

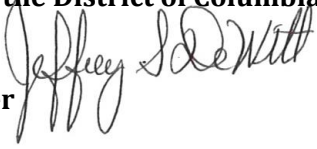
Government of the District of Columbia
Office of the Chief Financial Officer



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 17, 2018

SUBJECT: Fiscal Impact Statement –Community Residential Facilities Third-Party
Notice of Utility Disconnection Requirement Act of 2018

REFERENCE: Bill 22-353, Draft Committee Print as shared with the Office of Revenue
Analysis on January 5, 2018

Conclusion

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill.

Background

The bill requires gas, electric, and water utility providers to establish a third-party notification program whereby a customer can authorize the utility provider to send duplicate notifications of past-due bills or service termination to a designated third-party. The bill also requires certain institutions to register for the third-party notification program and to designate the District government agency that oversees or licenses that institution as a notification recipient. The institutions that must participate are community residential facilities,¹ nursing facilities,² and assisted living facilities³ that operate in the District. The institutions must notify their respective District agencies that they have enrolled in the third-party notification program and designated that agency as a recipient of notices.

¹ As defined in 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(4)).

² Nursing facilities are 24-hour institutions (or substantially 24-hour) that are primarily engaged in providing nursing care and services to residents, rehabilitation services, or meets other requirements outlined in the bill.

³ As defined in the Assisted Living Residence Regulatory Act of 2000, effective June 24, 2000 (D.C. Law 13-127; D.C. Official Code § 44-102.01(4)).

The Honorable Phil Mendelson

FIS: Bill 22-353, "Community Residential Facilities Third-Party Notice of Utility Disconnection Requirement Act of 2018," Draft Committee Print sent to the Office of Revenue Analysis on January 5, 2018

When a District agency receives a notice of a past-due bill or service termination, the agency should immediately submit a copy to the District's long-term care ombudsman.⁴ Neither the District agency, nor the ombudsman are responsible for paying any past-due amounts nor do they have any authority to prevent the service termination.

Financial Plan Impact

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill. The utility providers have established third-party notification programs and the onus is on the institutions to ensure they enroll in the program and designate their respective District oversight or licensing agencies as recipients of past-due and service termination notifications. There are approximately 150 institutions that would be required to participate in this program⁵ and five District agencies that oversee these institutions will receive the duplicate notifications.

⁴ District of Columbia Long-Term Care Ombudsman Program Act of 1988, effective March 16, 1989 (D.C. Law 7-218; D.C. Official Code § 7-702.02(a)).

⁵ According to testimony at the hearing held on October 2, 2017.