

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

NOTICE

D.C. LAW 23-60

"Certificate of Need Fee Reduction Amendment Act of 2019"¹

This is to provide notice that The Health Services Planning Program Re-Establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401 et seq.), was amended to (i) exempt from certificate of need review a nonprofit that specializes in vision screening and provides free diagnostic services and eyewear to District of Columbia school children and youth, and to reduce the certificate of need application fees paid by Iona Senior Services and Community of Hope, and (ii) amend certain definitions in D.C. Official Code § 44-401, among other things, to change the threshold expenditure.

Specifically, changes were made to the definitions as follows:

- a. Paragraph (3)(A) “capital expenditure” was amended to change the expenditure (cash or other equivalent type of arrangement) transaction threshold (i) by or on behalf of a general, rehabilitation, or psychiatric or other specialty hospitals to \$6 million; and (ii) for all health care facilities not specified in sub-paragraph (i) to \$3.5 million;
- b. A new Paragraph (3A) was added to define “certificate of need”; and,
- c. Paragraph 14 (A) “major medical equipment” was amended to change the fair market value threshold (i) by or on behalf of a general, rehabilitation, or psychiatric or other specialty hospitals to \$3.5 million; (ii) for all health care facilities not specified in sub-paragraph (i) to \$2 million; and (iii) for a single piece of equipment acquired by or on behalf of a physician or group of physicians to \$350,000.

A copy of “Certificate of Need Fee Reduction Amendment Act of 2019” as published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 568) is enclosed.

¹Pursuant to D.C. Official Code § 1-204-12(a), the Council of the District of Columbia adopted Bill 23-183 on first and second readings December 3, 2019, and December 17, 2019, respectively. Following the signature of the Mayor on January 16, 2020, pursuant to D.C. Official Code § 1-204-04(e), the bill became Act 23-192 and was published in the January 24, 2020 edition of the D.C. Register (Vol. 67, page 568). Act 23-192 was transmitted to Congress on January 27, 2020 for a 30-day review, in accordance with D.C. Official Code § 1-206.02(c)(1). Act 23-192 is now D.C. Law 23-60, effective March 10, 2020. Notice of D.C. Law 23-60 was published in the March 20, 2020 edition of the D.C. Register (Vol. 67, page 3075).