

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF FINAL RULEMAKING

The Acting Director of the Department of Behavioral Health (DBH), pursuant to the authority set forth in Sections 5113, 5115, 5117, 5118 and 5119 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-0061; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06, 7-1141.07 and 7-1141.08 (2012 Repl. & 2015 Supp.)) and Sections 5041-5042 of the Fiscal Year 2015 Budget Support Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990 (October 3, 2014)), hereby gives notice of the adoption of a new Chapter 10, entitled “Fees and Trainer Expenses for Department of Behavioral Health Training Events”, to Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the fee structure is to allow the DBH Training Institute (Training Institute) to produce high quality educational events conducive to adult learning that offer opportunities for DBH stakeholders and the general public to easily access behavioral healthcare educational opportunities otherwise unavailable in the District. Generating revenue from training events will improve the quality of all Training Institute educational events, expand the training department and course offering/certifications, and offset the current cost burden incurred by DBH for high-quality expert trainers.

A Notice of Proposed Rulemaking was published on June 19, 2015 at 62 DCR 008609. DBH received one comment on the proposed rule requesting that fees only be charged when an external trainer is used for training. The Department assessed the comment and decided that training fees are needed to cover the costs not only of internal and external trainers, but also continuing education units (CEU) costs incurred at DBH trainings. There have been no substantive changes made to the proposed rule. This rule was adopted as final on August 19, 2015 and will be effective on the publication of this notice in the *D.C. Register*.

**Title 22-A DCMR, MENTAL HEALTH, is amended by adding a new Chapter 10 to read as follows:**

**CHAPTER 10 FEES AND TRAINER EXPENSES FOR THE DEPARTMENT OF BEHAVIORAL HEALTH TRAINING EVENTS**

**1000 PURPOSE**

1000.1 This chapter establishes the fee structure for the Department’s training events and the allowable expenses to be paid to external trainers.

**1001 FEES**

1001.1 The Director may charge fees for training programs provided through the Department’s Training Institute that are approved for continuing education contact hours or incur costs associated with production. The Director may waive

fees in his or her discretion for mandatory events or events for consumers and family members. Both governmental and non-governmental employees shall be subject to fees.

1001.2 In charging fees, the Director shall adhere to the following fee schedule:

Number of Contact Hours	Cost
2-4	Not to Exceed \$60.00
5-8	Not to Exceed \$120.00
10-16	Not to Exceed \$240.00
17 or more	Not to Exceed \$480.00

1001.3 The Director may charge a reasonable fee not to exceed five dollars (\$5.00) per registrant to cover the cost of any electronic enrollment and payment system.

**1002 TRAINER FEES**

1002.1 The Department shall not pay any trainer in excess of one-thousand five-hundred dollars (\$1,500.00) a day to participate in a Department-sponsored training event. The Director may in his or her discretion waive this requirement on a case by case basis when the proposed trainer is a national expert with superior qualifications and the waiver is necessary to provide the training.

**1099 DEFINITIONS**

1099.1 When used in this chapter, the following terms shall have the meaning ascribed:

**Contact Hour** – a measure of scheduled instruction or education training provided to the attendees, typically by licensed professionals, as a condition of receiving or maintaining a license, that does not include breaks or other content that does not meet the criteria set for the in the respective sponsorship authority approval guidelines.