

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

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

**CHAPTER 21.**  
**YOUTH RESIDENTIAL FACILITIES LICENSURES.**

**2001 Edition**

**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**CHAPTER 21. YOUTH RESIDENTIAL FACILITIES**  
**LICENSURES.**

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# CHAPTER 21. YOUTH RESIDENTIAL FACILITIES LICENSURES.

## § 7-2101. DEFINITIONS.

For the purposes of this chapter, the term:

(1) "Child" means any individual who is:

(A) Under 18 years of age;

(B) 18 to 20 years of age and subject to a consent decree or dispositional order entered pursuant to Chapter 23 of Title 16; or

(C) 18 to 21 years of age and has an individualized education program pursuant to 20 U.S.C. § 1401 et seq.

(2) "Continuing care" means ongoing supervision and care designed to nurture a resident's growth and development, meet basic health needs, and monitor applicable school or work attendance.

(3) "Court" means the Superior Court of the District of Columbia.

(4) "District" means the District of Columbia.

(5) "Emergency care" means temporary supervision and care, usually not exceeding 90 days and provided as the result of an individual or family crisis, that includes monitoring of applicable school or work attendance and an assessment of a resident's physical, psychosocial, and educational needs.

(6) "Facility" means a youth residential facility.

(7) "Resident" means a District child residing in a youth residential facility.

(8) "Therapeutic care" means an intensive, professionally supervised program of education and treatment designed to meet a resident's physical, psychosocial, and educational needs as identified in an individualized treatment plan and, if applicable, an individualized education program.

(9)(A) "Youth residential facility" means a residential placement providing adult supervision and care for 1 or more children who are not related by blood, marriage, guardianship, or adoption (including both final and nonfinal adoptive placements) to any of the facility's adult caregivers and who were found to be in need of a specialized living arrangement as the result of:

(i) A detention or shelter care hearing held pursuant to § 16-2312;

(ii) A dispositional hearing held pursuant to § 16-2317;

(iii) Family crisis, homelessness, runaway status, or other circumstances creating a need for out-of-home supervision and care; or

(iv) A mental or physical disability that requires, in accordance with 20 U.S.C. § 1401 et seq., more services than can be provided by nonresidential programs.

(B) The term "youth residential facility" shall include, but not necessarily be limited to, foster homes, youth shelters, runaway shelters, emergency care facilities, youth group homes, supervised apartments, and residential treatment centers; it shall not include informal substitute care provided by friends or neighbors or those facilities licensed under Chapter 5 of Title 44.

(Aug. 13, 1986, D.C. Law 6-139, § 2, 33 DCR 3804; Apr. 24, 2007, D.C. Law 16-305, § 28(a), 53 DCR 6198.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 3-801.

#### *Effect of Amendments*

D.C. Law 16-305, in par. (9)(A)(iv), substituted "disability" for "handicap".

#### *Legislative History of Laws*

Law 6-139, the "Youth Residential Facilities Licensure Act of 1986," was introduced in Council and assigned Bill No. 6-224, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on May 27, 1986, and June 10, 1986, respectively. Signed by the Mayor on June 13, 1986, it was assigned Act No. 6-177 and transmitted to both Houses of Congress for its review.

For Law 16-305, see notes following § 7-531.01.

#### *Delegation of Authority*

Delegation of authority pursuant to Law 6-139, see Mayor's Order 86-202, November 12, 1986.

### **§ 7-2102. LICENSE REQUIREMENTS.**

(a) Except as provided in subsections (b) and (c) of this section, it shall be unlawful to operate a facility in the District, whether public or private, for profit or not for profit, without being licensed by the Mayor. Each facility shall be licensed by both its type and the level(s) of care provided.

(b) Facilities that, before August 13, 1986, were not or would not have been subject to District licensure may operate without a license until 6 months after the issuance of applicable rules under § 7-2103.

(c) The continued operation of a facility pending action by the Mayor on an application for licensure renewal or initial licensure under subsection (b) of this section shall not be deemed unlawful if a completed application was timely filed but, through no fault of the facility's administrator or adult caregiver(s), the Mayor has failed to act on the application before the expiration of the facility's current license or, under subsection (b) of this section, its authorized period of operation. A facility operating under this subsection shall comply with all other provisions of this chapter and rules issued pursuant to this chapter.

(d) Application forms shall include copies of all certificates of approval, authority, occupancy, or need that are required as a precondition to lawful operation in the District.

(e) A license shall be valid only for the person(s), address, type of facility, and level(s) of care stated on the license.

(f) A licensee shall, whenever possible, give the Mayor at least 60 days advance written notice before transferring ownership of a facility, including, in the case of a corporate licensee, any transfer of the legal or beneficial ownership of 10% or more of the stock of the corporation. Upon notification, the Mayor may conduct an investigation or require reinspection to ensure that the facility will remain in compliance with this chapter, the rules issued pursuant to this chapter, and all other applicable laws.

(g) Unless sooner terminated or renewed, a license required by this chapter shall expire 1 year from the date it was issued or last renewed.

(h) A facility shall promptly honor all requests by District government officials, residents, and members of the public to inspect its license.

(i) Any license issued pursuant to this section shall be issued as a Public Health: Child Health and Welfare endorsement to a basic business license under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47.

(Aug. 13, 1986, D.C. Law 6-139, § 3, 33 DCR 3804; Apr. 20, 1999, D.C. Law 12-261, § 2003(g), 46 DCR 3142; Oct. 28, 2003, D.C. Law 15-38, § 3(h), 50 DCR 6913.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 3-802.

##### *Effect of Amendments*

D.C. Law 15-38, in subsec. (i), substituted "Public Health: Child Health and Welfare endorsement to a basic business license under the basic" for "Class A Public Health: Child Health and Welfare endorsement to a master business license under the master".

##### *Emergency Act Amendments*

For temporary (90 day) amendment of section, see § 3(h) of Streamlining Regulation Emergency Act of 2003 (D.C. Act 15-145, August 11, 2003, 50 DCR 6896).

#### *Legislative History of Laws*

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

Law 12-261, the "Second Omnibus Regulatory Reform Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-845, which was referred to the Committee of the Whole. The Bill was adopted on

first and second readings on December 1, 1998, and December 15, 1998, respectively. Signed by the Mayor on December 31, 1998, it was assigned Act No. 12-615 and transmitted to both Houses of Congress for its review. D.C. Law 12-261 became effective on April 20, 1999.

For Law 15-38, see notes following § 7-732.

## **§ 7-2103. RULES.**

(a) The Mayor shall, no later than 12 months after August 13, 1986, and pursuant to subchapter I of Chapter 5 of Title 2, issue all rules necessary to carry out the purposes of this chapter. These rules may categorize and define the various types of facilities, may establish licensure fees, and shall at a minimum include:

- (1) Procedures governing the issuance, renewal, conversion, suspension, and revocation of licenses, the orderly transfer and discharge of residents, the receipt and investigation of complaints or allegations of abuse, the issuance of variances, and appeals from licensure-related decisions;
- (2) A statement of residents' rights and responsibilities for each type of facility;
- (3) Standards for continuing care, emergency care, therapeutic care, and aftercare; and
- (4) Standards for each type of facility, including (when applicable), but not necessarily limited to:
  - (A) Programmatic standards with respect to educational, rehabilitative, and mental health services, recreational activities, parental and family involvement, the use of discipline and restraint, and the prevention of abuse;
  - (B) Personnel and staffing standards with respect to the ratio of staff to residents, caregiver qualifications, and ongoing staff and volunteer training;
  - (C) Personal care standards with respect to resident nutrition, hygiene, and emergency and routine health care;
  - (D) Confidentiality and privacy standards with respect to a resident's person, property, living quarters, case records, and subjection to searches for contraband;
  - (E) Safety and sanitation standards with respect to all parts of the facility and grounds, fire protection and prevention, first aid, and the facility's electrical, heating, cooling, ventilation, and water systems;
  - (F) Environmental, structural, and architectural standards; and
  - (G) Administrative standards with respect to resident admissions and discharges, operating procedures, fiscal management, complaint investigation and review, quality assurance, recordkeeping, and reporting.

(b) The standards adopted under subsection (a)(4)(A) of this section shall reflect a strong presumption that parental and family contact is in a resident's best interest and that active parental and family involvement is essential to a resident's care.

(c) The Mayor shall ensure that, no later than 6 months after the issuance of rules under subsection (a) of this section, all facilities shall be licensed in accordance with those rules.

(d) No later than 30 days after August 13, 1986, the Mayor shall appoint an advisory task force composed of social service, mental health, and education professionals, child welfare advocates, facility providers, community representatives, and representatives from relevant District government agencies. Within a time frame established by the Mayor, this task force shall formulate and present to the Mayor detailed, proposed standards for the rules required by subsection (a)(2) through (4) of this section. The Mayor shall give substantial weight to the task force's recommendations and shall, on a regular basis before publication of proposed rules, maintain a formal, structured dialogue with task force representatives while reviewing and acting on those recommendations.

(e)(1) The Mayor may, upon a showing of extreme hardship and manifest public need and if not inconsistent with other provisions of this chapter or deleterious to resident health, safety, or welfare, grant variances to private facilities with respect to the standards established under subsection (a)(3) and (4) of this section. The Mayor shall maintain a public record listing all variances granted under this subsection and containing a complete written explanation of the basis for each variance.

(2) The Mayor shall not issue variances to facilities owned or operated by the District government.

(Aug. 13, 1986, D.C. Law 6-139, § 4, 33 DCR 3804.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 3-803.

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

## **§ 7-2104. GOVERNING BOARDS AND ADVISORY COMMITTEES.**

(a) Each facility except a foster home shall have a governing board or local advisory committee that includes 1 or more representatives of the neighborhood where the facility is located. If a licensee operates more than 1 facility in the District, a single governing board or advisory committee may serve all of the licensee's facilities so long as it includes at least 1 representative of each neighborhood in which the licensee operates a facility.

(b) The governing board or advisory committee shall:

(1) Meet with the facility administrator at the facility at least quarterly to review programs, policies, citizen complaints, and police contacts;

(2) Inform the Mayor in writing of any situation that a majority of the board or committee believes warrants correction and that the facility has failed to correct within a reasonable period of time after being notified by the board or committee; and

(3) Report annually to the Mayor on the number of admissions, the number, outcome, and length of stay of planned and unplanned discharges, staff turnover rate and efforts to reduce it, and program effectiveness in meeting the needs of residents.

(Aug. 13, 1986, D.C. Law 6-139, § 5, 33 DCR 3804.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 3-804.

#### *Legislative History of Laws*

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

## **§ 7-2105. INSPECTIONS.**

(a)(1) To ensure that each new facility will be in compliance with this chapter, the rules issued pursuant to this chapter, and all other applicable laws, the Mayor shall conduct an on-site inspection before a facility's initial licensure. Instead of issuing a full-year license to a new facility or licensee, the Mayor may issue a provisional license under § 7-2107(b) pending satisfactory completion of additional, follow-up inspections. After initial licensure, the Mayor shall conduct at least 1 on-site inspection before each licensure renewal.

(2) The Mayor shall at least once a year inspect all facilities caring for District children outside the District to ensure that each of these facilities is in substantial compliance with this chapter, the rules issued pursuant to this chapter, and all other applicable laws. One year after the issuance of rules under § 7-2103, the Mayor shall report to the Council on the cost and efficacy of implementing this paragraph and on the extent to which facilities caring for District children outside the District are required by their respective jurisdictions to meet licensure standards comparable to those adopted under § 7-2103. Within 45 days after receiving the Mayor's report, the Council shall determine whether this paragraph should be amended to authorize the Mayor to accept licensure by other jurisdictions in lieu of conducting annual inspections.

(b) The Mayor may at any reasonable hour enter a facility for the purpose of conducting an announced or unannounced inspection to check for compliance with this chapter, a rule issued pursuant to this chapter, or any other District or locally enforceable federal law. When conducting an inspection, especially of a foster home, the Mayor shall respect the homelike atmosphere of the facility and the reasonable privacy interests of its residents and adult caregivers.

(c) Any District government employee who, while visiting a facility for the purpose of casework or monitoring, observes a condition that he or she believes in violation of this chapter, a rule issued pursuant to this chapter, or any other District or federal law shall, no later than 7 days after making the observation and if not previously reported, report this suspected violation to the Department of Consumer and Regulatory Affairs ("DCRA").

(d) The Mayor shall make all licensure and inspection reports available to the public upon request and shall notify all child-placing agencies in the District whenever a facility's license is suspended, revoked, converted to a provisional or restricted license, or not renewed.

(Aug. 13, 1986, D.C. Law 6-139, § 6, 33 DCR 3804.)

### *HISTORICAL AND STATUTORY NOTES*

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

## **§ 7-2106. MONITORING OF RESIDENTS PLACED OUTSIDE DISTRICT OR IN THERAPEUTIC CARE.**

(a)(1) The Mayor and the Board of Education shall ensure that every resident receiving therapeutic care has an up-to-date, individualized treatment plan ("ITP") composed of coordinated therapeutic, educational, and residential components. Each ITP shall be jointly formulated and approved by the Department of Human Services ("DHS") and the District of Columbia Public Schools ("DCPS") no later than 30 days after a child is determined to be in need of therapeutic care. As required by 20 U.S.C. § 1401 et seq., a resident with a disability receiving therapeutic care and in need of special education shall also have a current individualized education program ("IEP").

(2) DHS and DCPS shall update each resident's ITP no less than once a year. Copies of each resident's current ITP and, if applicable, IEP shall be on file with both DHS and DCPS.

(b)(1) The Mayor and the Board of Education shall establish a youth residential monitoring committee ("monitoring committee") that includes at a minimum representatives from DHS and DCPS. Each facility providing therapeutic care to a District child, whether located inside or outside the District, shall submit to the monitoring committee quarterly reports on that child's progress in meeting his or her treatment and educational goals. With the exception of foster homes, each facility providing emergency or continuing care to a District child outside the District shall submit to the monitoring committee quarterly reports on that child's physical, emotional, and educational development.

(2) Quarterly reports submitted under paragraph (1) of this subsection shall be on forms jointly developed by DHS and DCPS and shall be made available at all judicial and administrative reviews of a child's placement.

(c) The monitoring committee shall meet at least 4 times a year with the caseworker of each District child placed outside the District or in therapeutic care to review that child's quarterly reports and, if the child is expected to be discharged in the near future, to determine whether an aftercare plan has been prepared pursuant to subsection (f) of this section. If the committee finds that a child's current placement is inadequate, that a child's ITP or IEP needs revision, or that a required aftercare plan is lacking, it shall within 15 days report its findings and recommendations to the Director of DHS and the Superintendent of Schools. DHS and DCPS shall adopt or reject these recommendations within 15 days after their receipt.

(d)(1) The monitoring committee shall at least once a year conduct an on-site assessment of each District child placed outside the District or in therapeutic care to determine:

(A) The adequacy of the child's placement or the extent of the facility's compliance with the child's ITP or IEP;

(B) Whether the child's ITP, IEP, or level of care needs revision;

(C) Whether the child can receive equivalent care closer to home or in a less restrictive placement; and

(D) Whether appropriate aftercare preparations have been made if the child is due to be discharged within 30 days.

(2) Within 15 days after conducting an on-site assessment, the monitoring committee shall file a written report of its findings and recommendations with the Director of DHS and the Superintendent of Schools. If while conducting an assessment the committee observes 1 or more conditions that it believes are in violation of this chapter, a rule issued pursuant to this chapter, or any other District or federal law, it shall report these suspected violations to DCRA pursuant to § 7-2105(c).

(3) If the monitoring committee determines that a facility is not adequately meeting a child's needs or is not in compliance with a child's ITP or IEP, or if DCRA determines that a facility located outside the District is not in substantial compliance with District licensure standards, that facility shall be promptly notified of the necessary corrective actions. If the committee or DCRA is not satisfied that appropriate actions are being taken, it shall recommend to the Director of DHS and the Superintendent of Schools that the child be transferred to an appropriate alternative placement.

(e) The caseworker of each District child placed outside the District or in therapeutic care shall visit that child at least once a year. In meeting this requirement, the caseworker may accompany the monitoring committee when it conducts its on-site assessment under subsection (d) of this section.

(f)(1) The Mayor and the Board of Education shall ensure that, before a District child placed outside the District or in therapeutic care is brought home, he or she has a comprehensive aftercare plan composed

of in-home supportive services and, if necessary, transitional living arrangements. Each child's aftercare plan shall be jointly formulated and approved by DHS and DCPS no later than 30 days before the child leaves a facility.

(2) The monitoring committee shall meet personally with each child's aftercare worker at least twice in the 6 months following a child's release into aftercare to review the continued adequacy of, and the extent of compliance with, the child's aftercare plan. If the committee finds that a child's aftercare plan needs revision or is not being carried out, it shall within 15 days report its findings and recommendations to the Director of DHS and the Superintendent of Schools. DHS and DCPS shall adopt or reject these recommendations within 15 days after their receipt.

(g) The Mayor and the Board of Education shall report annually to the Council on:

(1) The total number of residents in therapeutic care, the total number of residents located outside the District, the facilities in which they are placed, the annual cost of these facilities, and the number of residents who have ITPs, IEPs, or aftercare plans;

(2) The number of new residents in therapeutic care, the number of new residents placed outside the District, and the number, outcome, and length of stay of planned and unplanned discharges;

(3) A summary of individual facility effectiveness in meeting the needs of residents in therapeutic care; and

(4) A list of those facilities located outside the District that have been found not to be in substantial compliance with District licensure standards.

(h) Once rules have been issued under subsection (i) of this section, no District child shall reside in a facility located outside the District for more than 60 days if that facility has never been visited by the monitoring committee, the child's caseworker, or representatives from DCRA.

(i) No later than 12 months after August 13, 1986, the Mayor and the Board of Education shall each issue rules, pursuant to subchapter I of Chapter 5 of Title 2, and consistent with 20 U.S.C. § 1401 et seq., to carry out the purposes of this section.

(Aug. 13, 1986, D.C. Law 6-139, § 7, 33 DCR 3804; Apr. 24, 2007, D.C. Law 16-305, § 28(b), 53 DCR 6198.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 3-806.

##### *Effect of Amendments*

D.C. Law 16-305, in subsec. (a)(1), substituted "resident with a disability" for "handicapped resident".

##### *Legislative History of Laws*

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

For Law 16-305, see notes following § 7-531.01.

## **§ 7-2107. PROVISIONAL AND RESTRICTED LICENSURE.**

(a) As an alternative to denial, nonrenewal, suspension, or revocation of a license, whenever a facility has numerous deficiencies or a serious single deficiency with respect to the standards established under § 7-2103(a)(2) through (4), the Mayor may:

(1) Issue a provisional license if the facility is taking appropriate corrective actions in accordance with a mutually agreed-upon timetable; or

(2) Issue a restricted license that prohibits the facility from accepting new residents or providing certain specified services that it would otherwise be authorized to provide, if appropriate corrective actions are not forthcoming.

(b) As provided in § 7-2105(a), provisional licenses may be issued to new facilities or licensees in order to afford the Mayor sufficient time and evidence to evaluate whether a new facility or licensee is capable of complying with this chapter, the rules issued pursuant to this chapter, and other applicable laws.

(c) Provisional licenses may be granted for a period not to exceed 90 days and may be renewed no more than once.

(Aug. 13, 1986, D.C. Law 6-139, § 8, 33 DCR 3804.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

## **§ 7-2108. ENFORCEMENT AND PENALTIES.**

(a)(1) The Mayor may, before holding a hearing, suspend the license of a facility or convert its license to a provisional or restricted license if he or she determines that existing deficiencies constitute an immediate or serious and continuing danger to the health, safety, or welfare of its residents. The Mayor shall immediately give the facility written notice of the suspension or conversion, including a statement of the grounds for the action and notification that the facility has 7 days (excluding Saturdays, Sundays, and legal holidays) from the day notice is received to request an expedited, preliminary review hearing. If the facility fails to communicate, either orally or in writing, a timely request for a preliminary review hearing, the order of suspension or conversion shall remain in effect until terminated by the Mayor or an unexpedited hearing is held pursuant to procedures adopted under § 7-2103(a)(1).

(2) Within 3 days (excluding Saturdays, Sundays, and legal holidays) after receiving a timely request for a preliminary review hearing, the Mayor shall hold a hearing to review the reasonableness of the suspension or conversion order. At this hearing, the Mayor shall have the burden of establishing a prima facie case of immediate or serious and continuing endangerment. The suspension or conversion order shall be either affirmed or vacated at the hearing.

(3) In the event an order is affirmed, it shall, unless extended, remain in effect for no longer than 30 days, during which time a final hearing shall be scheduled to consider the appropriateness of revocation or continuing restrictions on licensure. Before expiration of a suspension or conversion order, an extension may be granted for a period not to exceed an additional 30 days upon agreement of all the parties or for good cause shown.

(b)(1) Civil fines, penalties, and related costs may be imposed against a public or private facility for the violation of any provision of this chapter or rule issued pursuant to this chapter. Whether or not criminally prosecutable, a violation shall be considered an "infraction" under the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985. Except as provided in paragraphs (2) and (3) of this subsection, the procedures for adjudication and enforcement and the applicable fines, penalties, and costs shall be those established by or pursuant to Chapter 18 of Title 2. Governmental immunity shall not be a defense to any civil fine, penalty, or cost imposed.

(2) Civil fines, penalties, and related costs imposed against a facility shall not come out of funds needed to provide quality care and services to residents. To monitor compliance with this paragraph, the Mayor shall conduct an audit at least annually of every facility against which civil fines, penalties, or costs have been imposed. Civil fines, penalties, and costs imposed against any facility owned or operated by the District government shall be paid into a special account to be used for the personal needs of residents.

(3) Notwithstanding the availability of other means of enforcement, the Mayor may directly deduct the amount of civil fines, penalties, and related costs imposed against a facility from amounts otherwise payable by the District to the licensee or administrator of that facility.

(c) Notwithstanding the availability of any other remedy, the Corporation Counsel, a resident, or any person acting on or in behalf of a resident may maintain an action in court to enjoin a facility from violating the terms of its license, any provision of this chapter, or any rule issued pursuant to this chapter.

(d)(1) Notwithstanding the availability of any other remedy, a resident, any person acting on or in behalf of a resident, or the licensee or administrator of a facility may bring an action in court for mandamus to order the Mayor, a District government agency, or the youth residential monitoring committee to comply with this chapter, a rule issued pursuant to this chapter, or any other District law relevant to the operation of the facility or the care of its residents.

(2) Any person bringing an action under paragraph (1) of this subsection shall give the named defendant(s) at least 5 days advance notice (excluding Saturdays, Sundays, and legal holidays) before the action is filed in court.

(e) Any District government employee required to make a report under § 7-2105(c) who willfully fails to do so shall be subject to disciplinary and other remedial action in accordance with District law.

(f) Any person who willfully discloses, receives, uses, or permits the use of confidential information about a resident in violation of the standards established pursuant to § 7-2103(a)(4)(D) shall be guilty of a misdemeanor and, upon conviction, subject to a fine not exceeding \$5,000.

(g) Any person who willfully operates an unlicensed facility in violation of this chapter, and any licensee who willfully operates a facility in violation of the terms of its license or who willfully impedes a District government employee in the performance of his or her authorized duties under this chapter or a rule issued pursuant to this chapter, shall be guilty of a misdemeanor and, upon conviction, subject to a fine not

exceeding \$1,000 per day of violation, imprisonment for not more than 90 days, or both.

(h) Criminal prosecutions brought under subsection (f) or (g) of this section shall be in the Superior Court of the District of Columbia by information signed by the Corporation Counsel.

(Aug. 13, 1986, D.C. Law 6-139, § 9, 33 DCR 3804.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 3-808.

*Legislative History of Laws*

For legislative history of D.C. Law 6-139, see Historical and Statutory Notes following § 7-2101.

*References in Text*

The "Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985," referred to in subsection (b)(1), is D.C. Law 6-42.