

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Behavioral Health (“the Department”), pursuant to the authority set forth in Sections 5113, 5115, 5117 and 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06 and 7-1141.07 (2012 Repl. & 2016 Supp.)), hereby gives notice of her intent to adopt an amendment to Chapter 34 (Mental Health Rehabilitation Services Provider Certification Standards) of Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this proposed rule is to amend Section 3410 to eliminate the progress note that providers are currently required to complete monthly for each consumer. The requirement for the progress note was to ensure clinical oversight of the services provided to the consumer; while clinical oversight is still critical, it is now satisfied through compliance with the Department’s policy on supervision (DBH Policy #710.3B, Standards in Supervision of Community-Based Mental Health and Substance Use Disorder Treatment Services), which clarifies the regulatory requirements for supervision.

The Director gives notice of intent to take final rulemaking action to adopt the proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Chapter 34, MENTAL HEALTH REHABILITATION SERVICES PROVIDER CERTIFICATION STANDARDS of Title 22-A DCMR, MENTAL HEALTH, is amended as follows:

Subsection 3410.17 of Section 3410, MHRS PROVIDER QUALIFICATIONS - GENERAL, is amended to read as follows:

3410.17 Each provider shall comply with the Department’s policy on supervision, including requirements for the documentation of supervision.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Suzanne Fenzel, Deputy Director, Office of Strategic Planning, Policy and Evaluation, Department of Behavioral Health, at 64 New York Ave., N.E., 3rd Floor, Washington, D.C. 20002, or e-mailed to SuzanneM.Fenzel@dc.gov. Copies of the proposed rules may be obtained from dbh.dc.gov or from the Department of Behavioral Health at the address above.