall not grant CEU credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject; and
- (d) The presentation shall have been presented during the period for which credit is claimed.

7607.3 The Board may grant CEU credit for authoring and publishing an article in a professional, peer-reviewed journal, a book or a chapter in a book, or a book review in a professional, peer-reviewed journal or bulletin provided that the article, book or chapter was published during the period for which credit is claimed.

7607.4 The Board shall grant CEU credit for a continuing respiratory care education seminar, workshop, or program administered, sponsored, or approved by:

- (a) The American Association of Respiratory Care (AARC);
- (b) The Maryland/District of Columbia Society for Respiratory Care;
- (c) A health care facility accredited by The Joint Commission;

- (d) A college or university approved by an accrediting body recognized by the Council for Higher Education Accreditation or the Secretary of the United States Department of Education; or
- (e) Any of the following organizations provided that the training is related to respiratory care services:
 - (1) American Medical Association;
 - (2) American Thoracic Society;
 - (3) American Association of Cardiovascular and Pulmonary Rehabilitation;
 - (4) American Heart Association;
 - (5) American Nurses Association;
 - (6) American College of Chest Physicians;
 - (7) American Society of Anesthesiologists;
 - (8) American Academy of Sleep Medicine;
 - (9) The Accreditation Council for Continuing Medical Education (ACCME);
 - (10) The American College of Cardiology; or
 - (11) The American Lung Association.

7607.5 The Board shall not grant CEU credit for basic life support courses or training, or for CPR courses or training.

7608 PRACTICE OF RESPIRATORY CARE BY STUDENTS OR APPLICANTS

7608.1 This section applies to:

- (a) A student enrolled in an approved school or college as a candidate for a degree or a certificate in respiratory therapy; or
- (b) An applicant whose first application for a license to practice respiratory therapy in the District has been submitted to the Board and a decision on the application is pending.

- 7608.2 A student may practice respiratory therapy only in accordance with the following provisions:
- (a) A student may practice only in a hospital, nursing home, health facility, or health education center operated by the District or federal government, or at a health care facility that the student's school or college determines to be appropriate for this purpose;
 - (b) A student shall be supervised at all times by a respiratory therapist licensed in the District who shall be present on site and available to supervise and oversee the student at all times;
 - (c) The supervisor shall be fully responsible for the supervised student's practice and may be subject to disciplinary action for any act or omission by the student that constitutes a violation of the Act or this chapter;
 - (d) A student may not receive payment or compensation of any nature either directly or indirectly for his or her practice of respiratory therapy; and
 - (e) A student shall be subject to each of the applicable provisions of the Act and this chapter.
- 7608.3 An applicant referenced in § 7608.1(b) may practice respiratory therapy only in accordance with the following provisions:
- (a) An applicant may practice only under general supervision of a respiratory therapist licensed in the District who shall be fully responsible for the supervised applicant's practice and may be subject to disciplinary action for any act or omission by the applicant that constitutes a violation of the Act or this chapter;
 - (b) An applicant may not begin practicing respiratory therapy unless he or she has received express, written authorization from the Board, which may not be issued until the Board has satisfactorily reviewed the result of the applicant's criminal background check as provided by the Federal Bureau of Investigation, provided, however, that such temporary authorization to practice shall not limit the Board's authority to take any appropriate action based on the applicant's full criminal background check;
 - (c) An applicant's authorization to practice under this section shall not exceed ninety (90) days; provided, however, that the Board may grant an extension of this authorization for good cause;
 - (d) An applicant may be paid a salary or compensation for the hours worked; and

- (e) An applicant shall be subject to each of the applicable provisions of the Act and this chapter.

7608.4 If the Board finds that a student or applicant referenced in § 7608.1(b) has violated the Act or this chapter, the Board may, in addition to any other disciplinary action permitted by the Act including denial of application, revoke, suspend, or restrict the authorization for the student or applicant to practice respiratory therapy.

7609 STANDARDS OF CONDUCT AND ETHICS

7609.1 A respiratory therapist shall:

- (a) Practice medically acceptable methods of treatment;
- (b) Present his or her skills, training, scope of practice, certification, professional affiliations, or other qualifications in a manner that is not false or misleading;
- (c) Practice only within the scope of his or her competence, qualifications, and any authority under the law;
- (d) Continually strive to enhance the knowledge and skill set required to render quality respiratory care to each patient;
- (g) Promptly report to the Board any information relating to the incompetent, unsafe, illegal, or unethical practice of respiratory therapy or any violation of the Act or this chapter;
- (h) Uphold the dignity and honor of the profession and abide by its ethical principles;
- (i) Cooperate with other health care professionals;
- (j) Provide all services in a manner that respects the dignity of the patient, regardless of the patient's social or economic status, personal attributes, or health problems;
- (k) Refuse any gift or offer of gift from a patient, or friend or relative of a patient, for respiratory care provided to the patient; and
- (m) Abide by the National Clinical Practice Guidelines published by the American Association of Respiratory Care (AARC) and any subsequent guidelines published by the AARC.

7609.2 A respiratory therapist may utilize communication technology in standard patient care assessment and monitoring provided that the patient has provided written and informed consent specific to this manner of service and that the therapist has determined the following:

- (a) This manner of service does not affect the quality of the service;
- (b) The technology being used is fully secured and has been determined to safeguard the patient's confidentiality and privacy;
- (c) The patient is sufficiently knowledgeable or familiar with the technology such that there would not be any difficulty or barrier to its effective utilization;
- (d) This manner of service promotes continuity of care; and
- (e) The patient is physically in the District at the time of the service.

7610 SCOPE OF PRACTICE

7610.1 A respiratory therapist may practice only in a collaborative agreement with a licensed physician, a nurse practitioner, or a licensed physician assistant under supervision of a licensed physician.

7610.2 The practice of respiratory care includes any of the following:

- (a) Direct and indirect respiratory care services that are safe, aseptic, preventive, and restorative to the patient;
- (b) The practice of the principles, techniques, and theories derived from cardiopulmonary medicine;
- (c) Evaluation and treatment of individuals whose cardiopulmonary functions have been threatened or impaired by developmental defects, the aging process, physical injury, disease, or actual or anticipated dysfunction of the cardiopulmonary system;
- (d) Observation and monitoring of physical signs and symptoms, general behavior, and general physical response to respiratory care procedures, and determination of whether initiation, modification, or discontinuation of the treatment regimen is warranted;
- (e) The transcription and implementation of a written or oral order, or both, pertaining to the practice of respiratory care;

- (f) Evaluation techniques including cardiopulmonary functional assessments, gas exchange, the need and effectiveness of therapeutic modalities and procedures, and assessment and evaluation of the need for extended care and home care procedures, therapy, and equipment;
- (g) Professional application of techniques, equipment, and procedures involved in the administration of respiratory care such as:
 - (1) Therapeutic and diagnostic gases (excluding general anesthesia);
 - (2) Prescribed medications for inhalation or direct tracheal instillation;
 - (3) Nonsurgical intubation, maintenance, and extubation of artificial airways;
 - (4) Advanced cardiopulmonary measures;
 - (5) Chest needle decompression;
 - (6) Cardiopulmonary rehabilitation;
 - (7) Mechanical ventilation or physiological life support systems;
 - (8) Collection of body fluids and blood samples for evaluation and analysis, including collection by intraosseous access;
 - (9) Insertion of diagnostic arterial access lines, including large bore intravenous access; or
 - (10) Collection and analysis of exhaled respiratory gases;
- (h) The clinical supervision of licensed respiratory therapists, respiratory care departments, or the provision of any respiratory care services;
- (i) The respiratory care clinical instruction or oversight of respiratory care students, while performing respiratory care procedures as part of their clinical curriculum; or
- (j) The teaching or instructing of others in the discipline of respiratory care and therapy.

7611 MAINTENANCE OF VALID NATIONAL CERTIFICATION

7611.1 Beginning with the licensure term starting on February 1, 2021, a licensed respiratory therapist shall continuously maintain a valid national certification by the National Board of Respiratory Care (NBRC).

7699 DEFINITIONS

7699.1 As used in this chapter, the following terms shall have the meanings ascribed:

Act – the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*)

Board – the Board of Respiratory Care, established by § 214 of the Act (D.C. Official Code § 3-1202.14).

Continuing education unit (CEU) – at least fifty (50) minutes of education, learning, or presentation time.

CRT – credential as a Certified Respiratory Therapist or achieving a passing score on the Therapist Multiple-Choice Examination for Certified Respiratory Therapist, developed and administered by the National Board for Respiratory Care (NBRC).

Director – the Director of the Department of Health or his or her designee.

LGBTQ continuing education – continuing education focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) and meeting the requirements of § 510(b)(5) of the Act (D.C. Official Code § 3-1205.10(b)(5)).

Licensed respiratory therapist – a respiratory therapist licensed pursuant to this chapter.

Licensure term – a two-year period between February 1st of each odd-numbered year and January 31st of the next odd-numbered year during which a license issued pursuant to this chapter is valid in accordance with § 7601.

Nurse Practitioner – a licensed registered nurse holding a certificate issued in accordance with Chapter 59 of Title 17 of the District of Columbia Municipal Regulations.

RRT – credential as a Registered Respiratory Therapist or achieving a passing score on the Therapist Multiple-Choice Examination for Registered Respiratory Therapist, developed and administered by the National Board for Respiratory Care (NBRC).

The Joint Commission – the nationally-recognized, independent, not-for-profit organization founded in 1951 that accredits and certifies health care organizations and programs in the United States.

7699.2 The definitions of § 4099 of Chapter 40 of this title are incorporated by reference into and are applicable to this chapter.