



1 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
 Copyright 2011 by Matthew Bender & Company, Inc.,
 a member of the LexisNexis Group.
 All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
 *** AND ACTS 19-1 TO 19-69 ***
 *** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
 TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
 SUBTITLE I. HEALTH RELATED INSTITUTIONS
 CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
 SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.01 (2011)

§ 44-1003.01. Grounds for involuntary discharge, transfer, or relocation by facility [Formerly § 32-1431]

(a) Unless a resident and his or her representative consent otherwise, a facility may discharge the resident, transfer the resident to another facility, or relocate the resident from one part or room of the facility to another only:

(1) If essential to meet that resident's documented health-care needs or to be in accordance with his or her prescribed level of care;

(2) If essential to safeguard that resident or one or more other residents from physical or emotional injury;

(3) On account of nonpayment for his or her maintenance, after reasonable and appropriate notice, except as prohibited by subsection (b) of this section and *42 U.S.C.S. § 1395 et seq.* and *42 U.S.C.S. § 1396 et seq.*;

(4) If essential to meet the facility's reasonable administrative needs and no practicable alternative is available; or

(5) If the facility is closing or officially reducing its licensed capacity.

(b) No facility that is a District Medicaid provider may discharge, transfer, or relocate a resident on account of his or her conversion from private-pay or Medicare to Medicaid status, or on account of a temporary hospitalization if payment or reimbursement for his or her bed continues to be made available.

HISTORY: 1981 Ed., § 32-1431; Apr. 18, 1986, D.C. Law 6-108, § 301, 33 DCR 1510; Apr. 29, 2010, D.C. Law 18-145, § 4(b), 57 DCR 1834.

NOTES: SECTION REFERENCES. --This section is referenced in § 44-504 and § 44-1003.03.

EFFECT OF AMENDMENTS --The 2010 amendment by D.C. Law 18-145 added "after reasonable and appropriate notice" in (a)(3)

LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 18-145. --See note to § 44-1002.02.

ANALYSIS Authority of court

AUTHORITY OF COURT

While an administrative law judge possesses the authority to order readmission of a Medicaid resident on grounds that the discharge notice was unlawful, this is not to say that he must exercise it or that to do so will be appropriate in all cases. *Paschall v. D.C. Dep't of Health*, 871 A.2d 463, 2005 D.C. App. LEXIS 151 (2005)

42 C.F.R. pt. 483, subpt. E, incorporated by D.C. Mun. Regs. tit. 22, § 3200.1, authorizes an administrative law judge to order the readmission to a nursing home of a Medicaid resident in whose favor he has found, either before or after a hearing, upon determining that the home's discharge notice to the resident was unlawful. *Paschall v. D.C. Dep't of Health*, 871 A.2d 463, 2005 D.C. App. LEXIS 151 (2005).



2 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED

Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.

All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***

*** AND ACTS 19-1 TO 19-69 ***

*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS

TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS

SUBTITLE I. HEALTH RELATED INSTITUTIONS

CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS

SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.02 (2011)

§ 44-1003.02. Notice to resident and resident's representative [Formerly § 32-1432]

(a) Whenever a resident is to be discharged, transferred, or relocated, a facility representative shall give that resident and his or her representative both oral and written notice of the reasons for, procedures for contesting, and proposed effective date of the discharge, transfer, or relocation. Except as provided in subsection (b) of this section or unless the resident and his or her representative consent to shorter notice, the oral and written notice shall be given at least 21 calendar days before a proposed discharge or transfer from the facility, and at least 7 calendar days before a proposed relocation within the facility.

(b) The time requirements for advance oral and written notice set forth in subsection (a) of this section shall not apply if:

(1) A more immediate discharge, transfer, or relocation is necessitated by the resident's urgent medical needs as explicitly delineated in the signed, written orders of an attending physician; or

(2) The Long-Term Care Ombudsman determines that emergency or other compelling circumstances necessitate a more immediate discharge, transfer, or relocation, and the basis for that determination is documented in the clinical records of those discharged, transferred, or relocated.

(c) Consent by a resident and his or her representative to a discharge, transfer, relocation, or abbreviated notice under this subchapter shall be valid only if knowingly and voluntarily given at the time the move is proposed.

(d) The written notice required by subsection (a) of this section shall be on a form prescribed by the Mayor and shall at a minimum contain:

(1) The specific reason(s), stated in detail and not in conclusory language, for the proposed discharge, transfer, or relocation;

(2) The proposed effective date of the discharge, transfer, or relocation;

(3) A statement in not less than 12-point type that reads

"You have a right to challenge this facility's decision to discharge, transfer, or relocate you. If the decision is to discharge you from the facility or to transfer you to another facility and you think you should not have to leave, you or your representative have 7 days from the day you receive this notice to inform the Administrator [Residence Director, if a community residence facility] or a member of the staff that you are requesting a hearing and to complete the enclosed hearing request form and mail it in the preaddressed envelope provided. If you are mailing the hearing request form from the facility, the day you place it in the facility's outgoing mail or give it to a member of the staff for mailing shall be considered the date of mailing for purposes of the time limit. In all other cases, the postmark date shall be considered the date of mailing. If, instead, the decision is to relocate you within the facility and you think you should not have to move to another room, you or your representative have only 5 days to do the above.

"If you or your representative request a hearing, it will be held no later than 5 days after the request is received in the mail, and, in the absence of emergency or other compelling circumstances, you will not be moved before a hearing decision is rendered. If the decision is against you, in the absence of an emergency or other compelling circumstances you will have at least 5 days to prepare for your move if you are being discharge or transferred to another facility, and at least 3 days to prepare for your move if you are being relocated to another room within the facility.

"To help you in your move, you will be offered counseling services by the staff, assistance by the District government if you are being discharged or transferred from the facility, and, at your request, additional support from the Long-Term Care Ombudsman program. If you have any questions at all, please do not hesitate to call one of the phone numbers listed below for assistance.";

(4) A hearing request form, together with a postage paid envelope preaddressed to the appropriate District official or agency;

(5) The name, address, and telephone number of the person charged with the responsibility of supervising the discharge, transfer, or relocation;

(6) The names, addresses, and telephone numbers of the Long-Term Care Ombudsman program and local legal services organizations; and

(7) The location to which the resident will be transferred

(d-1) Upon oral and written notification of discharge, the nursing facility shall provide to the resident and his or her representative:

(1) A current assessment of the resident's care needs and the kind of service the resident will need upon discharge;

(2) Information about the resident's right to receive counseling that explains the resident's options of community-based care and care in the home, including the right to request that the facility arrange a visit to at least one alternative community-based care facility; and

(3) A discharge plan that:

(A) Links the resident with community resources, including the DC Aging and Disability Resource Center;

(B) Explains the resident's options of community-based care and care in the home, including the right to request that the facility arrange a visit to at least one alternative community-based care facility; and

(C) Sets forth an arrangement for the resident and an immediate family member or legal representative, if any, to visit at least one alternative community-based care facility, at the resident's request

(e) Copies of the written notice required by subsection (a) of this section shall be placed in the resident's clinical record and shall be transmitted to the Mayor's designee and, if the resident's care is paid in whole or in part through Medicaid, the Director of the Department of Human Services ("DHS"), and the Long-Term Care Ombudsman.

(f) Whenever nonpayment is the ground for a proposed involuntary discharge or transfer, the resident shall have the right to redeem up to the time that the discharge or transfer is to be effected and, if full payment is made, shall have the right to remain in the facility.

HISTORY: 1981 Ed , § 32-1432; Apr. 18, 1986, D.C. Law 6-108, § 302, 33 DCR 1510; Mar. 16, 1989, D.C. Law 7-218, § 602(b), 36 DCR 534; Apr. 29, 2010, D.C. Law 18-145, § 4(c), 57 DCR 1834.

NOTES: SECTION REFERENCES. --This section is referenced in § 7-702 04, § 44-1003 03, and § 44-1003 04.

EFFECT OF AMENDMENTS. --The 2010 amendment by D.C. Law 18-145 added (d)(7) and made related changes; and added (d-1).

LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 7-218. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 18-145. --See note to § 44-1002.02.

ANALYSIS Authority of court

AUTHORITY OF COURT.

While an administrative law judge possesses the authority to order readmission of a Medicaid resident on grounds that the discharge notice was unlawful, this is not to say that he must exercise it or that to do so will be appropriate in all cases. *Paschall v. D.C. Dep't of Health*, 871 A.2d 463, 2005 D.C. App. LEXIS 151 (2005).

42 C.F.R. pt. 483, subpt. E, incorporated by D.C. Mun. Regs. tit. 22, § 3200.1, authorizes an administrative law judge to order the readmission to a nursing home of a Medicaid resident in whose favor he has found, either before or after a hearing, upon determining that the home's discharge notice to the resident was unlawful. *Paschall v. D.C. Dep't of Health*, 871 A.2d 463, 2005 D.C. App. LEXIS 151 (2005).



3 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED

Copyright 2011 by Matthew Bender & Company, Inc.,

a member of the LexisNexis Group.

All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***

*** AND ACTS 19-1 TO 19-69 ***

*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS

TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS

SUBTITLE I. HEALTH RELATED INSTITUTIONS

CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS

SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.03 (2011)

§ 44-1003.03. Hearing [Formerly § 32-1433]

(a) (1) Whenever a facility decides to involuntarily discharge, transfer, or relocate a resident, that resident, his or her representative, or the Long-Term Care Ombudsman may contest the decision by mailing a written hearing request to the Mayor and notifying the administrator or facility staff of the request:

(A) Within 7 calendar days after receiving notice of a proposed discharge or transfer to another facility; or

(B) Within 5 calendar days after receiving notice of a proposed relocation within the facility

(2) If the resident or resident's representative mails the hearing request from the facility, the day he or she places it in the facility's outgoing mail or gives it to a member of the facility staff for mailing shall be considered the date of mailing for purposes of the 7-day and 5-day time limits. In all other cases, the postmark date shall be considered the date of mailing.

(3) A timely hearing request shall stay the discharge, transfer, or relocation unless a condition set forth in § 44-1003.02(b)(1) and (2) develops in the interim.

(b) The Mayor shall hold a hearing at the resident's facility within 5 calendar days, and shall render a decision within 7 calendar days, after a timely hearing request is received. The facility shall have the burden of proof unless the ground for the proposed discharge, transfer, or relocation is a prescribed change in the resident's level of care, in which case the person(s) responsible for prescribing that change shall have the burden of proof and the resident shall have the right to challenge the level of care determination at the hearing. A hearing held under this section may not be used by the resident to litigate or relitigate Medicaid eligibility.

(c) If the Mayor finds that the existence of a ground listed in § 44-1003.01(a) has been proven by clear and convincing evidence, the resident shall not be:

(1) Discharged or transferred from the facility before the 22nd calendar day following his or her receipt of the notice required by § 44-1003.02(a) or the 5th calendar day following his or her notification of the hearing decision, whichever is later, unless a condition set forth in § 44-1003.02(b)(1) and (2) develops in the interim; or

(2) Relocated within the facility before the 8th calendar day following his or her receipt of the notice required by § 44-1003.02(a) or the 3rd calendar day following his or her notification of the hearing decision, whichever is later, unless a condition set forth in § 44-1003.02(b)(1) and (2) develops in the interim.

HISTORY: 1981 Ed., § 32-1433; Apr. 18, 1986, D.C. Law 6-108, § 303, 33 DCR 1510; Mar. 16, 1989, D.C. Law 7-218, § 602(c), 36 DCR 534.

NOTES: SECTION REFERENCES. --This section is referenced in § 7-702.04 and § 44-1003.04.

LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 7-218. --See note to § 44-1001.01.

ANALYSIS Authority of court Evidence /- Insufficient

AUTHORITY OF COURT.

While an administrative law judge possesses the authority to order readmission of a Medicaid resident on grounds that the discharge notice was unlawful, this is not to say that he must exercise it or that to do so will be appropriate in all cases. *Paschall v. D.C. Dep't of Health*, 871 A.2d 463, 2005 D.C. App. LEXIS 151 (2005).

42 C.F.R. pt. 483, subpt. E, incorporated by D.C. Mun. Regs. tit. 22, § 3200.1, authorizes an administrative law judge to order the readmission to a nursing home of a Medicaid resident in whose favor he has found, either before or after a hearing, upon determining that the home's discharge notice to the resident was unlawful. *Paschall v. D.C. Dep't of Health*, 871 A.2d 463, 2005 D.C. App. LEXIS 151 (2005).

EVIDENCE -- INSUFFICIENT.

Patient's discharge from intermediate care facility was not supported by clear and convincing evidence, as required by D.C. Code § 44-1003.03(c), when supporting evidence was physician's responses to ambiguous questions on medical certification forms which responses, as interpreted, were contrary to unambiguous letter from the same physician strongly recommending that the patient remain in the facility. *Henson v. District of Columbia Dep't of Consumer & Regulatory Affairs*, App D.C., 560 A.2d 543, 1989 D.C. App. LEXIS 122 (1989).



4 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.04 (2011)

§ 44-1003.04. Discussion and counseling [Formerly § 32-1434]

Before a resident is voluntarily or involuntarily discharged, transferred to another facility, or relocated within a facility, a facility representative shall discuss the reasons for the move with the resident and his or her representative and shall answer any questions they must have about the move or the written notice they received pursuant to § 44-1003.02(a). The contents of this discussion shall be summarized in writing, include the names of the individuals involved in the discussion, and be made a part of the resident's clinical record. In addition, the facility representative shall strongly recommend and offer to provide counseling services to the resident and his or her representative before the move. If the resident has requested a hearing pursuant to § 44-1003.03(a), facility staff shall attempt to prepare the resident for the possibility of having to move on 3-day (for an intra-facility relocation) or 5-day (for a discharge or transfer to another facility) notice should the hearing decision not be in his or her favor.

HISTORY: 1981 Ed., § 32-1434; Apr. 18, 1986, D.C. Law 6-108, § 304, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



5 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.05 (2011)

§ 44-1003.05. Grounds for transfer or discharge by Mayor [Formerly § 32-1435]

(a) The Mayor may transfer or discharge any resident from any facility on 1 or more of the following grounds:

(1) The facility is unlawfully operating without a current District license, or is operating in violation of restrictions placed on its license;

(2) The Mayor has suspended, revoked, or refused to renew the facility's license;

(3) The facility is closing or intends to close and adequate arrangements for the relocation of its residents, in a manner designed to keep transfer trauma to a minimum, have not been made at least 30 calendar days before the anticipated closure date;

(4) The facility has requested the Mayor's assistance in the transfer or discharge, and the Mayor determines that the resident and his or her representative have consented to the transfer or discharge; or

(5) The Mayor has determined that an emergency exists which poses an immediate danger of death or serious physical injury to the resident

(b) In deciding whether to transfer or discharge a resident under this section, the Mayor shall consider the likelihood of serious harm that may result if the resident remains in the facility and the availability of other remedies besides transfer or discharge.

HISTORY: 1981 Ed., § 32-1435; Apr. 18, 1986, D.C. Law 6-108, § 305, 33 DCR 1510.

NOTES: SECTION REFERENCES --This section is referenced in § 44-1003.06, § 44-1003.07, § 44-1003.08, and § 44-1003.09.

LEGISLATIVE HISTORY OF LAW 6-108 --See note to § 44-1001.01.



6 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.06 (2011)

§ 44-1003.06. Notice to facility owner or administrator; informal conference [Formerly § 32-1436]

(a) Before a resident is transferred or discharged under § 44-1003.05(a)(1) through (3), the Mayor shall provide the licensee or administrator of the facility with a written notice stating the reasons for the intended action and informing the licensee or administrator of his or her right to an informal conference and a subsequent hearing. The licensee or administrator may contest a nonemergency transfer or discharge by submitting to the Mayor a written request for an informal conference within 4 days (excluding Saturdays, Sundays, and legal holidays) after he or she receives notice of the proposed transfer or discharge. A timely request for an informal conference shall stay the nonemergency transfer or discharge pending the Mayor's decision after the conference.

(b) The Mayor shall hold an informal conference within 4 days (excluding Saturdays, Sundays, and legal holidays) after a timely request for the conference is received. Following the conference, the Mayor shall affirm, modify, or reverse his or her previous decision to transfer or discharge the resident.

HISTORY: 1981 Ed., § 32-1436; Apr. 18, 1986, D.C. Law 6-108, § 306, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



7 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.07 (2011)

§ 44-1003.07. Notice to resident and resident's representative; informal conference [Formerly § 32-1437]

(a) Before a resident is transferred or discharged under § 44-1003.05(a)(1) through (4), the Mayor shall provide the resident, the representative of a resident, and the Long-Term Care Ombudsman with a written notice stating the reasons for the intended action and informing them of their right to contest the transfer or discharge under § 44-1003.09.

(b) Before the transfer or discharge, the Mayor shall hold an informal conference with the resident, the representative of a resident, and the Long-Term Care Ombudsman at which they may present objections to the proposed transfer or discharge plan and alternative placement.

HISTORY: 1981 Ed., § 32-1437; Apr. 18, 1986, D.C. Law 6-108, § 307, 33 DCR 1510; Mar. 16, 1989, D.C. Law 7-218, § 602(d), 36 DCR 534.

NOTES: SECTION REFERENCES. --This section is referenced in § 7-702.04.

LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 7-218. --See note to § 44-1001.01.



8 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.08 (2011)

§ 44-1003.08. Emergency transfer or discharge by Mayor [Formerly § 32-1438]

(a) Whenever the immediate transfer or discharge of 1 or more residents is required by an emergency pursuant to § 44-1003.05(a)(5), the Mayor shall notify the licensee or administrator of the facility and any resident(s) to be removed that an emergency has been found to exist and that removal is ordered. In addition, whenever practicable the Mayor shall involve the resident(s) in the removal planning.

(b) Following emergency removal, the Mayor shall provide the licensee or administrator of the facility, each resident removed, and each removed resident's representative with a written notice stating the basis for the finding of an emergency and informing them of their right to contest the removal under § 44-1003.09.

HISTORY: 1981 Ed., § 32-1438; Apr. 18, 1986, D.C. Law 6-108, § 308, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



9 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.09 (2011)

§ 44-1003.09. Hearing to review Mayor's decision to transfer or discharge [Formerly § 32-1439]

(a) Within 10 calendar days after a transfer or discharge by the Mayor, the licensee or administrator of the facility, any resident transferred or discharged, and the representative of any resident transferred or discharged may contest the transfer or discharge by submitting to the Mayor a written request for a hearing. The Mayor shall hold a hearing and render a decision within 30 calendar days after a timely hearing request is received. When a hearing request is submitted by a resident, the hearing shall be held at a location convenient to the resident.

(b) A resident who is transferred or discharged from a facility by the Mayor under § 44-1003.05 shall be liable to that facility only for the costs of his or her maintenance incurred before the transfer or discharge.

(c) If as a result of a hearing held under this section a resident is to be returned to a facility, the Mayor shall facilitate that return if the licensee or administrator of the facility, resident, or resident's representative requests assistance.

HISTORY: 1981 Ed., § 32-1439; Apr. 18, 1986, D.C. Law 6-108, § 309, 33 DCR 1510.

NOTES: SECTION REFERENCES. --This section is referenced in § 44-1003.07 and § 44-1003.08.

LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



10 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
 Copyright 2011 by Matthew Bender & Company, Inc.,
 a member of the LexisNexis Group.
 All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
 *** AND ACTS 19-1 TO 19-69 ***
 *** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
 TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
 SUBTITLE 1. HEALTH RELATED INSTITUTIONS
 CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
 SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.10 (2011)

§ 44-1003.10. Transfer and discharge planning and assistance [Formerly § 32-1440]

(a) (1) The Mayor shall offer planning and assistance, including information on available alternative placements, to residents who are being voluntarily or involuntarily transferred or discharged from their facilities pursuant to this subchapter. Residents shall be involved in planning their transfer or discharge and shall choose among available alternative placements, except that, when an emergency makes prior resident involvement impracticable, the Mayor may make a temporary placement until a final placement can be arranged. Except when an attending physician determines that it is medically contraindicated or if the need for immediate transfer or discharge requires otherwise, a resident shall be allowed at least 2 visits to a proposed alternative placement before his or her transfer or discharge.

(2) Whenever practicable, residents may choose their final alternative placement. No resident shall be forced to remain in a particular temporary or permanent placement, and, whenever placement alternatives are being compared by either the facility or the Mayor, strong consideration shall be given to the proximity of a resident's relatives and friends

(b) The Mayor shall develop a model resident transfer and discharge plan to ensure the safe and orderly removal of residents and to protect their health, safety, welfare, and rights. This plan shall be developed in consultation with appropriate District government agencies, consumers, advocates, and the Long-Term Care Ombudsman. The plan shall conform to the requirements of subsection (a) of this section and shall be followed whenever a resident is transferred or discharged unless alterations in the plan are necessary to meet the individual needs of a particular resident. In addition, the plan shall delineate the facility's responsibilities in both individual and group transfers and discharges. Each facility shall periodically train its staff in transfer and discharge planning in accordance with the plan developed under this subsection.

(c) To facilitate implementation of the resident transfer and discharge plan developed pursuant to subsection (b) of this section, the Mayor may place a relocation team in any facility from which residents are to be transferred or discharged.

HISTORY: 1981 Ed., § 32-1440. Apr. 18, 1986, D.C. Law 6-108, § 310, 33 DCR 1510

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



11 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE 1. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.11 (2011)

§ 44-1003.11. Notice of adverse action or voluntary facility closure [Formerly § 32-1441]

(a) Whenever a facility receives written notice that its license is being restricted, suspended, revoked, or not renewed or that it is losing its Medicare or Medicaid certification, the licensee or administrator shall within 30 calendar days give written notice of this fact to the residents and employees of the facility, the residents' representatives, and the Long-Term Care Ombudsman.

(b) To the extent possible, the licensee or administrator of a facility shall give the Mayor, any resident to be transferred or discharged, the representative of any resident to be transferred or discharged, the facility's employees, and the Long-Term Care Ombudsman advance written notice of at least 90 calendar days before he or she voluntarily closes the facility or a part of the facility that, when closed, will require the transfer or discharge of more than 10% of the residents. This notice shall include the proposed date of and reasons for closing.

(c) Before all or part of a facility is voluntarily closed under subsection (b) of this section, a facility representative shall advise those residents to be transferred or discharged and their representatives of available alternative placements and shall offer to assist them in securing a placement. Until the date of closing, the facility shall fully comply with this chapter and all other applicable laws and rules.

HISTORY: 1981 Ed., § 32-1441; Apr. 18, 1986, D.C. Law 6-108, § 311, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



12 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED

Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.

All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***

*** AND ACTS 19-1 TO 19-69 ***

*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS

TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS

SUBTITLE I. HEALTH RELATED INSTITUTIONS

CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS

SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.12 (2011)

§ 44-1003.12. Exemption [Formerly § 32-1442]

This subchapter shall not apply to individual transfers, discharges, or relocations of residents who are admitted or committed under Chapter 13 of Title 7.

HISTORY: 1981 Ed., § 32-1442; Apr. 18, 1986, D.C. Law 6-108, § 312, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



13 of 13 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group
All rights reserved.

*** CURRENT THROUGH MAY 13, 2011 AND THROUGH D.C. ACTS 18-724 ***
*** AND ACTS 19-1 TO 19-69 ***
*** ANNOTATIONS CURRENT THROUGH MAY 5, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER III. DISCHARGE, TRANSFER, AND RELOCATION OF RESIDENTS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1003.13 (2011)

§ 44-1003.13. Judicial review [Formerly § 32-1443]

Any person who is aggrieved by the results of a hearing held by the Mayor pursuant to this subchapter shall have a right to judicial review in accordance with § 2-510.

HISTORY: 1981 Ed., § 32-1443; Apr. 18, 1986, D.C. Law 6-108, § 313, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



I of 5 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***
*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER IV. PRIVATE RIGHTS OF ACTION

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1004.01 (2011)

§ 44-1004.01. Injunctive relief [Formerly § 32-1451]

A resident, a resident's representative, the Long-Term Care Ombudsman, or the Attorney General for the District of Columbia may bring an action in court for a temporary restraining order, preliminary injunction, or permanent injunction to enjoin a facility from violating any provision in subchapter III of this chapter, any rule issued by the Mayor pursuant to that subchapter, or any standard or resident's right established pursuant to § 44-504(a)(3) and (4).

HISTORY: 1981 Ed., § 32-1451; Apr. 18, 1986, D.C. Law 6-108, § 401, 33 DCR 1510; Apr. 13, 2005, D.C. Law 15-354, § 67, 52 DCR 2638.

NOTES: EFFECT OF AMENDMENTS. --D.C. Law 15-354 substituted "Attorney General for the District of Columbia" for "Corporation Counsel."

LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 15-354. --See note to § 44-1002.03.



2 of 5 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***
*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER IV. PRIVATE RIGHTS OF ACTION

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1004.02 (2011)

§ 44-1004.02. Mandamus [Formerly § 32-1452]

A resident, a resident's representative, the Long-Term Care Ombudsman, or the licensee or administrator of a facility may bring an action in court for mandamus to order the Mayor or any District government agency to comply with subchapter III of this chapter, any rule issued by the Mayor pursuant to that subchapter, or any other District or federal law relevant to the operation of a facility or the care of its residents. Any person bringing an action under this section shall give the Mayor at least 5 days advance notice (excluding Saturdays, Sundays, and legal holidays) before the action is filed in court.

HISTORY: 1981 Ed., § 32-1452; Apr. 18, 1986, D.C. Law 6-108, § 402, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



3 of 5 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED

Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.

All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***

*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER IV. PRIVATE RIGHTS OF ACTION

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1004.03 (2011)

§ 44-1004.03. Civil action for damages [Formerly § 32-1453]

(a) A resident or resident's representative may bring an action in court to recover actual and punitive damages for any injury that results from a violation of subsection (b) of this section, subchapter III of this chapter, any rule issued by the Mayor pursuant to subchapter III of this chapter, or any standard or resident's right established pursuant to § 44-504(a)(3) and (4). Upon proof of a violation and subject to subsection (c) of this section, the resident shall be awarded 3 times the actual damages or \$ 100, whichever is greater, and may be awarded punitive damages of up to \$ 5,000.

(b) No owner, licensee, administrator, or employee of a facility shall take any action that adversely affects a resident's rights, privileges, or living arrangement in retaliation for that resident, his or her representative, or the Long-Term Care Ombudsman having exercised a right conferred by District or federal law, court order, or order of the Mayor. In any action brought under subsection (a) of this section alleging retaliation, there shall be a presumption, rebuttable by a showing of clear and convincing evidence, that conduct is retaliatory if an owner, licensee, administrator, or facility employee attempts to discharge, transfer, or relocate a resident within 6 months after that resident or his or her representative:

- (1) Files an action for relief under this subchapter;
- (2) Files a petition for the appointment of a receiver or monitor under subchapter II of this chapter or otherwise participates in receivership or monitor proceedings against the facility;
- (3) Exercises a right to a hearing under subchapter III of this chapter; or
- (4) Makes an oral or written complaint against the facility or its owner, licensee, administrator, or staff to an agency or official of the District government, a representative from the Long-Term Care Ombudsman program, the owner, licensee, or administrator of the facility, or an employee of the facility.

(c) The defendant in an action brought under this section may plead as an affirmative defense that he, she, or it exercised reasonable care to prevent the injury for which liability is asserted; provided, however, that the adoption of policies and procedures to effect compliance with District law shall not alone be sufficient evidence to show the exercise of reasonable care.

(d) The first \$ 3,000 of a damages award recovered by a resident in any action brought under this section shall be excluded from consideration when determining that resident's eligibility for Medicaid, the amount of assistance he or she is entitled to under Medicaid, or his or her assets that the District may subject to a lien, setoff, or other legal process for the purpose of satisfying any indebtedness created by the receipt of Medicaid or other public assistance payments.

HISTORY: 1981 Ed., § 32-1453; Apr. 18, 1986, D.C. Law 6-108, § 403, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



4 of 5 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***
*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE 1. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER IV. PRIVATE RIGHTS OF ACTION

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1004.04 (2011)

§ 44-1004.04. Court costs and attorney's fees [Formerly § 32-1454]

The court shall award costs and a reasonable attorney's fee to any plaintiff who prevails in an action brought under this chapter.

HISTORY: 1981 Ed., § 32-1454; Apr. 18, 1986, D.C. Law 6-108, § 404, 33 DCR 1510; Mar. 16, 1989, D.C. Law 7-218, § 602(e), 36 DCR 534.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.

LEGISLATIVE HISTORY OF LAW 7-218. --See note to § 44-1001.01.



5 of 5 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED

Copyright 2011 by Matthew Bender & Company, Inc.,

a member of the LexisNexis Group.

All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***

*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS

TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS

SUBTITLE I. HEALTH RELATED INSTITUTIONS

CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS

SUBCHAPTER IV. PRIVATE RIGHTS OF ACTION

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1004.05 (2011)

§ 44-1004.05. Rights independent and nonwaivable [Formerly § 32-1455]

(a) Whenever the grounds for a resident's discharge, transfer, or relocation are being challenged, the remedies created by this subchapter shall not be available in lieu of those established by subchapter III of this chapter. In all other cases, a person authorized to bring an action under this subchapter may do so notwithstanding the availability of other remedies, and prior exhaustion of administrative remedies shall not be required.

(b) Any purported waiver of a person's right to bring an action under this subchapter shall be void.

HISTORY: 1981 Ed., § 32-1455; Apr. 18, 1986, D.C. Law 6-108, § 405, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



2 of 3 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED

Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.

All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***

*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER V. MISCELLANEOUS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1005.01 (2011)

§ 44-1005.01. Rules [Formerly § 32-1461]

The Mayor may issue rules, pursuant to subchapter 1 of Chapter 5 of Title 2, to carry out the purposes of this chapter.

HISTORY: 1981 Ed., § 32-1461; Apr. 18, 1986, D.C. Law 6-108, § 501, 33 DCR 1510.

NOTES: LEGISLATIVE HISTORY OF LAW 6-108. --See note to § 44-1001.01.



3 of 3 DOCUMENTS

LEXIS DISTRICT OF COLUMBIA CODE ANNOTATED
Copyright 2011 by Matthew Bender & Company, Inc.,
a member of the LexisNexis Group.
All rights reserved.

*** CURRENT THROUGH JULY 11, 2011 AND THROUGH D.C. ACT 19-97 ***
*** ANNOTATIONS CURRENT THROUGH JUNE 16, 2011 ***

DIVISION VIII. GENERAL LAWS
TITLE 44. CHARITABLE AND CURATIVE INSTITUTIONS
SUBTITLE I. HEALTH RELATED INSTITUTIONS
CHAPTER 10. NURSING HOMES AND COMMUNITY RESIDENCE FACILITIES PROTECTIONS
SUBCHAPTER V. MISCELLANEOUS

GO TO DISTRICT OF COLUMBIA CODE ARCHIVE DIRECTORY

D.C. Code § 44-1005.02 (2011)

§ 44-1005.02. Privatization contracts, leases, provider agreements, and procedures requirements [Repealed] [Formerly § 32-1462]

Repealed.

HISTORY: 1981 Ed., § 32-1462; D.C. Law 6-108, § 501a, as added Mar. 19, 1994, D.C. Law 10-79, § 3, 40 DCR 8696; Mar. 5, 1996, D.C. Law 11-98, § 502, 43 DCR 5.

NOTES: LEGISLATIVE HISTORY OF LAW 11-78. --Law 11-78, the "Budget Support Temporary Act of 1995," was introduced in Council and assigned Bill No. 11-421. The Bill was adopted on first and second readings on July 29, 1995, and Oct. 10, 1995, respectively. Signed by the Mayor on Oct. 31, 1995, it was assigned Act No. 11-150 and transmitted to both Houses of Congress for its review. D.C. Law 11-78 became effective on Jan. 26, 1996.

LEGISLATIVE HISTORY OF LAW 11-98. --Law 11-98, the "Budget Support Act of 1995," was introduced in Council and assigned Bill No. 11-440. The Bill was adopted on first and second readings on Nov. 7, 1995, and Dec. 5, 1995, respectively. Signed by the Mayor on Dec. 26, 1995, it was assigned Act No. 11-181 and transmitted to both Houses of Congress for its review. D.C. Law 11-98 became effective on Mar. 5, 1996.