

## **3900 GENERAL PROVISIONS**

- 3900.1 These rules are implemented pursuant to and in accordance with the Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 (hereinafter "the Act"), effective February 24, 1984, D.C. Law 5-48, D.C. Official Code §§ 44-501(b) and 44-504(a).
- 3900.2 Each home care agency serving one or more patients in the District of Columbia shall be licensed, and shall comply with the requirements set forth in this Chapter and with those set forth in Chapter 31 of Title 22 of the District of Columbia Municipal Regulations (DCMR), which contains provisions on inspections, licensing and enforcement actions pertaining to home care agencies and other facilities authorized under the Act. Each home care agency serving one or more patients in the District of Columbia under the auspices of the Medicare Program or the D.C. Medicaid Program shall also comply with all applicable requirements and conditions of participation of that program.
- 3900.3 Each home care agency serving one or more patients in the District of Columbia and having an office within the District of Columbia on the effective date of this Chapter shall apply for licensure no later than one hundred eighty (180) days after the effective date of this Chapter. Each home care agency serving one or more patients in the District of Columbia but not having an office within the District of Columbia on the effective date of this Chapter shall apply for licensure no later than one (1) year after the effective date of this Chapter.
- 3900.4 A licensed home care agency shall provide at least one of the following services:
- (a) Skilled nursing;
  - (b) Physical therapy;
  - (c) Occupational therapy;
  - (d) Speech language pathology;
  - (e) Intravenous therapy;
  - (f) Medical social services; or
  - (g) Home health aide or personal care aide services.
- 3900.5 Each home care agency serving one or more patients in the District of Columbia shall maintain an operating office within the District of Columbia. This office shall be staffed, at a minimum, eight hours per day, Monday through Friday.
- 3900.6 The operating office located within the District of Columbia shall contain, at a minimum, the patient records for all patients served within the District of Columbia and the agency's policies and procedures developed pursuant to this Chapter. All records and documents required under this Chapter and other applicable laws and regulations which are not maintained within this operating office shall be produced for inspection within twenty-four (24) hours, or within a shorter reasonable time if specified, upon the request of the Department of Health.
- 3900.7 Each home care agency shall post its license in a conspicuous place within the District of Columbia operating office.
- 3900.8 Each home care agency shall comply with these regulations and with all other applicable federal and District laws and rules

SOURCE: Final Rulemaking published at 51 DCR 2876 (March 19, 2004).