

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on a temporary basis, the Department of Mental Health Establishment Amendment Act of 2001 to authorize the Department of Mental Health to enter into a long-term ground lease with Greater Southeast Community Hospital to construct a building, at the District's cost, not to exceed \$3.7 million, to house the Comprehensive Psychiatric Emergency Program on a site located on the campus of Greater Southeast Community Hospital; and the Health Services Planning Program Re-establishment Act of 1996 to exempt the Department of Mental Health's Comprehensive Psychiatric Emergency Program and community-based mental health service providers certified by the Department of Mental Health from the certificate of need requirements of section 8 of the Health Services Planning Program Re-establishment Act of 1996.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Temporary Act of 2006".

Sec. 2. The Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 7-1131.02) is amended as follows:

Note,
§ 7-1131.02

(1) A new paragraph (4A) is added to read as follows:

"(4A) "Comprehensive psychiatric emergency program" or "CPEP" means a 24-hour program providing acute psychiatric and medical screening for individuals experiencing a psychiatric crisis, crisis intervention services, including the de-escalation of an individual or situation, psychiatric stabilization, hospital pre-screening and mental status evaluation, a determination of appropriate treatment services, and coordination of the follow through of those services and referral linkages as well as observation for up to 72 hours, intensive medication and psychotherapeutic treatment in an effort to provide the most appropriate, least restrictive services, avoiding, when possible, costly hospitalization."

(2) A new paragraph (10A) is added to read as follows:

"(10A) "Extended observation unit" means a unit operated adjacent to or in conjunction with crisis emergency services, designed to provide, for a period up to 72 hours, a safe environment for an individual who, in the opinion of the examining physicians, requires extensive evaluation, assessment, or stabilization of his or her acute psychiatric symptoms."

(b) Section 104 (D.C. Official Code § 7-1131.04) is amended as follows:

Note,
§ 7-1131.04

(1) Paragraph (16) is amended by striking the word "and" at the end.

(2) Paragraph (17) is amended by striking the phrase “this section.” and inserting the phrase “this section;” in its place.

(3) New paragraphs (18) and (19) are added to read as follows:

“(18) Arrange for, or if necessary directly operate, a comprehensive psychiatric emergency program for adults, including an extended observation unit for adults in need of mental health services and mental health supports; and

“(19) Enter into a long-term ground lease (“Lease”) with Greater Southeast Community Hospital for the purposes of having Greater Southeast Community Hospital construct a building to house CPEP on a site on the campus of Greater Southeast Community Hospital, in accordance with plans and specifications approved by the Department. The building shall be owned by the District and used by the District for purposes of operating CPEP, including the extended observation unit and related psychiatric emergency services. The Lease shall include the following terms and conditions:

“(A) Have a term of not less than 45 years;

“(B) Provide for an annual rent of \$1.00;

“(C) Provide that the District shall pay Greater Southeast Community Hospital for the cost of construction of the building to house CPEP; which cost shall not exceed \$3.7 million;

“(D) Provide that the cost of construction shall be paid by the District in stages related to the progress of construction of the building, as determined by the Director to be in the best interests of the District;

“(E) Provide that the commencement of the Lease be subject to the condition that the mortgagees of the Greater Southeast Community Hospital campus grant a non-disturbance agreement to the District in a form and substance satisfactory to the District; and

“(F) Such other terms and conditions that the Director determines are in the best interests of the District. ”.

Sec. 3. The Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 44-401) is amended as follows:

(1) New paragraphs (3B) and (3C) are added to read as follows:

“(3B) “Community-based mental health services providers” means organizations licensed or certified by the Department of Mental Health to provide community-based mental health services in accordance with the requirements of sections 113 and 114 of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56, D.C. Official Code §§ 7-1131.13 and 7-1131.14);

“(3C) “Comprehensive Psychiatric Evaluation Program” or “CPEP” means the observation, evaluation, and emergency treatment services operated by the Department of Mental Health in accordance with the requirements of section 104 (7) of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56, D.C. Official Code § 7-1131.04(7));”.

(2) Paragraph (10) is amended as follows:

(A) Strike the phrase “treatment, or a health” and insert the phrase “treatment, a health” in its place.

(B) Strike the period at the end and insert the phrase “community-based mental health services providers, CPEP, and services directly operated by the Department of

Note,
§ 44-401

Mental Health.” in its place.

(3) Paragraph (12) is amended as follows:

(A) Strike the phrase “inpatient mental health services,”.

(B) Strike the phrase “HMOs, and” and insert the phrase “HMOs,” in its place.

(C) Strike the phrase “group practice.” and insert the phrase “group practice, and community-based mental health services providers, CPEP, and services directly operated by the Department of Mental Health.” in its place.

(b) Section 8 (D.C. Official Code § 44-407) is amended as follows:

Note,
§ 44-407

(1) Subsection (b) is amended by adding a new paragraph (14) to read as follows:

“(14) Community-based mental health services providers, CPEP, and services directly operated by the Department of Mental Health.”.

(2) Subsection (d) is amended to read as follows:

“(d) Community-based mental health services providers, CPEP, and the Department of Mental Health are exempt from certificate of need requirements.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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.

(a) 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 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia