

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 7.**  
**HUMAN HEALTH CARE AND SAFETY.**

**CHAPTER 16.**  
**AIDS HEALTH CARE.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 16. AIDS HEALTH CARE.

---

### TABLE OF CONTENTS

---

#### **Subchapter I. General.**

---

- § 7-1601. Definitions.
- § 7-1602. Comprehensive AIDS Health-Care Response Plan.
- § 7-1603. Residential health-care facility.
- § 7-1604. AIDS Program Coordination Office.
- § 7-1605. Confidentiality of medical records and information.
- § 7-1606. Rules.

#### **Subchapter II. Effi Slaughter Barry HIV/Aids Initiative.**

---

- § 7-1611. Findings.
- § 7-1612. Designation of the Effi Slaughter Barry HIV/AIDS Initiative.
- § 7-1613. Purpose.
- § 7-1614. Designation of an initiative coordinator.
- § 7-1615. Participant selection and grant award criteria.
- § 7-1616. Allocation of funding.
- § 7-1617. Effi Slaughter Barry Initiative Fund; establishment, purpose.

#### **Subchapter III. Senior HIV/Aids Education and Outreach Program.**

---

- § 7-1631. Definitions.
- § 7-1632. Senior HIV/AIDS Education and Outreach Program establishment.
- § 7-1633. Program administration.

# CHAPTER 16. AIDS HEALTH CARE.

## SUBCHAPTER I. GENERAL.

### § 7-1601. DEFINITIONS.

For the purpose of this subchapter, the term:

- (1) "AIDS" means acquired immune deficiency syndrome or any AIDS-related condition.
- (2) "Council" means the Council of the District of Columbia.
- (3) "Director" means the Director of the Department of Health, established by Reorganization Plan No. 4 of 1966, effective July 17, 1996.
- (3A) "Domestic partnership" shall have the same meaning as provided in § 32-701(4).
- (4) "Families" means persons who are related by blood, legal custody, marriage, domestic partnership, having a child in common, or who share or have shared for at least 1 year a mutual residence and who maintain or have maintained an intimate relationship rendering the application of this subchapter appropriate.
- (5) "Mayor" means the Mayor of the District of Columbia.

(June 10, 1986, D.C. Law 6-121, § 2, 33 DCR 2451; Sept. 12, 2008, D.C. Law 17-231, § 18, 55 DCR 6758; Mar. 25, 2009, D.C. Law 17-353, § 130(a), 56 DCR 1117.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 6-2801.

##### *Effect of Amendments*

D.C. Law 17-231 added par. (3A); and, in par. (4), substituted "marriage, domestic partnership," for "marriage,".

D.C. Law 17-353, in par. (3), substituted "Department of Health, established by Reorganization Plan No. 4 of 1966, effective July 17, 1996" for "Department of Human Services, established by Reorganization Plan No. 2 of 1979, approved February 21, 1980".

##### *Legislative History of Laws*

Law 6-121, the "AIDS Health-Care Response Act of 1986," was introduced in Council and assigned Bill No. 6-306, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on March 11, 1986 and March 25, 1986, respectively. Signed by the Mayor on April 15, 1986, it was assigned Act No. 6-156 and transmitted to both Houses of Congress for its review.

For Law 17-231, see notes following § 7-621.

For Law 17-353, see notes following § 7-161.

### § 7-1602. COMPREHENSIVE AIDS HEALTH-CARE RESPONSE PLAN.

(a) Within 6 months of December 30, 1985, the Mayor shall develop and present to the Council for its review and comment a comprehensive AIDS Health-Care Response Plan for the District of Columbia. The plan shall include, but not be limited to, the development of short-term and long-term goals and schemes for administrative coordination by District government agencies, educational programs, prevention methods and programs, a compilation of private sector services available to AIDS patients, medical research and information gathering, outpatient and inpatient health-care services delivery, social services delivery, exploration of the feasibility of establishing a separate compensation rate for District employees working in the health-care treatment facility or facilities contemplated in § 7-1603, housing, and identifying other general services needs.

(b) The Mayor shall update annually the comprehensive plan mandated by subsection (a) of this section. (June 10, 1986, D.C. Law 6-121, § 3, 33 DCR 2451.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 6-2802.

*Legislative History of Laws*

For legislative history of D.C. Law 6-121, see Historical and Statutory Notes following § 7-1601.

*Miscellaneous Notes*

Mayor authorized to make AIDS grants: Section 2 of D.C. Law 10-165 provided that the Mayor shall have the authority to make grants, with appropriated funding, for HIV/AIDS related services pursuant to the regulations contained in Chapter 80 of Title 22 of the District of Columbia Municipal Regulations governing the administration of public health grants by the Department of Human Services.

Establishment and Appointments--Mayor's Advisory Committee on HIV/AIDS, see Mayor's Order 2003-31, March 12, 2003 (50 DCR 2386).

### **§ 7-1603. RESIDENTIAL HEALTH-CARE FACILITY.**

(a) In preparing the comprehensive plan mandated in § 7-1602, the Mayor shall investigate the need for a residential health-care facility or facilities which shall provide a program of medical, nursing, counseling, palliative, social, recreational, and supportive services to AIDS patients and their families.

(b) If, following an investigation, the Mayor identifies a need for a residential health-care facility or facilities in the District of Columbia, the Mayor shall establish the facility or facilities.

(c) In order to establish the facility or facilities, the Mayor may acquire, by purchase, rehabilitation, condemnation, rental, or otherwise, a building or buildings suitable for use as a residential health-care facility or facilities, including furniture, medical equipment, and other necessary accessories.

(d) The Mayor may enter into contractual arrangements with any agency or organization qualified to provide the services enumerated in subsection (a) of this section.

(June 10, 1986, D.C. Law 6-121, § 4, 33 DCR 2451.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 6-2803.

*Legislative History of Laws*

For legislative history of D.C. Law 6-121, see Historical and Statutory Notes following § 7-1601.

### **§ 7-1604. AIDS PROGRAM COORDINATION OFFICE.**

(a) The Mayor shall establish, within the Department of Health, an AIDS Program Coordination Office.

(b) The AIDS Program Coordination Office shall be supervised by the AIDS Program Coordination Officer who shall, at the direction of the Director of the Department of Health, be responsible for the coordination of and serving as the point of contact for the District of Columbia's comprehensive AIDS Health-Care Response Plan established by § 7-1602.

(c) The AIDS Program Coordination Officer shall:

(1) Analyze medical data, reports, and information to determine the effectiveness with which the AIDS program is meeting the needs of the residents of the District of Columbia;

(2) Coordinate and assist in the development of grant proposals to obtain funds from both the federal government and the private sector for AIDS and AIDS-related activities;

(3) Develop and coordinate, with other agencies of the District government, a program of health-care services delivery and other supportive services for persons with AIDS living at home;

(4) Disseminate information on AIDS to the public;

(5) Assist officials from the federal government, community groups, nursing homes, hospitals, and others in the coordination of AIDS plans, programs, and services delivery for persons with AIDS living in the District of Columbia;

(6) Serve as the liaison officer for the District's AIDS program to other District government agencies and monitor their compliance with the District's comprehensive AIDS program;

(7) Conduct community outreach and education programs; and

(8) Perform other duties appropriate to accomplish the objectives of this subchapter.

(June 10, 1986, D.C. Law 6-121, § 5, 33 DCR 2451; Mar. 2, 2007, D.C. Law 16-191, § 7, 53 DCR 6794; Mar. 25, 2009, D.C. Law 17-353, § 130(b), 56 DCR 1117.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 6-2804.

*Effect of Amendments*

D.C. Law 16-191 substituted "Health" for "Human Services".

D.C. Law 17-353 validated a previously made technical correction in subsec. (a).

*Legislative History of Laws*

For legislative history of D.C. Law 6-121, see Historical and Statutory Notes following § 7-1601.

For Law 16-191, see notes following § 7-103.

For Law 17-353, see notes following § 7-161.

## **§ 7-1605. CONFIDENTIALITY OF MEDICAL RECORDS AND INFORMATION.**

Except as provided in paragraph (2) of this section, the Director shall use the records incident to a case of HIV infection or AIDS reported under this subchapter for statistical and public-health purposes only.

Identifying information contained in these records shall be disclosed only when essential to safeguard the physical health of others. No person shall otherwise disclose identifying information derived from these records unless:

(1) The person about whom the record pertains gives his or her prior written permission; or

(2) A court finds, upon clear and convincing evidence, after having granted the person reported an opportunity to contest the disclosure, that disclosure:

(A) Is essential to safeguard the physical health of others; or

(B) Would provide evidence probative of guilt or innocence in a criminal prosecution.

(June 10, 1986, D.C. Law 6-121, § 6, 33 DCR 2451; Dec. 4, 2010, D.C. Law 18-273, § 206, 57 DCR 7171.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 6-2805.

*Effect of Amendments*

D.C. Law 18-273 rewrote the section, which had read as follows:

"The provisions of the Preventive Health Services Amendments Act of 1985 (D.C. Law 6-83), pertaining to the confidentiality of medical records and information on persons with AIDS, shall be applicable to this chapter."

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 206 of Data-Sharing and Information Coordination Emergency Amendment Act of 2010 (D.C. Act 18-530, August 6, 2010, 57 DCR 8099).

For temporary (90 day) amendment of section, see § 206 of Data-Sharing and Information Coordination Congressional Review Emergency Amendment Act of 2010 (D.C. Act 18-582, October 20, 2010, 57 DCR 10118).

*Legislative History of Laws*

For legislative history of D.C. Law 6-121, see Historical and Statutory Notes following § 7-1601.

For Law 18-273, see notes following § 7-131.

*Delegation of Authority*

Delegation of authority pursuant to Law 6-121, see Mayor's Order 86-171, September 30, 1986.

Delegation of authority pursuant to D.C. Law 6-121, the "AIDS Health-Care Response Act of 1986", see Mayor's Order 2000-55, March 29, 2000 (47 DCR 4735).

## **§ 7-1606. RULES.**

The Mayor may issue rules necessary to implement this subchapter pursuant to subchapter I of Chapter 5 of Title 2.

(June 10, 1986, D.C. Law 6-121, § 7, 33 DCR 2451.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 6-2806.

#### *Emergency Act Amendments*

For temporary addition of chapter, see § 2-4 of the HIV Testing of Certain Criminal Offenders Emergency Act of 1992 (D.C. Act 9-318, November 24, 1992, 39 DCR 9016).

#### *Legislative History of Laws*

For legislative history of D.C. Law 6-121, see Historical and Statutory Notes following § 7-1601.

## **SUBCHAPTER II. EFFI SLAUGHTER BARRY HIV/AIDS INITIATIVE.**

### **§ 7-1611. FINDINGS.**

The Council finds that:

- (1) Effi Slaughter Barry, a former First Lady of the District of Columbia, was among the first public figures in the District to focus attention on the growing health problem of HIV/AIDS;
- (2) Effi Slaughter Barry, a trained and experienced health professional, was a champion of HIV/AIDS prevention and wellness and was particularly concerned with the dearth of services East of the River;
- (3) At the time of her death, September 6, 2007, Effi Slaughter Barry, was Director of Special Projects in the Office of the Director of the Department of Health, providing direct leadership to the East of the River HIV/AIDS Initiative; and
- (4) In light of Effi Slaughter Barry's commitment to health and, in particular, to helping residents of the District of Columbia combat HIV/AIDS, it is fitting that the East of the River HIV/AIDS Capacity Building Initiative should be known as the Effi Slaughter Barry HIV/AIDS Initiative.

(Mar. 20, 2008, D.C. Law 17-117, § 2, 55 DCR 1282.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Legislative History of Laws*

Law 17-117, the "Effi Slaughter Barry HIV/AIDS Initiative Act of 2008", was introduced in Council and assigned Bill No. 17-372 which was referred to the Committee on Health. The Bill was adopted on first and second readings on December 11, 2007, and January 8, 2008, respectively. Signed by the Mayor on January 23, 2008, it was assigned Act No. 17-260 and transmitted to both Houses of Congress for its review. D.C. Law 17-117 became effective on March 20, 2008.

### **§ 7-1612. DESIGNATION OF THE EFFI SLAUGHTER BARRY HIV/AIDS INITIATIVE.**

The East of the River HIV/AIDS Capacity Building Initiative administered by the Department of Health shall be known as the Effi Slaughter Barry HIV/AIDS Initiative ("initiative").

(Mar. 20, 2008, D.C. Law 17-117, § 3, 55 DCR 1282.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Legislative History of Laws*

For Law 17-117, see notes following § 7-1611.

### **§ 7-1613. PURPOSE.**

(a) The initiative shall provide technical and financial assistance to selected community HIV/AIDS service providers located east of the Anacostia river to support the:

- (1) Implementation or expansion of HIV/AIDS prevention and support programs;
- (2) Development of accurate performance measurement capabilities; and
- (3) Promotion of revenue diversity.

(b) Assistance to selected community HIV/AIDS service providers shall be provided for up to 2 years.

(Mar. 20, 2008, D.C. Law 17-117, § 4, 55 DCR 1282; Mar. 3, 2010, D.C. Law 18-111, § 5021(a), 57 DCR 181.)

*HISTORICAL AND STATUTORY NOTES*

*Effect of Amendments*

D.C. Law 18-111 rewrote the section, which had read as follows:

"The initiative shall provide technical and financial assistance to selected community HIV/AIDS service providers as part of a 2-year program designed to build operational capacities, improve HIV/AIDS service delivery, enable accurate performance measurement, and increase revenue diversity."

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5021(a) of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 5021(a) of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

*Legislative History of Laws*

For Law 17-117, see notes following § 7-1611.

For Law 18-111, see notes following § 7-736.01.

*Miscellaneous Notes*

Short title: Section 5020 of D.C. Law 18-111 provided that subtitle C of title V of the act may be cited as the "Effi Slaughter Barry HIV/AIDS Initiative Amendment Act of 2009".

## **§ 7-1614. DESIGNATION OF AN INITIATIVE COORDINATOR.**

The Director of the Department of Health shall designate an initiative coordinator, who shall be an employee of the Department of Health and qualified by experience and training to administer the initiative.

(Mar. 20, 2008, D.C. Law 17-117, § 5, 55 DCR 1282.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For Law 17-117, see notes following § 7-1611.

## **§ 7-1615. PARTICIPANT SELECTION AND GRANT AWARD CRITERIA.**

(a) The Department of Health shall establish criteria for:

- (1) The selection of community HIV/AIDS service providers to participate in the initiative; and
- (2) Awarding grants to initiative participants, including a requirement that the fiduciary agent of any collaborative representing a ward must be located in the ward.

(b) All grants awarded pursuant to the initiative shall be subject to terms and conditions approved by the Department of Health.

(Mar. 20, 2008, D.C. Law 17-117, § 6, 55 DCR 1282; Mar. 3, 2010, D.C. Law 18-111, § 5021(b), 57 DCR 181.)

*HISTORICAL AND STATUTORY NOTES*

*Effect of Amendments*

D.C. Law 18-111 designated the existing text as subsec. (a); and added subsec. (b).

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5021(b) of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 5021(b) of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

*Legislative History of Laws*

For Law 17-117, see notes following § 7-1611.

For Law 18-111, see notes following § 7-736.01.

## **§ 7-1616. ALLOCATION OF FUNDING.**

The Department of Health shall distribute capacity building grants to initiative participants in an amount not to exceed the funds available in the Effi Slaughter Barry Initiative Fund, as established by § 7-1617.

(Mar. 20, 2008, D.C. Law 17-117, § 7, 55 DCR 1282; Mar. 3, 2010, D.C. Law 18-111, § 5021(c), 57 DCR 181.)

*HISTORICAL AND STATUTORY NOTES*

*Effect of Amendments*

D.C. Law 18-111 rewrote the section, which had read as follows:

"The Department of Health is authorized to:

"(1) Transfer the \$650,000 allocated by section 5128 of the Designated Appropriation Allocation Act of 2007, effective September 18, 2007 (D.C. Law 17-20; 54 DCR 7052), to the Office of Partnerships and Grants Development, within the Executive Office of the Mayor, to conduct a 2-year capacity building training program for participants of the initiative, of which \$300,000 shall fund the training program for first-year participants and \$350,000 shall fund the training program for second-year participants; and

"(2) Distribute \$700,000 in capacity building grants to initiative participants no later than March 1, 2008."

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5021(c) of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 5021(c) of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

*Legislative History of Laws*

For Law 17-117, see notes following § 7-1611.

For Law 18-111, see notes following § 7-736.01.

## **§ 7-1617. EFFI SLAUGHTER BARRY INITIATIVE FUND; ESTABLISHMENT, PURPOSE.**

(a) There is established as a nonlapsing fund the Effi Slaughter Barry Initiative Fund ("Fund"), which shall be a segregated account within the General Fund of the District of Columbia and shall be used solely for the purpose of supporting the initiative.

(b) The Fund shall be administered by the Department of Health.

(c) The Mayor shall deposit into the Fund all general revenue funds appropriated in the budget submitted pursuant to § 1-204.46, and authorized by Congress for the purpose of the initiative.

(d) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in this section without regard to fiscal year limitation, subject to authorization by Congress.

(e) The Director of the Department of Health may make grants from the Fund to effectuate the purpose of the initiative.

(Mar. 20, 2008, D.C. Law 17-117, § 7a, as added Aug. 16, 2008, D.C. Law 17-219, § 5029, 55 DCR 7598; Mar. 3, 2010, D.C. Law 18-111, § 5021(d), 57 DCR 181.)

*HISTORICAL AND STATUTORY NOTES*

*Effect of Amendments*

D.C. Law 18-111 added subsec. (e).

*Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 5021(d) of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 5021(d) of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

*Legislative History of Laws*

For Law 17-219, see notes following § 7-651.17.

For Law 18-111, see notes following § 7-736.01.

*Miscellaneous Notes*

Short title: Section 5028 of D.C. Law 17-219 provided that subtitle L of title V of the act may be cited as the "Effi Slaughter Barry HIV/AIDS Initiative Amendment Act of 2008".

## **SUBCHAPTER III. SENIOR HIV/AIDS EDUCATION AND OUTREACH PROGRAM.**

### **§ 7-1631. DEFINITIONS.**

For the purposes of this subchapter, the term:

- (1) "AIDS" means acquired immune deficiency syndrome.
- (2) "Department" means the Department of Health.
- (3) "HIV" means the human immunodeficiency virus.
- (4) "Program" means the Senior HIV/AIDS Education and Outreach Program established by § 7-1632.
- (5) "Senior" means an individual 50 years of age or older.

(July 13, 2012, D.C. Law 19-152, § 2, 59 DCR 5136.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

Law 19-152, the "Senior HIV/AIDS Education and Outreach Program Establishment Act of 2012", was introduced in Council and assigned Bill No. 19-524, which was referred to the Committee on Health. The Bill was adopted on first and second readings on April 17, 2012, and May 1, 2012, respectively. Signed by the Mayor on May 11, 2012, it was assigned Act No. 19-358 and transmitted to both Houses of Congress for its review. D.C. Law 19-152 became effective on July 13, 2012.

### **§ 7-1632. SENIOR HIV/AIDS EDUCATION AND OUTREACH PROGRAM ESTABLISHMENT.**

There is established within the Department the Senior HIV/AIDS Education and Outreach Program, which shall train seniors to provide information to other seniors on how to prevent the transmission of HIV and to engage in education and outreach on issues related to HIV and AIDS with community-based providers that serve seniors in the District.

(July 13, 2012, D.C. Law 19-152, § 3, 59 DCR 5136.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-152, see notes under § 7-1631.

### **§ 7-1633. PROGRAM ADMINISTRATION.**

(a) The Department shall:

- (1) Administer the Program;
- (2) Recruit seniors to participate in the Program;
- (3) Determine the training curriculum; and

(4) Schedule no fewer than 8 education or community-outreach events annually, which shall be led by seniors who have successfully completed the Program. Each year, at least one event shall be held in each ward.

(b) The Department may contract with a community provider to train the seniors participating in the Program.

(c) Subject to the availability of funds, the Department may provide a stipend to Program participants.

(July 13, 2012, D.C. Law 19-152, § 4, 59 DCR 5136.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-152, see notes under § 7-1631.