

COUNCIL OF THE DISTRICT OF COLUMBIA

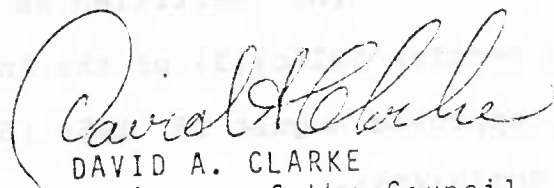
NOTICE

D.C. LAW 6-112

"Free Clinic Assistance Program Temporary Act of 1986".

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. 6-382 on first and second readings, February 11, 1986, and February 25, 1986, respectively. Following the signature of the Mayor on March 11, 1986, this legislation was assigned Act No. 6-142, published in the March 21, 1986, edition of the D.C. Register, (Vol. 33 page 1748) and transmitted to Congress on March 13, 1986 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 6-112, effective May 3, 1986.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

March	13,14,17,18,19,20,21,24,25,26,27
April	8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1,2

DEFECTIVE  
MAY 03 1986

AN ACT

D.C. ACT 6 - 142

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAR 11 1986

To establish, on a temporary basis, a Free Clinic Assistance Program and to extend District government liability to free clinics and volunteer service providers at free clinics who participate in this program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Free Clinic Assistance Program Temporary Act of 1986".

Sec. 2.(a) For purposes of this section, the term:

(1) "Free clinic" means a clinic or health service:

New,  
D.C. Code,  
1-308.1  
Note, D.C.  
sec. 1-306  
(1987 supp

(A) Certified as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. sec. 501(c)(3));

(B) In operation in the District of Columbia on January 1, 1986;

(C) That does not require payment for medical, rehabilitative, and social services except:

(i) For rehabilitative programs in

which payment by the patient is an important component of the patient's rehabilitation; or

(ii) To cover the cost of laboratory tests and vaccines;

(D) That does not provide intrapartum care, high-risk emergency care, high-risk prenatal care, or care requiring the use of any anesthesia other than local anesthesia;

(E) At which all service providers must undergo a training program and, in the provision of medical, rehabilitative, and social services, be or be supervised by:

(i) A physician licensed by the District of Columbia;

(ii) A registered nurse licensed by the District of Columbia; or

(iii) A psychologist or social worker licensed by the District of Columbia; and

(F) At which the laboratory, if any, is licensed by the District of Columbia.

(2) "Volunteer service provider" means any physician, registered nurse, psychologist, or social worker licensed in the District of Columbia or any person under the supervision of a physician, registered nurse, psychologist, or social worker licensed in the District of Columbia:

(A) Who provides medical, rehabilitative, or

social services or related administrative services;

- (B) At a free clinic;
- (C) To a patient of the free clinic;
- (D) By his or her own free choice; and
- (E) Without payment by the District of

Columbia to that volunteer service provider for the services rendered.

(b) There is established a Free Clinic Assistance Program in the District of Columbia to assist free clinics in the provision of medical, rehabilitative, and social services, free of charge, by volunteer service providers to serve the interests of the community. A free clinic and the volunteer service providers at a free clinic may be eligible to participate in this program by providing proof to the Mayor of the District of Columbia ("Mayor") that the medical liability insurance of the free clinic will be terminated within 5 business days and that the free clinic has made reasonable efforts to obtain new or renewal medical insurance liability coverage, but has been unable to obtain this coverage.

(c) The Free Clinic Assistance Program established by this section shall be under the administrative control of the Mayor.

(d) The Mayor is directed to promulgate regulations governing the use of free clinics and volunteer service

providers in the Free Clinic Assistance Program, and shall do so according to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.).

(e) Prior to engaging in the performance of voluntary services for the District of Columbia as part of the Free Clinic Assistance Program, each free clinic and volunteer service provider shall be required to sign a statement that acknowledges the following:

(1) That the free clinic or volunteer service provider has been informed of the nature and scope of the voluntary services to be performed;

(2) That the free clinic or volunteer service provider has been informed of and understands all of the provisions of this act and any regulations issued pursuant to this act; and

(3) That the free clinic or volunteer service provider agrees to perform voluntary services under the terms and conditions set forth in this act and any regulations issued pursuant to this act.

(f) The Mayor may accept the services of a free clinic or volunteer service provider prior to the promulgation of regulations pursuant to subsection (d) of this section.

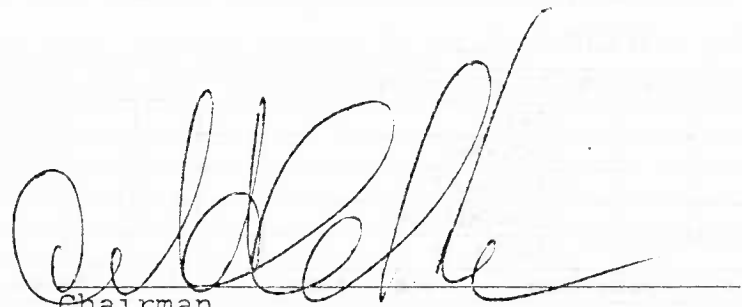
(g) The District shall be liable to third parties for tortious injury caused by free clinics and volunteer service

providers whose services are accepted by the Mayor pursuant to this act. All free clinics and volunteer service providers whose services are accepted by the Mayor pursuant to this act shall be considered employees of the District for the purposes of the District of Columbia Employee Non-Liability Act, approved July 14, 1960 (74 Stat. 519; D.C. Code, sec. 1-1211 et seq.), but shall not be considered employees of the District for purposes of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), or for any purpose other than the liability protections provided by this act.

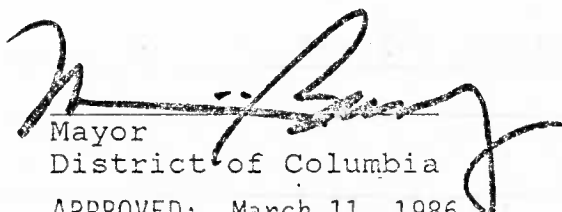
Sec. 3. (a). This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

2-11-86 10:30 AM

(b) This act shall expire on the 180th day of its having taken effect.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED: March 11, 1986



# COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Six - Second Session

## RECORD OF OFFICIAL COUNCIL VOTE

B 6-382

DOCKET NO: \_\_\_\_\_

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 2-11-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Kane

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

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. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

### CERTIFICATION RECORD

Secretary to the Council

2/27/86  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 2-25-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Shackleton

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

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. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

### CERTIFICATION RECORD

Secretary to the Council

2/27/86  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_ ( / / )

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. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

### CERTIFICATION RECORD