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A BILL
22-959

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Health Services Planning Program Re-Establishment Act of 1996 to exempt certain projects from the certificate of need process required of all persons proposing to offer or develop in the District a new institutional health service, subject to the execution of a contract between the District and District Hospital Partners, L.P., with certain enumerated contractual requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “East End Health Equity Amendment Act of 2018”.

Sec. 2. Section 8 of the Health Services Planning Program Re-Establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (13) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (14) is amended by striking the period and inserting the phrase “; and” in its place.

(3) New paragraphs (15), (16), and (17) are added to read as follows:

27 “(15) The acquisition of equipment for, and the construction of a hospital by the
28 District on the St. Elizabeths Hospital Campus with 150 licensed beds and sufficient shell space
29 to expand to 200 licensed beds (“East End Hospital”), which shall be operated by George
30 Washington University Hospital (“GWU Hospital”);

31 “(16) The acquisition of equipment for, and the construction and operation by
32 GWU Hospital of a new bed tower on or adjacent to the existing GWU Hospital campus, which
33 shall increase the licensed bed capacity of GWU Hospital by 270 beds; provided, that 120 days
34 prior to initiating construction of such bed tower, GWU Hospital shall make publically available
35 and submit to SHPDA and the Council a comprehensive list of all new institutional health
36 services to be provided in such bed tower.

37 “(17) The acquisition of equipment for, and the construction and operation of
38 health care facilities, including urgent care and ambulatory care facilities, in Wards 7 and 8 by
39 GWU Hospital to support the East End Hospital.”.

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

41 “(i)(1) The provisions of subsection (b)(15)-(17) of this section
42 shall apply upon the execution of a mutually agreed upon contract between District Hospital
43 Partners, L.P., and the District that includes, without limitation, requirements to:

44 “(A) Increase the minimum number of licensed beds for the East End
45 Hospital from 106-125 beds to 150 licensed beds;

46 “(B) Integrate the East End Hospital into the GWU Hospital system;

47 “(C) Design and construct the East End Hospital with sufficient shell
48 space to preserve the ability to increase the size of the facility by an additional 50 licensed beds
49 while the facility continues to operate;

50 “(D) Construct the East End Hospital through a Project Labor Agreement;

51 “(E) Maintain District ownership of the land upon which the East End
52 Hospital is constructed;

53 “(F) Maintain District ownership of the East End Hospital; provided, that
54 the parties may authorize District Hospital Partners, L.P., to purchase the East End Hospital; and

55 “(G) Provide a detailed workforce development plan between the District
56 and District Hospital Partners, L.P., that includes strategies to:

57 “(i) Prepare qualified District residents for employment at the East
58 End Hospital;

59 “(ii) Train District residents for employment at the East End
60 Hospital; and

61 “(iii) Provide preference in hiring for employment at the East End
62 Hospital to:

63 “(I) Qualified employees of United Medical Center who
64 meet the minimum standards for employment established by GWU Hospital; and

65 “(II) District residents, with a particular emphasis on the
66 residents of Wards 7 and 8.

67 “(2) The activities described in subsection (b)(15)-(17) of this section may be
68 pursued simultaneously by District Hospital Partners, L.P.; provided, that no licensed bed
69 expansion authorized pursuant to subsection (b)(16) of this section shall take place prior to the
70 expansion of the East End Hospital from 150 licensed beds to 200 licensed beds.”.

71 Sec. 3. Applicability.

72 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved
73 budget and financial plan.

74 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in
75 an approved budget and financial plan, and provide notice to the Budget Director of the Council
76 of the certification.

77 (c)(1) The Budget Director shall cause the notice of the certification to be published in
78 the District of Columbia Register.

79 (2) The date of publication of the notice of the certification shall not affect the
80 applicability of this act.

81 Sec. 4. Fiscal impact statement.

82 The Council adopts the fiscal impact statement in the committee report as the fiscal
83 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
84 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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87 Sec. 5. Effective date.

88 The act shall take effect following approval by the Mayor (or in the event of veto by the
89 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
90 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
91 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
92 Columbia Register.