

AN ACT

*Codification
District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Revenue Act for Fiscal Year 1978 to require healthcare facilities to reimburse the Fire and Emergency Medical Services Department for emergency ambulance services where the patient transport was a non-emergency or where the healthcare facility requested emergency ambulance services to otherwise avoid the cost of transport; and to amend An Act To prevent the giving of false alarms of fires in the District of Columbia to increase the fine for giving a false alarm of fire in the District of Columbia, and to establish the criminal offense of using, or allowing the use of, the 911 call system to make a false or fictitious report or complaint.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Health and Safety 911 Abuse Prevention Amendment Act of 2010”.

Sec. 2. Section 502 of the Revenue Act for Fiscal Year 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), is amended as follows:

Amend
§ 5-416

(a) Designate the existing text as subsection (a).

(b) The newly designated subsection (a) is amended by striking the phrase “Emergency Ambulance Service of the Fire Department” and inserting the phrase “emergency ambulance service of the Fire and Emergency Medical Services Department (“Department”)” in its place.

(c) A new subsection (b) is added to read as follows:

“(b)(1) A health care facility shall reimburse the Department for the cost of emergency ambulance services, as determined under subsection (a) of this section, incurred by a patient resident of the health care facility if the health care facility requests ambulance transport services from the Department and the patient’s healthcare insurance denies payment for the ambulance transport after a determination that the transportation did not meet the medical necessity standard as provided in section 410.40(d) of Title 42 of the Code of Federal Regulations.

“(2) For the purposes of this subsection, the term:

“(A) “Ambulance” means any publicly owned vehicle specially designed, constructed, modified, or equipped for use as a means for transporting patients in a

medical emergency or any publicly owned vehicle that is advertised, marked, or in any way held out as a vehicle for the transportation of patients in a medical emergency.

“(B) “Health care facility” shall have the same meaning as provided in section 2(5) of the Nurse Staffing Agency Act of 2003, effective March 4, 2004 (D.C. Law 15-74; D.C. Official Code § 44-1051.02(5)).”.

Sec. 3. An Act To prevent the giving of false alarms of fires in the District of Columbia, approved June 8, 1906 (34 Stat. 220; D.C. Official Code § 22-1319), is amended as follows:

Amend
§ 22-1319

(a) Section 1 is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) It shall be unlawful for any person or persons to willfully or knowingly give a false alarm of fire within the District of Columbia, and any person or persons violating the provisions of this subsection shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding \$1,000 or by imprisonment for not more than 6 months, or by both such fine and imprisonment. Prosecutions for violation of the provisions of this subsection shall be on information filed in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.”.

(2) A new subsection (a-1) is added to read as follows:

“(a-1) It shall be unlawful for any person or persons to willfully or knowingly use, or allow the use of, the 911 call system to make a false or fictitious report or complaint which initiates a response by District of Columbia emergency personnel or officials when, at the time of the call or transmission, the person knows the report or complaint is false. Any person or persons violating the provisions of this subsection shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding \$1,000 or by imprisonment for not more than 6 months. Prosecutions for violation of the provisions of this subsection shall be on information filed in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.”.

(b) Section 2 is repealed.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia