


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: January 28, 2020

SUBJECT: Fiscal Impact Statement – Health Care Reporting Amendment Act of 2020

REFERENCE: Committee print as provided to the Office of Revenue Analysis on January 27, 2020.

Conclusion

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

Background

The bill requires¹ a health professional² to submit notice of malpractice judgment, confidential settlement, conviction of a crime, or disciplinary action in another state to the board, commission, or authority responsible for licensing, registering, or certifying the health professional, within ten business days of the notice, settlement, or action. Similarly, the bill also requires health professional employers³ to submit information regarding a sanction imposed on an employee, within ten business days after the sanction⁴. The bill authorizes the Mayor to fine a health professional or health

¹ By amending the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501 et seq.).

² Health professionals are defined in the bill as persons licensed, registered, certified, or permitted to practice a health occupation regulated by a licensing board in the District.

³ Health professional employers are defined in the bill as entities, including private offices, which employ health professionals.

⁴ Employer sanctions include incidents resulting from unprofessional, illegal conduct, unethical conduct, professional incompetence, or a mental or physical impairment that results in the health professional being unable to perform his or her occupation in a safe and effective manner. Sanctions include: reduced, suspended, revoked, or not renewed clinical privileges; involuntarily termination or restricted staff membership; and asking a professional not to return to employment.

The Honorable Phil Mendelson

FIS: Bill 23-269. "Health Care Reporting Amendment Act of 2020" Committee print as provided to the Office of Revenue Analysis on January 27, 2020.

professional employer \$2,500 for the first incident, \$5,000 for the second incident, and \$10,000 thereafter for failing to comply with the reporting deadline.

Financial Plan Impact

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

Health professionals and employers are already required to report malpractice judgments, confidential settlements, disciplinary actions, and employer sanctions to the board, commission, or authority responsible for licensing, registering, or certifying the health professional. The bill goes one step further and establishes a reporting deadline and fines for non-compliance. The Department of Health can absorb the cost of enforcing the ten business day deadline and the cost of issuing fines. While new fines may generate a small amount revenue, we are unable to estimate how much will be collected at this time.