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TABLE OF CONTENTS

PROPOSED RULES AND REGULATIONS:

Proposed Amendments to the Rules and Regulations Governing the Screening Requirements of Alien Employees	17591
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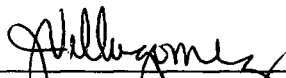
DEPARTMENT OF PUBLIC HEALTH

PUBLIC NOTICE

PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS GOVERNING THE SCREENING REQUIREMENTS OF ALIEN EMPLOYEES

The Secretary of the Department of Public Health of the Commonwealth of the Northern Mariana Islands, in accordance with the authority vested in him pursuant to 1 CMC §2603(a) and (b) and 1 CMC §2605 hereby proposes these Amendments to the Rules and Regulations Governing the Screening Requirements of Alien Employees. The proposed amendments are highlighted in bold letters for easy reference.

It is the intention of the Department of Public Health to comply with the requirements of the Administrative Procedures Act, specifically 1 CMC §9104, in proposing these amendments to the Rules and Regulations. Copies of the proposed Rules and Regulations may be obtained from the Office of the Secretary of Public Health located on the ground floor of the Commonwealth Health Center. Comments on the proposed Rules and Regulations may be sent to the Office of the Secretary of Public Health, Department of Public Health, P.O. Box 409 CK, Saipan, MP, 96950. All comments must be received within thirty (30) days from the date this notice is published in the Commonwealth Register.



JOSEPH K.F. VILLAGOMEZ
Secretary of Health
Department of Public Health

Date: 11/30/2000


Certification by Office of the Attorney General

Pursuant to 1 CMC §2153 as amended by PL 10-50, the proposed rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the GNMI Office of the Attorney General.

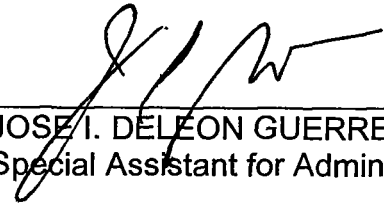
for

HERBERT D. SOLL
Attorney General

Date: 12/15/00

Filed By: 
SOLEDAD B. SASAMOTO
Registrar of Corporations

Date: 12/18/00

Received By: 
JOSE I. DELEON GUERRERO
Special Assistant for Administration

Date: 12/20/00



Commonwealth I Sangkattan Siha na Islas Marianas
Dipattamenton Hinemlo' Pupbliku

Ofisinan I Sekretaru

NUTISAN PUPBLIKU

**MAPROPONEN AREKLAMENTO YAN REGULASION SIHA PARA
U GOBIETNA I AFUETSAO NA MARIKONOSEN I TI MAN RESIDENTE (ALIEN) NA
EMPLEAO**

I Sekretariun i Dipatamenton Hinemlo' Pupbliku i Commonwealth i Sangkattan siha na Islas Marianas, sigun gi aturidat ni mana'e gue' ginen 1 CMC §2603 (a) yan (b), yan 1 CMC §2605, ha propopone este siha na Areklamento yan Regulasion ni para u gobietna i Afuetsao na Marikonesen i Ti Man Residente (Alien) na Empleao. I man mapropone siha na amendasion man mana'diduk i tintan i letra para mas libianu ma tattiyi.

I intension i Dipatamenton Hinemlo' Pupbliku para u akonfotma i nisisidat siha sigun gi Akton Dinirihen Atministrasion (Administration Procedures Act), espesiatmente 1 CMC §9104, ni mapropopone siha na Areklamento yan Regulasion guaha gi Ofisinan i Sekretariun Hinemlo' Pupbliku, ni gaige gi primet bibenda giya Commonwealth Health Center. Komento put i manmapropopone siha na Araklamento yan Regulasion siña ha manmatuge' papa ya u manahanao guato para i Ofisinan i Sekretariun Hinemlo' Pupbliku, Dipatamenton Hinemlo' Pupbliku, P.O. Box 409 CK, Saipan, MP 96950. Todu i komento siha debi di ufan marisibi gi halom trenta (30) dias desde malaknos este na nutisia gi Rehistran Commonwealth.


Sinettifika as:


JOSEPH KEVIN R. VILLAGOMEZ
Sekretaru, Dipatamenton Hinemlo' Pupbliku

11/30/2000
FECHA

Setifikasion ginen i Ofisinan i Abugadun Hinerat:

Sigun gi 1 CMC §2153 ni inamenda nui i Lai Pupbliku 10-50, i mapropopone siha na amendasion gi Areklamento yan Regulasion ni chechetton guine, esta manma inan maolek yan apreba para u fotma ligat yan suficiente ginen i Ofisinan i Abugadun Hinerat giya CNMI.



HERBERT D. SOLL
Abugadun Hinerat



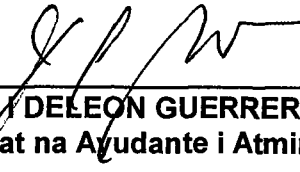
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Ma Rehistra as: 

SOLEDAD B. SASAMOTO
Rehistradoran Kotporasion



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Rinisibi as: 

JOSE DELEON GUERRERO
Epesiat na Ayudante i Administrasion



FECHA

Proposed Rules and Regulations Governing the Screening Requirements of Alien Employees

Citation of Statutory Authority:

1 CMC §2603 (a) and (b) authorize the Department of Public Health to maintain and improve health conditions and minimize and control communicable disease in the CNMI. 1 CMC §2605 enables the Department of Public Health to promulgate rules and regulations in those areas over which it has authority.

Short Statement of Goals & Objectives:

The purpose for proposing these amendments to the Rules and Regulations is to define the requirement that a nonresident worker be physically fit and in good health to work in the CNMI. The proposed amendments also reduce the age from 15 to 12 of dependent minors required to obtain a chest x-ray to screen for tuberculosis.

Brief Summary of the Proposed Rule:

The proposed amendments to the Rules and Regulations clarify that while conducting physical examinations of nonresident workers, physicians will have to determine that the worker is physically fit and in good health to perform the work he or she was hired to perform. Also, dependents of nonresident workers age 12 and under will be screened by PPD first to minimize exposure to chest x-rays. If the PPD screen is positive for tuberculosis, a chest x-ray will then be required.

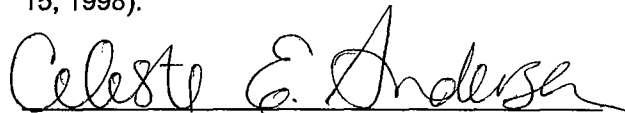
Contact Person(s):

Dr. Farhana Habib, Medical Director for the Division of Public Health; Connie Nakamura, Public Health Liaison.

Citation of Related and/or Affected Statutes, Regulations, and Orders:

Rules and Regulations Governing the Screening Requirements of Alien Employees, Vol. 20 No. 2 Commonwealth Register (February 15, 1998), amended in Vol. 20 No. 12 Commonwealth Register (December 15, 1998).

Date: 11/27/00



Celeste E. Andersen, Legal Counsel
Department of Public Health

RULES AND REGULATIONS GOVERNING THE SCREENING REQUIREMENTS OF ALIEN EMPLOYEES

I. Purpose and Findings

The purpose of these Rules and Regulations is to establish procedures and protocols for the issuance of Health Certificates to all Alien Employees. Upon adoption of these Rules and Regulations, all Alien Employees, and their family members entering the CNMI, will be required to obtain a general physical examination and health screenings for specified communicable diseases before a Health Certificate is issued to them. These new requirements are intended not only to maintain the health of all Alien Employees who enter and reside in the CNMI to provide employee services to Employers pursuant to the provisions of the Nonresident Worker Act, 3 CMC §4411 *et. seq.*, but also to ensure the health of CNMI residents by preventing the spread of certain infectious and communicable diseases. It is the intent of the Division of Public Health to provide minimum requirements for the protection of life, health, safety, and welfare of CNMI residents by instituting these Rules and Regulations.

The Division of Public Health has determined that many Alien Employees and their families are coming from countries that have endemic communicable diseases that could ultimately become a public health concern for the residents of the CNMI. Furthermore, the Division of Public Health has found that diseases transmitted by Alien Employees frequently originate from an infected employee who shows little outward appearance of being ill. As a result, a wide range of communicable diseases and infections may be unknowingly transmitted by infected personnel to other employees and the general public. The Division of Public Health has thus concluded that an effective means of controlling the spread of specific communicable diseases is to screen the Alien Employees and their families for these diseases upon their entry into the CNMI, and every year subsequent.

The health screening of the Alien Employees will not only be beneficial to these workers and the residents of the CNMI, but will also be advantageous to Employers. By overseeing compliance with the health

screenings of Alien Employees required by these Rules and Regulations, the Employer can minimize the high costs of medical treatment here in the CNMI, and avoid the added cost of deportation in the event the Alien Employee is later found to have a communicable disease. Also relevant to Employers is that Alien Employees afflicted with communicable diseases are less productive. By ensuring that Alien Employees obtain the required health screenings, Employers can assure the relative health of the Alien Employees they employ.

II. Definitions

As used throughout these Rules and Regulations, the following terms shall have the meanings set forth below:

- 2.1. Adequate means the Secretary's determination that a recommended action will sufficiently fulfill the requirements for a proposed objective.
- 2.2. Alien Employee means any foreign national, other than those citizens from United States Compact of Free Association Nations, who has entered the CNMI for the purpose of providing services or labor in exchange for remuneration by an Employer.
- 2.3. Communicable Disease means a disease caused by an infectious agent or the toxic product of an infectious agent and which can be transmitted directly or indirectly from one individual to another.
- 2.4. Department means the Department of Public Health, a department within the Executive Branch of the CNMI Government.
- 2.5. Dependent means the Alien Employee's spouse, children under the age of 21, or parents who are not United States citizens.
- 2.6. Deportation means the return of an alien to his or her country of origin as provided by the Commonwealth Entry and Deportation Act of 1983, specifically 3 CMC §4341.
- 2.7. Division means the Division of Public Health, a division within the Department of Public Health.

2.8. Duly Authorized Representative means the Deputy Secretary of Public Health Administration, the Medical Director of Public Health, the Sanitation Services Officer, or Sanitarian, as appointed by the Secretary.

2.9. Employer means any individual, partnership, association, corporation, or other legal entity which hires, employs, or otherwise engages for compensation any individual to perform services or labor within the Commonwealth, including any branch, agency, or instrumentality of the Commonwealth, but does not include the United States government.

2.10. Health Certificate means an authorization issued by the Secretary to an Alien Employee certifying that the Alien Employee has been examined and found to be in good health, and free of specified communicable diseases.

2.11. HIV means the Human Immunodeficiency Virus which infects humans principally through sexual intercourse, the exchange of bodily fluids, including blood and blood products, or the sharing of needles among intravenous drug users, and which may eventually lead to the development of acquired immunodeficiency syndrome (AIDS).

2.12. Person-In-Charge means the individual present in a place of employment who is the apparent supervisor of the business establishment and the supervisor of the Alien Employees at the time of inspection, or in the event no designated supervisor is present, then any employee working at the place of employment.

2.13. Physical Examination means a medical examination performed by a Physician.

2.14. Physically Fit and in Good Health means a condition of sufficient physical and mental health to enable the individual to perform the work he or she is being hired to do without compromising his or her health.

2.15 Physician means a CNMI licensed physician.

2.16. Secretary means the Secretary of the Department of Public Health, or a Duly Authorized Representative.

2.17. Syphilis means a sexually transmitted disease caused by the organism *Treponema pallidum*, and screened by means of a Rapid Plasma Reagin (RPR) test.

2.18. Tuberculosis means a potentially communicable disease caused by the organism *Mycobacterium tuberculosis*, which may be diagnosed based on clinical, laboratory, radiological, and tuberculin skin testing. Active Tuberculosis is considered communicable and highly contagious.

III. Physical Examination

3.1. Period For Obtaining Physical Examination. Within ten (10) days after authorized entry into the CNMI for employment, an Alien Employee shall schedule an appointment for a Physical Examination as required by the Nonresident Worker Act, 3 CMC §4438(b) **to establish that he or she is physically fit and in good health.** A record of the Physical Examination shall be completed by the Physician on a Physical Examination form approved by the Division. Yearly Physical Examinations for Alien Employees shall be performed at least forty-five (45) days prior to the annual renewal of the employment contract, or forty-five (45) days prior to the anniversary of the entry date into the CNMI, whichever date is first.

3.2. Filing of Physical Examination Forms. The Physician performing the Alien Employee's Physical Examination shall provide the Division with a copy of the completed Physical Examination form for the Alien Employee in a sealed envelope marked "Confidential" within forty-five (45) days from the date of the Alien Employee's initial Physical Examination, and forty-five (45) days from the date of each annual Physical Examination thereafter.

3.3. Cost of Physical Examination. The cost of the Alien Employee's Physical Examination shall be the financial responsibility of the Alien Employee's Employer.

IV. Screening For Communicable Disease

All Alien Employees entering the CNMI shall be screened for specified communicable diseases which can not only jeopardize the health and life of the Alien Employees, but also threaten the resident CNMI population and tourists visiting the CNMI. Screenings shall be limited to those communicable diseases which can be easily tested and monitored, including Tuberculosis, HIV, Syphilis, and any other communicable disease specified by the Secretary through health advisories as being a potential risk to the CNMI community.

4.1. Procedures For Screening. Concurrent with the performance of the Physical Examination, the Alien Employee shall obtain health screening tests for the communicable diseases specified in these Rules and Regulations, and any others required by the Secretary through health advisories. All chest radiographs required by these Rules and Regulations shall be read by a Physician, or may be sent to the Center For Tuberculosis and Lung Disease at the Commonwealth Health Center for reading.

4.2. Filing of Screening Test Results With The Division. The Alien Employee's Physician shall provide the Division with a copy of all screening test results required by this Section 4 and by the Secretary's health advisories within forty-five (45) days from the date of the Alien Employee's initial Physical Examination, and forty-five (45) days from the date of each annual Physical Examination thereafter. The screening test results shall be included in the sealed envelope marked "Confidential" containing the Physical Examination form.

4.3. Cost of Screening Tests. The cost of the Alien Employee's screening tests for the communicable diseases set forth in these Rules and Regulations, and any other tests required by the Secretary through health advisories shall be the financial responsibility of the Alien Employee's Employer.

4.4 Required Screening Tests For Communicable Diseases. At a minimum, all Alien Employees shall obtain screening tests for the following communicable diseases:

a. Tuberculosis Screening. Every Alien Employee shall obtain a single view PA chest radiograph upon entry into the CNMI, and then annually thereafter. The yearly test shall be performed at least forty-five (45) days prior to the annual renewal of the employment contract, or forty-five (45) days prior to the anniversary of the entry date into the CNMI, whichever date is first.

b. HIV Screening. Every Alien Employee shall obtain an HIV antibody test first upon entry into the CNMI, and then annually thereafter. The yearly test shall be performed at least forty-five (45) days prior to the annual renewal of the employment contract, or forty-five (45) days prior to the anniversary of the entry date into the CNMI, whichever date is first.

c. Syphilis Screening. Every Alien Employee shall obtain a Rapid Plasma Reagin (RPR) test first upon entry into the CNMI, and then annually thereafter. The yearly test shall be performed at least forty-five (45) days prior to the annual renewal of the employment contract, or forty-five (45) days prior to the anniversary of the entry date into the CNMI, whichever date is first.

d. Other Communicable Diseases. All Alien Employees who contract other infectious or communicable diseases should be seen promptly by a Physician. Any Physician who diagnoses an Alien Employee as having a communicable disease shall immediately report the Alien Employee to the Division.

V. Issuance of Health Certificates

5.1. Alien Employee Health Certificates. Within ten (10) working days of receiving the Alien Employee's Physical Examination form, the Division shall determine whether the Alien Employee qualifies to receive a Health Certificate. If the Alien Employee has been found to be physically fit **and** in good health, and free from communicable diseases covered by these Rules and Regulations, the Secretary shall issue the Alien Employee a Health Certificate. The Health Certificate shall be valid for a period of one (1) year from the date of issue.

5.2. Suspension of Issuance of Health Certificate for Alien Employees Found To Have A Communicable Disease. Alien Employees who test positive for a communicable disease covered by these Rules and Regulations shall be issued a Health Certificate subject to the recommendations of the Division.

5.3. Cost of Health Certificates. The cost of an Alien Employee Health Certificate shall be Twenty Dollars (\$20.00), payable to the Department upon issuance of the Health Certificate. The Employer of the Alien Employee shall be responsible for the cost of the Health Certificate.

5.4. Employer To Maintain Files. The Employer shall maintain the Health Certificates of all its Alien Employees in their respective employment files at all times. The Employer shall be prepared to show these Health Certificates to a Duly Authorized Representative, upon request during an inspection.

VI Division Record Keeping and Tracking Measures

6.1. Public Health Notification Form. A "Public Health Notification Form" shall be completed in triplicate by every Alien Employee and every Dependent entering the CNMI. The original Public Health Notification Form shall be given to the Alien Employee. One copy of the Public Health Notification Form shall be provided to the Division of Labor, Department of Labor and Immigration, and the second copy shall be provided to the Division.

6.2. Database Records. The information contained on the Public Health Notification Form shall be used by the Division to develop an Alien Employee health database. The database shall be used to track all Alien Employees and Dependents for compliance with the health screening requirements established in these Rules and Regulations. All Public Health Notification Forms shall be submitted to the Division within ten (10) days of entry.

6.3. Notice of Noncompliance. If a review of the Division's database indicates that an Alien Employee has not been issued a Health Certificate within ninety (90) days from the Alien Employee's date of entry into the

CNMI, Division staff shall send written notice to the Alien Employee of noncompliance with these Rules and Regulations. The Alien Employee shall have twenty (20) days from the date of the notice to come into compliance with the requirements of these Rules and Regulations. Failure to respond to the Division's notice shall subject the Alien Employee to penalties as set forth in Section 10 of these Rules and Regulations. This Section 6.3 shall not apply to those Alien Employees who have not been issued Health Certificates because they are undergoing treatment for a communicable disease, and who remain fully compliant with the Division's prescribed treatment regimen for the duration of treatment. An Alien Employee undergoing treatment shall be issued a letter by the Division setting forth the date treatment is anticipated to be completed and when a Health Certificate can be issued.

6.4. Inspections by Duly Authorized Representatives. From time to time an Employer's place of employment may be inspected by a Duly Authorized Representative of the Department. Upon request by the Duly Authorized Representative, the Employer or Person-In-Charge shall grant the Duly Authorized Representative access to the Alien Employees' employment files for purposes of inspecting the Health Certificates. Any Alien Employee who does not have a valid Health Certificate in his or her employment file shall be reported to the Division.

VII. Alien Employees With Positive Test Results

7.1. Handling of Alien Employees With Positive Test Results. If an Alien Employee is found to have a communicable disease covered by these Rules and Regulations, the Division shall establish a treatment regimen for the Alien Employee to the extent treatment is available within the CNMI. If the Alien Employee fails to comply with the Division's treatment regimen, the Department shall prepare a written advisory to the Department of Labor and Immigration recommending that such Alien Employee be immediately Deported back to his or her country of origin. The costs associated with the Alien Employee's Deportation shall be the financial responsibility of the Employer.

Positive test results for Tuberculosis, HIV, and Syphilis shall be handled by the Division as follows:

a. Tuberculosis. Alien Employees found to have Tuberculosis shall be required to comply with the Center for Tuberculosis and Lung Disease protocol for treating Tuberculosis for the duration of their stay in the CNMI. Any Alien Employee diagnosed with Tuberculosis who does not comply with prescribed treatment and therapy for Tuberculosis, or who fails to comply with recommendations made by the Division may be referred by the Division to the Department of Labor and Immigration for Deportation.

b. HIV. Alien Employees who test positive for HIV shall comply with the Division's protocol for HIV patients.

c. Syphilis. Alien Employees who test positive for Syphilis shall be required to report to the Division for treatment. Any Alien Employee diagnosed with Syphilis who does not comply with prescribed treatment and therapy for Syphilis may be referred by the Division to the Department of Labor and Immigration for Deportation.

7.2. Procedure When Infection Is Suspected. When the Secretary has probable cause to suspect disease transmission by an Alien Employee, the Secretary may require a medical history, Physical Examination, and any necessary screening tests required to confirm that the suspected Alien Employee has a communicable disease. If the Alien Employee is confirmed to have a communicable disease, the Secretary may require any or all of the following measures:

a. Restriction of the Alien Employee's services to an area of the establishment where there would be no danger of him or her transmitting the disease;

b. Adequate Physical Examinations and health screenings of other employees working in the same establishment as the Alien Employee pursuant to the Rules and Regulations Governing Communicable Diseases;

c. The immediate exclusion of the Alien Employee from employment pursuant to the Rules and Regulations Governing Communicable Diseases;

d. The immediate closing of the place of employment concerned until, in the opinion of the Secretary, no further danger of disease outbreak exists pursuant to the Rules and Regulations Governing Communicable Diseases;

e. Confinement of the Alien Employee in the Commonwealth Health Center or his or her home pursuant to the Rules and Regulations Governing Communicable Diseases;

f. Referral of the Alien Employee to the Department of Labor and Immigration for immediate Deportation back to his or her country of origin.

VIII. **Screening Required For Dependents**

8.1. Physical Examinations and Screening Tests Required for Dependents. Within ten (10) days after the Dependents' authorized entry into the CNMI, the accountable Alien Employee shall schedule appointments for Physical Examinations for the Dependents as required by the Nonresident Worker Act, 3 CMC §4438(b) and Section 3 of these Rules and Regulations, and screening tests for communicable diseases as set forth in Section 4 of these Rules and Regulations.

8.2. Exceptions For Dependents Age Fifteen Or Younger. Notwithstanding Section 8.1, Dependents age **twelve (12)** or younger shall only be required to obtain: a) a Physical Examination; b) a **Mantoux tuberculin skin test using purified protein derivative (PPD), which if found positive (greater than or equal to 10 millimeters induration) when read within seventy-two (72) hours after the test is performed, then Tuberculosis Screening** as set forth in Section 4.4(a) of these Rules and Regulations **will be required**; and c) those childhood vaccinations required by Department advisories for which the Dependent does not have Adequate documentation demonstrating that such vaccination was provided in his or her country of origin. The Alien Employee shall be responsible for submitting all vaccination documentation for his or her Dependents age fifteen (15) or younger to the Division for inspection.

8.3. Filing of Dependents' Physical Examination Forms and Screening Test Results. The Physician performing the Physical Examination shall provide the **Division** with copies of the completed Physical Examination forms and all screening test results for each of the Alien Employee's Dependents in the CNMI in a sealed envelope marked "Confidential" within forty-five (45) days from the date of the Dependents' initial Physical Examination, and then for Physical Examinations yearly thereafter.

8.4. Issuance of Health Certificates to Dependents. Health Certificates shall be issued by the Secretary to Dependents as provided in Sections 5.1 and 5.2 of these Rules and Regulations. It shall be the responsibility of the Alien Employee to maintain the Health Certificates for his or her Dependents.

8.5. Cost of Dependents' Physical Examinations, Screening Tests, and Health Certificate. The cost of the Physical Examinations, screening tests, and Health Certificates for Dependents shall be the responsibility of either the Alien Employee or the Employer, as agreed to between them.

8.6. Notice of Noncompliance. If a review of the Division's database indicates that a Dependent of an Alien Employee has not been issued a Health Certificate within ninety (90) days from the Dependent's date of entry into the CNMI, Division staff shall send written notice to the Dependent and Alien Employee of noncompliance with these Rules and Regulations. The Dependent shall have twenty (20) days from the date of the notice to come into compliance with the requirements of these Rules and Regulations. Failure to respond to the Division's notice shall subject the Dependent and the Alien Employee to penalties as set forth in Section 10 of these Rules and Regulations. This Section 8.6 shall not apply to those Dependents who have not been issued Health Certificates because they are undergoing treatment for a communicable disease, and who remain fully compliant with the Division's prescribed treatment regimen for the duration of treatment. A Dependent undergoing treatment shall be issued a letter by the Division setting forth the date treatment is anticipated to be completed and when a Health Certificate can be issued.

8.7. Positive Test Results. Dependents with positive test results who fail to comply with the treatment recommendations of the Division or the Center for Tuberculosis and Lung Disease shall be subject to Deportation as provided in Section 7.1 of these Rules and Regulations. However, the costs associated with the Dependent's Deportation shall be the financial responsibility of the Alien Employee.

IX. Application of These Rules and Regulations To Alien Employees and Their Dependents Currently Residing In the CNMI

Upon the effective date of these Rules and Regulations, all Alien Employees and their Dependents currently residing in the CNMI shall have ninety (90) days to obtain a Health Certificate in order to be in compliance with the requirements of these Rules and Regulations. Those Alien Employees and their Dependents who have already had a Physical Examination or screening tests required by these Rules and Regulations in the CNMI for the year shall not be required to obtain new ones, but the Alien Employee shall be required to bring the results of the Physical Examination and/or screening test results to the Division for entry into the database and for issuance of the Health Certificate.

X. Penalties For Violations of These Rules and Regulations

10.1. Penalties for Alien Employees. Alien Employees who are found to be in violation of these Rules and Regulations shall be reported to the Division of Immigration, Department of Labor and Immigration and recommended for Deportation back to their country of origin. The costs associated with Deportation shall be the financial responsibility of the Employer.

10.2. Penalties for Dependents. Dependents age eighteen (18) or older who are found to be in violation of these Rules and Regulations shall be reported to the Division of Immigration, Department of Labor and Immigration and recommended for Deportation back to their country of origin. Dependents under age eighteen (18) who are found to be in violation of these Rules and Regulations shall be reported to the Division of Immigration, Department of Labor and Immigration and recommended for Deportation back to their country of origin along with an adult Dependent, or if there is no adult Dependent legally

responsible for the minor in the CNMI, then with the Alien Employee. The costs associated with Deportation shall be the financial responsibility of the Dependent or the Alien Employee.

10.3. Penalties For Other Violations. Any person found by the Department to have obtained a Health Certificate by fraudulent means; forged or altered information on a Physical Examination form or screening test; refused or failed to comply with any order issued by the Secretary or Duly Authorized Representative pursuant to these Rules and Regulations, or violated these Rules and Regulations in any other manner, shall be liable for a civil penalty of up to \$1,000.00 for each violation of the Rules and Regulations.

XI Severability

If any provision of these Rules and Regulations or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of these Rules and Regulations or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected hereby.