

ENROLLMENT(S)



COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 10-203

"Respiratory Care Practice Amendment Act of 1994".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 10-85 on first and second readings, October 4, 1994 and November 1, 1994, respectively. Following the signature of the Mayor on November 22, 1994, this legislation was assigned Act No.10-341, and published in the December 2, 1994, edition of the D.C. Register (Vol.41 page 7707) and transmitted to Congress on January 27, 1995, for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-203 effective March 14, 1995.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Jan. 27,30,31

Feb. 1,2,3,6,7,8,9,10,13,14,15,16,21,22,23,24,27,28

Mar. 1,2,3,6,7,8,9,10,13

Codification

AN ACT

District of Columbia Code

D.C. ACT 10-341 (1995 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 22, 1994

To amend the District of Columbia Health Occupations Revision Act of 1985 to establish requirements to regulate the practice of respiratory care.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Respiratory Care Practice Amendment Act of 1994".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 2-3301 *et seq.*), is amended as follows:

(a) Section 101(1) (D.C. Code § 2-3301.1(1)) is amended by adding the phrase "the Board of Respiratory Care," after the phrase "the Board of Psychology,".

Section
2-3301.1

(b) Section 102 (D.C. Code § 2-3301.2) is amended by adding a new paragraph (17A) to read as follows:

"(17A)(A) "Practice of respiratory care" means the performance in collaboration with a licensed physician, of actions responsible for the treatment, management, diagnostic testing, control, and care of patients with deficiencies and abnormalities associated with the cardiopulmonary system, including, but not limited to:

"(i) Therapeutic and diagnostic use of medical gases, humidity, and aerosols, including the maintenance of associated apparatus;

"(ii) Administration of medications to the cardiorespiratory system; provision of ventilatory assistance, ventilatory control, including high frequency ventilation; postural drainage, chest physiotherapy, breathing exercises, and other respiratory rehabilitation procedures;

"(iii) Cardiopulmonary resuscitation and maintenance of natural airways, the insertion and maintenance of artificial airways, and the transcription and implementation of a physician's written or verbal orders pertaining to the practice of respiratory care;

"(iv) Testing techniques utilized in respiratory care to assist in diagnosis, monitoring, treatment, and research; and

"(v) Measurement of ventilatory volumes, pressures and flows, specimen collection of blood and other materials, pulmonary function testing PH and blood gas analysis, hemodynamic and other related physiological monitoring of the cardiopulmonary system."

(c) A new section 214 is added to read as follows:

"Sec. 214. Board of Respiratory Care.

"(a) There is established a Board of Respiratory Care to consist of 5 members appointed by the Mayor with the advice and consent of the Council.

"(b) The Board shall regulate the practice of respiratory therapy.

"(c) Of the members of the Board, 3 shall be respiratory therapists licensed in the District; 1 shall be a physician with knowledge and experience in the practice of respiratory care; and 1 shall be a consumer member.

"(d) Except as provided in subsection (e) of this section, members of the Board shall be appointed for terms of 3 years.

"(e) Of the members initially appointed under this section, 1 shall be appointed for a term of 1 year, 2 shall be appointed for a term of 2 years, and 2 shall be appointed for a term of 3 years. The terms of the members first appointed shall begin on the date that a majority of the first members are sworn in, which shall become the anniversary date for all subsequent appointments."

(d) Section 401(b)(2) (D.C. Code § 2-3304.1(b)(2)) is amended by inserting the phrase "the respiratory care members initially appointed to the Board of Respiratory Care," after the phrase "Committee on Physician Assistants,".

(e) Section 501 (D.C. Code § 2-3305.1) is amended by striking the word "and" after the word "work," and adding the phrase ", and respiratory care" after the word "counseling".

(f) Section 504 (D.C. Code § 2-3305.4) is amended by adding a new subsection (p) to read as follows:

"(p) An individual applying for a license to practice respiratory therapy under this title shall establish to the satisfaction of the Board of Respiratory Therapy that the individual has successfully completed a respiratory care educational program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation ("CAHEA") in collaboration with the Joint Review Committee for Respiratory Therapy Education ("JRCRTE") or their successor organizations."

(g) Section 1003 (D.C. Code § 2-3310.3) is amended by adding a new subsection (u) to read as follows:

"(u) Unless authorized to practice respiratory care pursuant to this act, a person shall not use the phrase "licensed respiratory care practitioner", or any similar title or description of services with the intent to represent that the person is a respiratory care practitioner."

(h) A new title VII-B is inserted to read as follows:

"WAIVER OF LICENSURE REQUIREMENTS FOR RESPIRATORY CARE PRACTITIONERS.

"Sec. 720. The Board of Respiratory Care shall waive the educational and examination requirements for any applicant for licensure as a respiratory therapist who can demonstrate, to the satisfaction of the Board, that he or she has been performing the functions of a respiratory therapist, as defined in this chapter, on a full-time or substantially full-time basis continually at least 12 months immediately preceding the effective date of this act, and is qualified to do so on the basis of pertinent education, training, experience and demonstrated current competence, provided that the application for the license is made within


24 months of the effective date of the "Respiratory Care Practice Amendment Act of 1994."

"Sec. 721. The Board of Respiratory Care shall waive the examination requirement for any applicant who meets the educational requirements for licensure as a respiratory therapist, whether full time or not, within a 3-year period immediately preceding the effective date of this act, and is qualified to do so on the basis of pertinent experience, and demonstrated current competence, provided that application for the license is made within 24 months of the effective date of the Respiratory Care Practice Amendment Act of 1994.

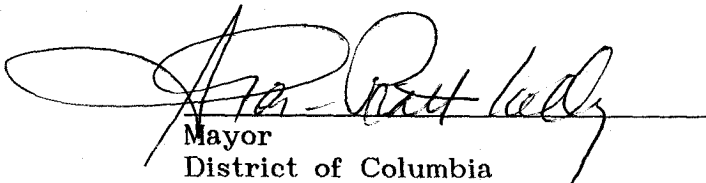
"Sec. 722. Applicants licensed under the waiver provisions of this section shall be eligible for license renewal on the same terms as all other licensed respiratory care practitioners."

Sec. 3. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602 (c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233 (c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: November 22, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-85

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 10-4-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry, Brazil and Evans

ROLL CALL VOTE - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 15 rows of member names and their voting status.

CERTIFICATION RECORD

Secretary to the Council (Signature)

Date: November 7, 1994

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 11-1-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

ROLL CALL VOTE - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 15 rows of member names and their voting status.

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Date: November 7, 1994

Item on Consent Calendar

ACTION & DATE

VOICE VOTE

Recorded vote on request

Absent

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Date

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Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

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DOCKET NO: B10-85

Item on Consent Calendar

Adopted First Reading, 10-4-94

ACTION & DATE

Approved

VOICE VOTE

Recorded vote on request

Absent: Barry, Brazil and Evans

ROLL CALL VOTE - RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

[Signature]

Secretary to the Council

November 7, 1994

Date

Item on Consent Calendar

Adopted Final Reading, 11-1-94

ACTION & DATE

Approved

VOICE VOTE

Recorded vote on request

Absent: Barry

ROLL CALL VOTE - RESULT

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

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Absent:

ROLL CALL VOTE - RESULT

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CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

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