

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 2: HEALTH**

**§ 2182. Definitions.**

As used in this Act, unless the context requires otherwise, the following definitions shall apply:

(a) “Bio-terrorism” means the intentional use of any microorganism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bio-engineered component of any such microorganism, virus, infectious substance, or biological product, to cause death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism in order to influence the conduct of government or to intimidate or coerce a civilian population.

(b) “Chain of custody” means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing and transporting the specimens and reporting test results.

(c) “Contagious disease” means an infectious disease that can be transmitted from person to person.

(d) “Cultures and stocks” includes etiologic agents and associated biologicals, including specimen cultures and dishes and devices used to transfer, inoculate, and mix cultures, wastes from production of biologicals and serums and discarded live and attenuated vaccines;

(e) “Health care facility” means any non-federal institution, building, or agency or portion thereof, whether public or private (for profit or non-profit) that is used, operated, or designed to provide health services, medical treatment, nursing, rehabilitative, or preventive care to any person or persons. This includes but is not limited to: ambulatory surgical facilities, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities and adult day-care centers. This also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories; research facilities; pharmacies; laundry facilities; health personnel training and lodging facilities; patient, guest, health personnel food service facilities; and offices and office buildings for persons engaged in health care professions or services.

(f) “Health care provider” means any person or entity that provides health care services including, but not limited to, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, emergency medical or laboratory technicians, and ambulance and emergency medical workers.

(g) “Infectious disease” means a disease caused by a living organism or other pathogen, including a fungus, bacteria, parasite, protozoan, or virus. An infec-

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tious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

(h) “Infectious waste” means a biological waste which includes blood and blood products, excretions, exudates, secretions, suctioning and other body fluids and waste materials saturated with blood or body fluids;

(i) “Isolation” means the physical separation and confinement of an individual or groups of individuals who are infected or reasonably believed to be infected with a contagious or possibly contagious disease from non-isolated individuals, to prevent or limit the transmission of the disease to non-isolated individuals.

(j) “Mental health support personnel” means the inclusion, but not limited to, psychiatrists, psychologists, social workers and volunteers crisis counseling groups.

(k) “Organized militia” includes the CNMI National Guard or any other military force organized under the laws of the Commonwealth.

(l) “Pathological waste” means the inclusion of biopsy materials and all human tissues, anatomical parts that emanate from surgery, obstetrical procedures, necropsy or autopsy and laboratory procedures, and animal carcasses exposed to pathogens in research and the bedding and other waste from such animals, but does not include teeth or formaldehyde or other preservative agents;

(m) “Protected health information” means any information, whether oral, written, electronic, visual or any other form, that relates to an individual’s past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or should reasonably be known to be, available to predictable recipients of such information) to reveal the identity of individual.

(n) “Public health authority” means the Department of Public Health; or any local government agency that acts principally to protect or preserve the public’s health, or any person directly authorized to act on behalf of the Department of Public Health.

(o) “Public health emergency” is an occurrence or imminent threat of an illness or health condition that:

(1) Is believed to be caused by any of the following:

(i) Bio-terrorism;

(ii) The appearance of a novel or previously controlled or eradicated infectious agent or biological toxin;

(iii) A natural disaster relative to an act of God caused by a typhoon, earthquake, tsunami, flood or intra terrestrial collision;

(iv) A chemical attack or accidental release; or

(v) A nuclear attack or incident; and

(2) Poses a high probability of any of the following harms:

(i) A large number of deaths in the affected population;

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(ii) A large number of serious or long-term disabilities in the affected population; or

(iii) Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.

(p) “Public safety authority” means the Commonwealth Department of Public Safety; or any local government agency that acts principally to protect or preserve the public safety; or any person directly authorized to act on behalf of the Department of Public Safety.

(q) “Quarantine” means the physical separation and confinement of an individual or groups of individuals, who are or may have been exposed to a contagious or possibly contagious disease and who do not show signs or symptoms of a contagious disease, from non-quarantined individuals, to prevent or limit the transmission of the disease to non-quarantined individuals.

(r) “Sharps” means the inclusion of needles, I.V. tubing with needles attached, scalpel blades, lancets, breakable glass tubes, and syringes that have been removed from their original sterile containers.

(s) “Specimens” include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests.

(t) “Tests” include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public’s health, safety and welfare.

**Source:** PL 13-63, § 4, modified.

**Commission Comment:** Several conforming and manifest typographical errors in the above section were corrected by the Commission within the parameters of 1 CMC § 3806. PL 13-63 was enacted on February 10, 2004 and contained a short title, findings, purpose, severability, and savings clause provisions. See the comment to 3 CMC § 2181 regarding PL 13-63.