

COUNCIL OF THE DISTRICT OF COLUMBIA

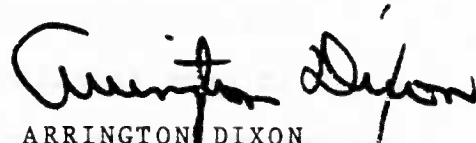
NOTICE

D.C. LAW 4-156

"District of Columbia Certificate of Need Act
of 1980 Thresholds Amendment Act of 1982".

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. 4-410 on first and second readings, July 6, 1982 and July 20, 1982, respectively. Following the signature of the Mayor on July 29, 1982, this legislation was assigned Act No. 4-230, published in the August 20, 1982, edition of the D.C. Register, (Vol. 29 page 3612) and transmitted to Congress on August 2, 1982 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 4-156, effective September 29, 1982.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

August 2,3,4,5,6,9,10,11,12,13,16,17,18,19,20

September 8,9,10,13,14,15,16,17,20,21,22,23,24,27,28

EFFECTIVE DATE SEP 29 1982

D.C. ACT 4-230

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 29 1982

To amend the District of Columbia Certificate of Need Act of 1980.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Certificate of Need Act of 1980 Thresholds Amendment Act of 1982".

Sec. 2. The District of Columbia Certificate of Need Act of 1980, effective September 16, 1980 (D.C. Law 3-99; D.C. Code, sec. 32-301 et seq.) is amended as follows:

(a) Section 3(3) (D.C. Code, sec. 32-302(3)) is amended to read as follows:

"(3) 'Capital expenditure' means:

"(a) any expenditure by or on behalf of a health care facility (or by or on behalf of any person in the case of acquisition of major medical equipment or acquisition of an existing HCF or part thereof) which is, under generally accepted accounting principles, not properly chargeable as an expense of operation or maintenance, and which:

"(1) substantially changes the bed

CODIFICATION
D.C. Code,
sec. 32-302
(1981 ed.)

capacity of the facility with respect to which the expenditure is made;

"(2) is intended to permit or will result in the increase of patient load or units of service of a facility or service by forty percent (40%) or more over present capacity;

"(3) is made to obtain by purchase, lease or comparable arrangement, or through a donation or through any other type of transfer, any major medical equipment (as defined in paragraph (11), as amended by section 2(c) of the District of Columbia Certificate of Need Act of 1980 Thresholds Amendment Act of 1982); or

"(4) exceeds six hundred thousand dollars (\$600,000);

"(b) any acquisition under a lease or comparable arrangement, or through a donation or through any other type of transfer, which would have constituted a capital expenditure under subparagraph (a) if the acquisition had been by purchase at fair market value; and

"(c) any acquisition under a lease or comparable arrangement, or through a donation or through any other type of transfer by two (2) or more persons acting in concert in which the aggregate cost of such acquisition would have

constituted a capital expenditure under subparagraph (a) if the acquisition had been by purchase at fair market value, notwithstanding that the cost or value to each participating person of the acquisition would not, alone, otherwise constitute a capital expenditure under subparagraph (a)."

(b) Section 3(7) (D.C. Code, sec. 32-302(7)) is amended by striking the phrase "seventy five thousand dollars (\$75,000)" and inserting the phrase "two hundred fifty thousand dollars (\$250,000)" in lieu thereof.

D.C.Code,
sec. 32-302
(1981 ed.)

(c) Section 3(11) (D.C. Code, sec. 32-302(11)) is amended to read as follows:

"(11)(a) 'Major medical equipment' means equipment which is used for the provision of medical and other health services and which is acquired by or on behalf of a health care facility or by or on behalf of physicians, dentists, or other individual providers of individual group practice, and which has a fair market value in excess of four hundred thousand dollars (\$400,000). The term 'major medical equipment' does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services, if the clinical laboratory is independent of a physician's office or a hospital and it meets the requirements of

D.C.Code,
sec. 32-302
(1981 ed.)

section 1861(s)(10) and (11) under Title XVIII of the Social Security Act.

"(b) In determining whether medical equipment has a fair market value in excess of the amount specified in subparagraph (a)(1) or (2), the cost of studies, surveys, designs, plans, working drawings, specifications, construction, related equipment, and other activities essential to the acquisition of such equipment shall be included."

(d) Section 3(12) (D.C. Code, sec. 32-302(12)) is amended as follows:

(1) by striking subparagraph (b); and

(2) subparagraph (d) is amended by striking the phrase "seventy five thousand dollars (\$75,000)" and inserting the phrase "two hundred fifty thousand dollars (\$250,000)" in lieu thereof.

(e) Section 4(c) (D.C. Code, sec. 32-303(c)) is amended by striking the period at the end thereof and inserting the phrase "or part thereof." in lieu thereof.

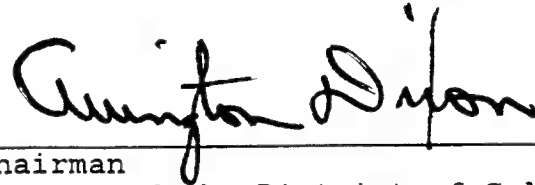
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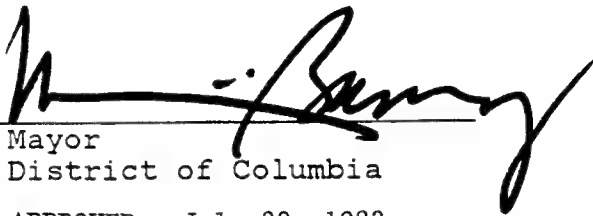
Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental

Reorganization Act, approved December 24, 1973 (87

Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: July 29, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA
 Council Period Four
 Second Session

DOCKET NO: B 4-410

Item on Consent Calendar
 ACTION: Adopted First Reading, 7-6-82

VOICE VOTE: Unanimous
 Absent: all present

ROLL CALL VOTE:

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. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Vivian B. Cunningham July 20, 1982
 Secretary to the Council Date

Item on Consent Calendar
 ACTION: Adopted Final Reading, 7-20-82

VOICE VOTE: Unanimous
 Absent: all present

ROLL CALL VOTE:

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. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Vivian B. Cunningham July 20, 1982
 Secretary to the Council Date

Item on Consent Calendar
 ACTION: _____

VOICE VOTE: _____
 Absent: _____

ROLL CALL VOTE:

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. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD