

TITLE 3. DISTRICT OF COLUMBIA BOARDS AND COMMISSIONS

SUBTITLE I. GENERAL

CHAPTER 12. HEALTH OCCUPATIONS BOARDS

UNIT A. GENERAL

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SUBCHAPTER IV. GENERAL PROVISIONS RELATING TO HEALTH OCCUPATION BOARDS

§ 3-1204.01. Qualifications of members

(a) The members of each board shall be residents of the District at the time of their appointments and while they are members of the board.

(b) (1) Each professional member of a board, in addition to the requirements of subsection (a) of this section, shall have been engaged in the practice of the health occupation regulated by the board for at least 3 years preceding appointment.

(2) The dietitian and nutritionist members initially appointed to the Board of Dietetics and Nutrition, the nonphysician acupuncturist member initially appointed to the Advisory Committee on Acupuncture, the anesthesiologist assistant member initially appointed to the Advisory Committee on Anesthesiologist Assistants, the physician assistant member initially appointed to the Advisory Committee on Physician Assistants, the respiratory care members initially appointed to the Board of Respiratory Care, the social worker members initially appointed to the Board of Social Work, the professional counselor members initially appointed to the Board of Professional Counseling, the naturopathic physician member initially appointed to the Advisory Committee on Naturopathic

Medicine, marriage and family therapist members initially appointed to the Board of Marriage and Family Therapy, and the massage therapy members initially appointed to the Board of Massage Therapy shall be eligible for and shall file a timely application for licensure in the District. The advanced registered nurse members initially appointed to the Board of Nursing shall be licensed in the District as registered nurses, shall meet the qualifications of this chapter to practice their respective specialties, shall have practiced their respective specialties for at least 3 years preceding appointment, and shall file a timely application for certification to practice their respective specialties shall file a timely application for certification to practice their respective specialties.

(c) Each consumer member of a board, in addition to the requirements of subsection (a) of this section, shall:

- (1) Be at least 18 years old;
- (2) Not be a health professional or in training to become a health professional;
- (3) Not have a household member who is a health professional or is in training to become a health professional; and
- (4) Not own, operate, or be employed in or have a household member who owns, operates, or is employed in a business which has as its primary purpose the sale of goods or services to health professionals or health-care facilities.

(d) Within the meaning of subsection (c) of this section, the term "household member" means a relative, by blood or marriage, or a ward of an individual who shares the individual's actual residence.

(e) The office of a member of a board or advisory committee shall be forfeited upon the member's failure to maintain the qualifications required by this chapter.

(f) Each professional member of a board or advisory committee shall disqualify himself or herself from acting on his or her own application for licensure or license renewal or on any other matter related to his or her practice of a health occupation.

§ 3-1204.02. Terms of members; filling of vacancies

(a) The terms of members of a board or advisory committee, after the initial terms, shall expire on the 3rd anniversary of the date the 1st members constituting a quorum take the oath of office.

(b) At the end of a term, a member shall continue to serve until a successor is appointed and

sworn into office.

(c) A vacancy on a board or advisory committee shall be filled in the same manner as the original appointment was made.

(d) A member appointed to fill a vacancy shall serve only until the expiration of the term or until a successor is appointed and sworn into office.

§ 3-1204.03. Limitation on consecutive terms

No member of a board or advisory committee shall be appointed to serve more than 3 full consecutive 3-year terms.

§ 3-1204.04. Removal

(a) The Mayor may remove a member of a board or advisory committee for incompetence, misconduct, or neglect of duty, after due notice and a hearing.

(b) The failure of a member of a board or advisory committee to attend at least 1/2 of the regular, scheduled meetings of the board or advisory committee within a 12-month period shall constitute neglect of duty within the meaning of subsection (a) of this section.

§ 3-1204.05. Officers; meetings; quorum

(a) From among the members of each board and advisory committee, the Mayor shall designate a chairperson.

(b) Each board and advisory committee shall determine the times and places of its meetings and shall publish notice of regular meetings at least 1 week in advance in the District of Columbia Register.

(c) A majority of the members of each board and advisory committee shall constitute a quorum.

§ 3-1204.06. Compensation

Members of each board and advisory committee shall be entitled to receive compensation in accordance with § 1-611.08, and in addition shall be reimbursed for reasonable travel and other expenses incurred in the performance of their duties.

§ 3-1204.07. Staff

For each board, the Mayor may set the compensation of personnel he or she deems advisable, subject to available appropriations, in accordance with Chapter 6 of Title 1.

§ 3-1204.08. General powers and duties

Each board shall:

- (1) Administer and enforce the provisions of this chapter, and rules and regulations issued pursuant to this chapter, related to the health occupation regulated by the board;
- (2) Evaluate the qualifications and supervise the examinations of applicants for licenses, either personally or through the use of consultant services;
- (3) Make recommendations to the Mayor, upon request by the Mayor or when the board determines it necessary, for standards and procedures to be used in determining the acceptability of foreign education and training programs as substantially equivalent to the requirements of this chapter;
- (4) Issue licenses to qualified applicants;
- (5) Issue subpoenas, examine witnesses, and administer oaths;
- (6) Receive and review complaints of violations of this chapter or rules and regulations issued pursuant to this chapter;
- (7) Request the Mayor, on its own initiative or on the basis of a complaint, to conduct investigations of allegations of practices violating the provisions of this chapter with respect to the health occupation regulated by the board; and
- (8) Conduct hearings and keep records and minutes necessary to carry out its functions.
- (9) Issue advisory opinions regarding compliance with acceptable standards of practice.

§ 3-1204.09. Fees

The Mayor is authorized to establish a fee schedule for all services related to the regulation of all health occupations under this chapter, in accordance with the requirements of District law.

§ 3-1204.10. Disposition of funds

All fees, civil fines, and other funds collected pursuant to this chapter shall be deposited to the General Fund of the District.

§ 3-1204.11. Annual report

Each board shall, before January 1 of each year, submit a report to the Mayor and the Council of

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its official acts during the preceding fiscal year.