

# MSDC Bills of Note, 22<sup>nd</sup> Council Session

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Below are the bills MSDC was watching in 2017-2018 that **were not** supported and passed into law. They are organized by category, which links to each section below:

[Access to Care](#)

[Medical License Issues](#)

[Opioid/Drug Policy](#)

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## Access to Care

### **B22-1018:** [Clarification of Hospital Closure Procedure Emergency Act of 2018](#)

**BILL SUMMARY:** As introduced, the bill would permit the State Health Planning and Development Agency to approve or disapprove the closure or termination of services of any health care facility.

**MSDC ACTION:** MSDC monitored this legislation for its impact on DC physicians

**STATUS:** The emergency version of this bill was signed into law by the mayor this fall. Permanent legislation is being considered.

### **B22-0657:** [School Sunscreen Safety Amendment Act of 2018](#)

**BILL SUMMARY:** As introduced, to amend the Student Access to Treatment Act of 2007 to permit students to possess and self-administer sunscreen while at school, traveling to school, or on a school-related trip without a medication action plan, to train employees and agents of a school to administer sunscreen, to permit trained employees and agents of a school to administer sunscreen to students .

**MSDC ACTION:** MSDC wrote a letter supporting the bill and urging a Public Hearing.

**STATUS:** A Public Hearing was not scheduled.

**B22-0959: [East End Health Equity Act of 2018](#)**

**BILL SUMMARY:** As introduced, the bill helps expedite the process of building a new hospital run by GW on the St. Elizabeth's campus.

**Status:** The Council passed an amended version of this legislation on the final legislative day. See the final version of the legislation [here](#). There will be additional legislation in the next session to finalize the deal with George Washington Hospital/UHS

**B22-0207: [East End Food Justice Amendment Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill requires the Department of Health Care Finance to establish a new capital project, the East End Medical Center (to be constructed on the Saint Elizabeths East Campus), and provides for its funding, operation, and maintenance. The bill also establishes a special fund, the East End Medical Center Fund and program, the East End Grocery and Retail Incentive Program. The fund shall be administered by the Department of Health Care Finance.

**STATUS:** The bill was referred to the Committees on Health and Committee on Business and Economic Development. The Council held a [Public Hearing](#) on May 19, 2017. In June 2017, D.C. Council's six-year capital spending plan [allocated funding](#) toward a proposal to build a medical center in the East End. The bill was marked up and the [Committee Report](#) was filed. The bill was amended and passed on the final legislative day of the Council session; see the final Committee report [here](#).

**B22-0558: [Community Health Investment Amendment Act of 2017](#)**

**BILL SUMMARY:** As introduced, this bill requires health care facilities to add community benefits - health improvement services and benefits that are provided without charge - as a prerequisite to obtaining or maintaining a certificate of need. The community benefits must be made specifically available to District residents.

**STATUS:** The bill received a [Public Hearing](#) on July 11, 2018 and was marked-up by the Committee on Health November 28. The bill passed the Council with an amendment by CM Gray on the final legislative day.

**B22-0689: [Omnibus Assisted Living Residence Improvement and Quality Long Term Care Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill establishes standards for Department of Health inspection of resident files and resident agreements. It establishes the right to civil action against an Assisted Living Residence (ALR) for violations. It requires an ALR to develop policies for daily operations, treatment plans, grievances and emergencies. It requires certain staff to resident ratios. It sets standards for transfer and discharge of residents and establishes a resident's absolute right to reside in and have access to one's living unit at all times.

**STATUS:** A [Public Hearing](#) was held on June 22, 2018. See [video](#).

**B22-0690: [Study of Long-Term Care Services and Supports Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill requires the Department of Health to conduct a study to evaluate availability of affordable long-term care facilities, services and supports for residents of the District of Columbia. Among other things the study will provide a projection of the number of DC residents who will require facility-based and home and community-based long-term care services over the next 10 years and provide any recommendations deemed appropriate for the development of needed service capacity.

**STATUS:** A [Public Hearing](#) was held on June 22, 2018. See [video](#).

**B22-0807: [The Medical Necessity Review Criteria Amendment Act of 2018](#)**

See the [Bill Introduction](#) for more information.

**STATUS:** A [Public Hearing](#) was held on June 22, 2018. See [video](#).



## Medical Licensure Issues

**B22-1017: [Student Loan Authority Establishment Act of 2018](#)**

**BILL SUMMARY:** As introduced, the bill would provide a new DC agency the authority to refinance and provide new student loans to DC students and residents.

**MSDC ACTION:** MSDC is monitoring for potential support based on the applicability of the program to DC medical students.

**STATUS:** The bill was introduced by CM Silverman on October 16, 2018. It was referred to the Committees on Education and Finance & Revenue.

**B22-366: [Health Care Reporting Amendment Act of 2017](#)**

**BILL SUMMARY:** This bill requires an employer of a health professional to submit a written report, within 10 days, of any action taken against a health professional due to incompetence, mental or physical impairment, and unprofessional, illegal or unethical conduct. It also requires health professionals to report disciplinary action taken against them in another state and any malpractice

suits filed against them.

**STATUS:** The bill was introduced by Chairman Mendelson at the request of the Mayor on June 26, 2017. The bill was referred to the Committee on Health and a Public Hearing took place on October 25, 2017.

**B22-0688: [The Athletic Trainers Clarification Amendment Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill allows athletic trainers to diagnose physical disabilities and to rehabilitate injuries resulting from concussions. It expands the scope of injuries that can be treated by athletic trainers and expands available methods of treatment. It increases the membership of the Board of Physical Therapy from 7 to 10. It allows the Mayor to waive requirements regarding the education of audiology and speech language pathology and licensure for one year for those with 5 years of school-based speech language pathology experience.

**STATUS:** A [Public Hearing](#) was held on June 22, 2018. See [video](#).



## Opioid/Drug Policy

**B22-458: [Opioid Overdose Prevention Act of 2017](#)**

**BILL SUMMARY** - As introduced, this bill requires the Metropolitan Police Department (MPD) to provide opioid rescue kits, for those that qualify, to prevent potential overdose deaths. The rescue kits include overdose education materials that conform to specific guidelines for overdose education that explain the signs and causes of an opioid overdose and instructions on when and how to administer life-saving rescue techniques. MPD is required to train qualified personnel and allow for voluntary surrender of opiates and drug paraphernalia at MPD stations.

**STATUS:** A [Public Hearing](#) took place on December 12, 2017.

**B22-459: [Opioid Abuse Treatment Act of 2017](#)**

**BILL SUMMARY** - As introduced, this bill requires health plans to transmit a list of the contact information of all in network providers that treat opiate use disorders. It requires the Department of Health Care Finance to determine the feasibility of expanding opioid use disorder medications offerings in methadone clinics and on appropriate reimbursement rates for treatment. It requires training for certain opioid prescribers. It requires continued treatment upon an addicted inmate

entering a Department of Corrections facility. It creates a fatality review team at the Department of Behavioral Health to review overdose deaths. It requires hospital's to establish discharge protocols for individuals identified as having a substance abuse disorder.

**STATUS:** A [Public Hearing](#) was held on December 12, 2017. The bill, while under Council Review, underwent a number of changes. The final version was passed on the final Council day.

**B22-0583: [Opioid Abuse Prevention Amendment Act of 2017](#)**

**BILL SUMMARY** - As introduced, this bill limits initial prescription of opiates for acute conditions to seven days or less. It establishes requirements for subsequent prescription of opiates. It establishes limits to the strength of opiates that are not prescribed for acute conditions. Among other things the Mayor is required to issue rules to limit and track the dispensing of opiates prescribed out of state.

**MSDC ACTION:** MSDC recommended the Council assemble a work group or task force of clinicians, pain management specialists and addiction experts.

**STATUS:** A Public Hearing took place on February 12, 2018.



## Public Health

**B22-958: [Babies Safe at Home Act of 2018](#)**

**BILL SUMMARY:** As introduced, the bill establishes a baby-proofing home modification grant program to qualified residents to improve the safety and well-being of infants and toddlers at home.

**STATUS:** Referred to the Committee on Housing and Neighborhood Revitalization. A hearing was held December 3, 2018.

**B22-460: [Department of Health Smoking Cessation Fund Amendment Act of 2017](#)**

**BILL SUMMARY** - As introduced, this bill requires that 10% of proceeds from cigarette sales be deposited into the Smoking Cessation Fund to support initiatives to prevent the sale of tobacco products to individuals under the age of 21. It also increases the tax per cigarette.

**STATUS:** A [Public Hearing](#) took place on February 1, 2018.

**MSDC ACTION:** MSDC is a long-time advocate for smoking cessation. MSDC submitted its own [letter of support](#) and joined a coalition of health advocates in a [letter to Committee on health Chair Vincent](#)

[Gray.](#)

**B22-0480: [Vulnerable Population and Employer Protection Amendment Act of 2017](#)**

**BILL SUMMARY** - As introduced, this bill authorizes a health occupations board to discipline a health professional who has financially exploited a patient, client or employer and provides for the summary suspension or restriction of the license, registration, or certification of a professional who financially exploits another without a hearing.

**STATUS:** A [Public Hearing](#) took place on July 11, 2018.

**B22-0666: [Women, Infants, and Children Program Expansion Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill prohibits the Mayor from placing restrictions on the square footage, number of cashiers, or organic products for vendors of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) beyond what is required by federal law. Among other things it requires the Department of Health to convene a WIC Outreach Advisory Board to provide guidance on how to increase WIC participation

**STATUS:** The bill received a [Public Hearing](#) on July 11, 2018

**B22-0687: [Adverse Childhood Experiences Task Force Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill establishes an Adverse Childhood Experiences Task Force to study policies and practices in pediatric settings designed to mitigate conditions arising from toxic stressors and adverse childhood experiences.

**STATUS:** The bill received a [Public Hearing](#) on July 11, 2018



## Scope of Practice

**B22-333: [Advanced Practice Registered Nurse Signature Authority Amendment Act of 2017](#)**

**BILL SUMMARY:** As introduced, this bill enables advanced practice registered nurses to sign, certify, stamp, or endorse all documents related to healthcare within their scope of practice.

**STATUS:** The bill was passed and transmitted to the mayor on December 11, 2017, which she signed. Law L22-0060 went into effect in February 2018

**B22-0744: [Optometry Practice Amendment Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill permits optometrists to prescribe certain analgesics included in Schedule II through V controlled substances for the treatment of diseases of the human eye and its adjacent structures. Optometrists are no longer required to consult with a medical provider prior to treating glaucoma.

**MSDC ACTION:** [MSDC opposes the bill.](#)

**STATUS:** The bill received a [Public Hearing](#) on July 11, 2018, and the Medical Society submitted a [letter of opposition](#) for the public record.



## Women's Health / Maternal Health

### **B22-960: [Breast Density Screening and Notification Act of 2018](#)**

**BILL SUMMARY:** As introduced, the bill requires health care facilities to notify patients of mammogram results tending to show high breast density with explanatory language, and requiring insurers to cover certain health-care services without cost-sharing.

**MSDC Position:** MSDC has [submitted comments](#) with recommendations to improve the legislation, while supporting the intent of the bill.

**STATUS :** The Committee on Health reported the bill from committee (see report [here](#)) and the Council passed the legislation without MSDC's suggested changes on December 4.

### **B22-784: [Certified Professional Midwife Act of 2018](#)**

**BILL SUMMARY:** As introduced, this bill establishes the Board of Certified Midwives to regulate the practice of midwifery in the District of Columbia. It establishes qualifications necessary to obtain a license to practice midwifery. It also permits Certified Professional Midwives to supervise services at a Maternity birthing center. Among other things it requires every maternity center to have written Practice Guidelines establishing procedures for both normal and emergency care.

**STATUS:** The bill received a [Public Hearing](#) on June 22, 2018. See the [video](#).