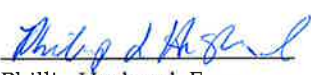


District of Columbia Department of Health  <h2>Return of Collected Service Fees</h2>		<b>PROCEDURE 480.000</b> Implementing Office: Office of the Director Training Required: Yes Originally Issued: Oct. 12, 2017 Revised/Reviewed: <p style="text-align: center;"><b>AUG 08 2021</b></p> <b>(First Revision)</b>
<b>Approved by:</b>  LaQuandra S. Nesbitt MD, MPH; Agency Director	<b>Review by Legal Counsel:</b>  Phillip Husband, Esq.; General Counsel	<b>Effective Date:</b> <p style="text-align: center;"><b>AUG 08 2021</b></p> <b>Valid Through Date:</b> <p style="text-align: center;"><b>AUG 08 2024</b></p>

<b>I. Authority</b>	Reorganization Plan No. 4 of 1996; Mayor's Order 1997-42;  This SOP will supersede and replace SOP 1410.000 Return of Erroneously Collected License Application Fees, which applied only to health professional licensure programs within the Health Regulation and Licensing Administration. This SOP has an agency-wide scope.
<b>II. Reason for the Policy</b>	DC Health provides a broad range of services to the public, a subgroup of which at a cost to the individual or organization seeking the service. A protocol is required to govern the return of fees, as well as to guide employees in the appropriate response if a customer requests a refund of a service fee.
<b>III. Applicability</b>	This policy applies to all DC Health full-time and part-time employees, contract employees, interns, employees of other DC government agencies detailed to DC Health, and summer youth employees. These individuals are referred to collectively herein as "employees" or "DC Health employees."
<b>IV. Policy Statement</b>	All program managers who oversee the collection of fees are accountable for implementing this SOP within their respective programs.  A DC Health program may return a collected service fee to an applicant only under the following circumstances:

1. Duplicate Payment: If an applicant erroneously pays a required fee more than once, the DC Health program shall return all monies collected in excess of what is required for the service being sought;
2. Overpayment: If an applicant erroneously pays an amount in excess of what is required for the service(s) requested, including premature payments submitted before the applicant is charged. DC Health shall return to the applicant the difference between the fee already collected and the correct fee for the requested service.
3. Council waiver: If an applicant pays a fee that is retroactively waived by action of the Council of the District of Columbia.

Absent any of the conditions articulated above or as otherwise authorized by District law, no DC Health employee may return a service fee. DC Health does not have the authority to provide a service and not collect the associated fee from the relevant legislation/regulation/fee schedule.

Unless otherwise specified, fees are charged for an agency service rather than a specific product. For example, paying the application fee for a health professional license, facility certification, or Certificate of Need, guarantees that the application will be processed and reviewed. Paying the fee does not guarantee an applicant the product they are seeking. DC Health employees may not grant a customer a refund due to the service not producing the intended outcome, e.g. a health professional license being denied after a proper impartial review of the application.

Programs have the discretion to hold a service open to accommodate an applicant and avoid charging for an additional service so long as doing so does not violate the governing statute or regulations associated with that service. Examples include:

1. If the applicant fails to provide adequate supporting documentation, the program has the discretion to hold that application open while the applicant provides the missing documents;
2. If the applicant must correct deficiencies to qualify for a certification, e.g. taking corrective action to resolve inspection findings.

	<p>Once a service has been resolved, the applicant must pay a new fee to begin a new service, e.g. applying again for a health professional license following a denied application.</p> <p>Every DC Health program that charges service fees will distribute a procedure for fee collection to all employees in that program. The procedure must include when it is permissible to return a fee vis-à-vis this SOP.</p> <p>If, at any time while this SOP is in effect, DC Health gains statutory authority to return service fees for reasons other than what is stipulated in this SOP, that statutory language will supersede this SOP for the applicable DC Health program(s).</p> <p>Any DC Health employee in violation of any part of this SOP may be subject to commensurate disciplinary action.</p>
<p><b>V. Definitions &amp; Acronyms</b></p>	<p><b>Applicant-</b> Individual or organization requesting a service from DC Health.</p> <p><b>Duplicate Payment-</b> The unintentional submission of a required fee more than once.</p> <p><b>Overpayment-</b> The submission of a fee in excess of what is owed for the requested service.</p>
<p><b>VI. Procedures</b></p>	<p>Procedures are deferred to the program level. Any employees seeking guidance on the return of service fees should consult their program manager and/or the program’s written procedure on collecting service fees.</p>
<p><b>VII. Contacts</b></p>	<p>Program managers overseeing programs that collect service fees</p>
<p><b>VIII. Related Documents, Forms and Tools</b></p>	<p>None</p>