

# TITLE 140: COMMONWEALTH HEALTHCARE CORPORATION

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## SUBCHAPTER 140-10.7 MEDICAL REFERRAL PROGRAM RULES AND REGULATIONS

Subchapter Authority: 1 CMC § 2605.

Subchapter History: Amdts Adopted 35 Com. Reg. 34128 (Aug. 28, 2013) (repealing and re-enacting this subchapter at chapter 75-50); Amdts Proposed 35 Com. Reg. 33549 (June 28, 2013); Amdts Adopted 33 Com. Reg. 31503 (Apr. 21, 2011) (repealing and re-enacting this subchapter); Amdts Proposed 33 Com. Reg. 31291 (Jan. 24, 2011); Emergency 33 Com. Reg. 31225 (Jan. 24, 2011); Amdts Adopted 32 Com. Reg. 30092 (Apr. 19, 2010)\*; Amdts Proposed 32 Com. Reg. 30062 (Feb. 19, 2010)\*; Amdts Adopted 29 Com. Reg. 26511 (Apr 16, 2007); Amdts Proposed 28 Com. Reg. 26211 (Oct. 30, 2006); Amdts Emergency and Proposed 28 Com. Reg. 26308 (Nov. 30, 2006) (effective for 120 days from November 13, 2006)\*; Amdts Emergency and Proposed 27 Com. Reg. 25187 (Nov. 25, 2005) (effective for 120 days from November 23, 2005)\*; Amdts Emergency and Proposed 27 Com. Reg. 24705 (Aug. 22, 2005) (effective for 120 days from Aug. 19, 2005)\*; Amdts Adopted 27 Com. Reg. 24681 (July 20, 2005); Amdts Emergency and Proposed 27 Com. Reg. 24099 (Mar. 17, 2005) (effective for 120 days from March 14, 2005); Amdts Emergency and Proposed 26 Com. Reg. 22836 (Sept. 24, 2004) (effective for 120 days from Sept. 21, 2004)\*; Amdts Adopted 26 Com. Reg. 22867 (July 26, 2004); Amdts Emergency and Proposed 26 Com. Reg. 22500 (May 24, 2004) (effective for 120 days from Apr. 27, 2004); Amdts Adopted 26 Com. Reg. 21894 (Feb. 23, 2004); Amdts Emergency and Proposed 26 Com. Reg. 21531 (Jan. 22, 2004) (effective for 120 days from Jan. 14, 2004); Amdts Adopted 24 Com. Reg. 19032 (Feb. 28, 2002); Amdts Proposed 23 Com. Reg. 18351 (Sept. 24, 2001); Amdts Adopted 22 Com. Reg. 17349 (July 20, 2000); Amdts Proposed 22 Com. Reg. 17229 (May 19, 2000); Amdts Adopted 20 Com. Reg. 15958 (June 15, 1998); Amdts Emergency and Proposed 20 Com. Reg. 15851 (Feb. 15, 1998) (effective for 120 days from Feb. 13, 1998); Adopted 18 Com. Reg. 14218 (July 15, 1996); Proposed 18 Com. Reg. 14039 (Apr. 15, 1996).

\*As of August 31, 2007, a notice of permanent adoption had not been published.

\*As of December 2005, notices of permanent adoption had not been published.

\*The February 2010 Notice of Proposed Regulations contained only a summary of the proposals to amend the regulations. It did not contain any actual amendments. See 32 Com. Reg. 30062 (Feb. 19, 2010). Despite this, a Notice of Adoption for these non-existent amendments was published in April of 2010. See 32 Com. Reg. 30092.

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services within the Commonwealth government. See 1 CMC § 2601. 1 CMC § 2605 directs the Department to adopt rules and regulations regarding those matters over which it has jurisdiction.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3 § 105:

Section 105. Department of Public Health.

The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

Public Law 16-51 (effective Jan. 15, 2010), the “Commonwealth Healthcare Corporation Act of 2008,” codified at 3 CMC § 2801 et seq., established the Commonwealth Healthcare Corporation, which assumed the duties of the Department of Public Health as of January 15, 2011.

PL 16-51 transferred the Medical Referral Program from the Department of Public Health to the Commonwealth Healthcare Corporation. Executive Order No. 2013-09 (effective May 2, 2013) transferred the Medical Referral Program from the Commonwealth Healthcare Corporation to the Office of the Governor. See 35 Com. Reg. 33542.

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Section 1.1 of the 2013 amended regulations (codified at section 75-50-005) specified that these new regulations were to be codified at subchapter 140-10.7. However, because this office is now under the supervision of the Office of the Governor, the Commission has moved these regulations to Chapter 75-50.

[See chapter 75-50.]