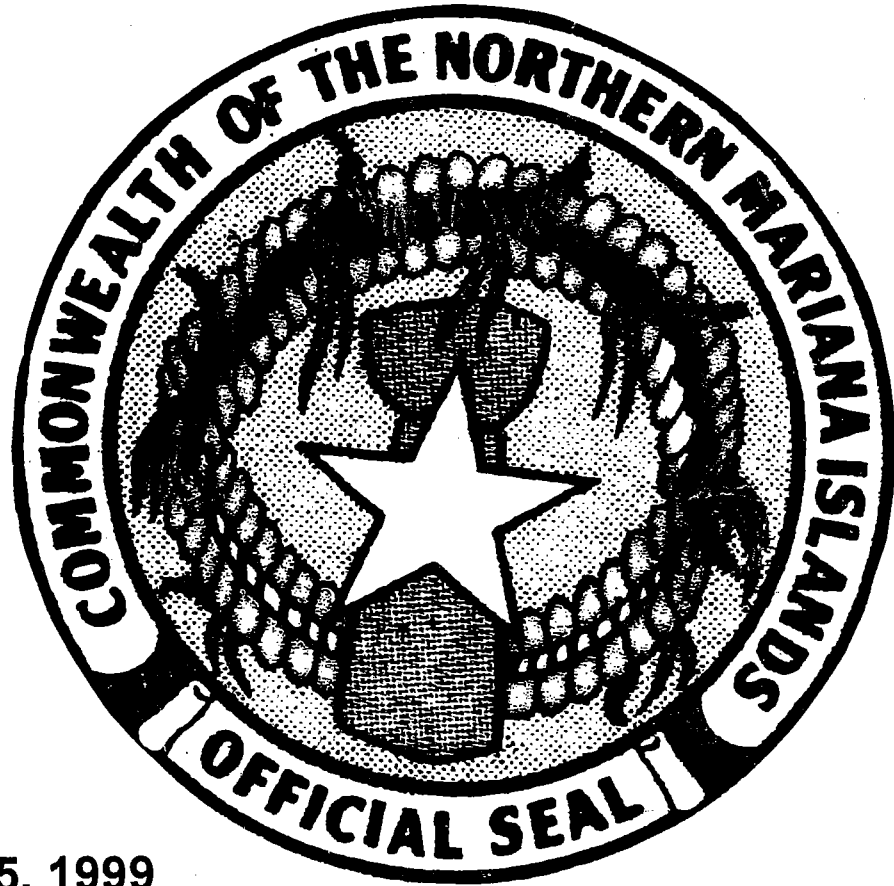


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN MARIANA ISLANDS

VOLUME 21 NUMBER 12



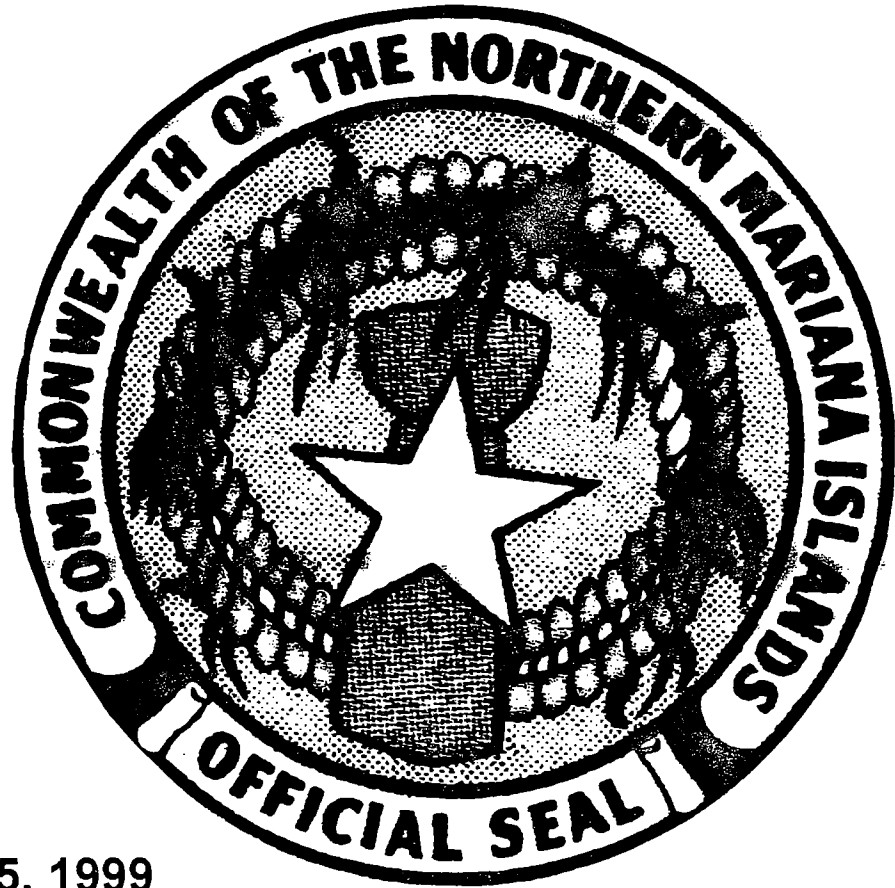
DECEMBER 15, 1999

COMMONWEALTH

REGISTER

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN MARIANA ISLANDS

VOLUME 21 NUMBER 12



DECEMBER 15, 1999

COMMONWEALTH

REGISTER

COMMONWEALTH REGISTER

**VOLUME 21 NUMBER 12
DECEMBER 15, 1999**

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TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan
Commonwealth of the Northern Mariana Islands

Commissioners:

Vicente M. Manglona
Chairman

Martin DLG San Nicolas
Vice Chairman

Jose P. San Nicolas
Joaquin H. Borja
Jeffrey M. Hofschneider

Notice of Adoption of the Rules and Regulations Governing the Operations of the Tinian Casino Gaming Control Commission

Esther H. Barr
Executive Director

NOTICE IS HEREBY GIVEN that the Chairman of the Tinian Casino Gaming Control Commission (TCGCC) hereby adopts the amendment of Chapter 10 of the TCGCC Rules and Regulations. This amendment is published in the Commonwealth Register, Volume 21, Number 10, on Pages 16931 to 16936 dated October 15, 1999.

The Tinian Casino Gaming Control Commission (TCGCC) hereby adopts these regulations in accordance with the authority vested in them pursuant to Sections 5(8)(c) and Section 121(h)(i) and (j) of the Revised Tinian Casino Gaming Control Act of 1989 and as codified in 10 CMC §2521 (h) (3) and 10 CMC §25123.

At the time the regulations were published, the public was asked to provide comments and make suggestions for the modification or improvement of the Regulations. No comments were received by TCGCC. The proposed regulations are now being adopted without amendment. The text of the Rules and Regulations is published following this notice. Copies of this regulation may be obtained at the TCGCC main office, P.O. Box 143, San Jose Village, Tinian, MP 96952.

Dated this 15th day of November 1999.


Vicente M. Manglona
Chairman



TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan
Commonwealth of the Northern Mariana Islands

Commissioners:

Vicente M. Manglona
Chairman

Martin DLG San Nicolas
Vice Chairman

Jose P. San Nicolas
Joaquin H. Borja
Jeffrey M. Hofschneider

Esther H. Barr
Executive Director

Certification of Adoption of the Rules and Regulations Governing the Operations of the Tinian Casino Gaming Control Commission

I, **VICENTE M. MANGLONA**, Chairman of the Tinian Casino Gaming Control Commission, which has promulgated the foregoing regulations and amendments to the existing TCGCC Regulations, by my signature below, do hereby certify that these amendments are true, complete and correct copy, formally adopted by the Commission during a special meeting on July 22, 1999.

DATED this 15th day of November, 1999.


VICENTE M. MANGLONA
Chairman



TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan
Commonwealth of the Northern Mariana Islands

Commissioners:

Vicente M. Manglona
Chairman

Martin DLG San Nicolas
Vice Chairman

Jose P. San Nicolas
Joaquin H. Borja
Jeffrey M. Hofschneider

Notice of Adoption of the Rules and Regulations Governing the Operations of the Tinian Casino Gaming Control Commission Personnel Regulations


Esther H. Barr
Executive Director

NOTICE IS HEREBY GIVEN that the Chairman of the Tinian Casino Gaming Control Commission (TCGCC) hereby adopts the amendment to the TCGCC Personnel Regulations, in particular Section 6-104 (1) on Annual Leave, Section 6-104 (2) on Sick Leave and Section 6-104 (4) on Compassionate Leave. These regulations are published in the Commonwealth Register, Volume 21, Number 10, on Pages 16925 to 16930 dated October 15, 1999.

The Tinian Casino Gaming Control Commission (TCGCC) hereby adopts these regulations in accordance with the authority vested in them pursuant to Sections 5(8)(c) and Section 121(h)(i) and (j) of the Revised Tinian Casino Gaming Control Act of 1989 and as codified in 10 CMC §2521 (h) (3) and 10 CMC §25123.

At the time the regulations were published, the public was asked to provide comments and make suggestions for the modification or improvement of the Regulations. No comments were received by TCGCC. The proposed regulations are now being adopted without amendment. The text of the Rules and Regulations is published following this notice. Copies of this regulation may be obtained at the TCGCC main office, P.O. Box 143, San Jose Village, Tinian, MP 96952.

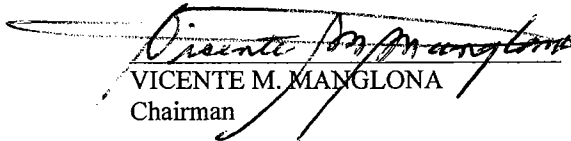
Dated this 15th day of November 1999.


Vicente M. Manglona
Chairman

**Certification of Adoption of the
Rules and Regulations Governing the Operations
of the Tinian Casino Gaming Control Commission
Personnel Regulation**

I, **VICENTE M. MANGLONA**, Chairman of the Tinian Casino Gaming Control Commission, which has promulgated the foregoing regulations and amendments to the existing TCGCC Regulations, by my signature below, do hereby certify that these amendments are true, complete and correct copy, formally adopted by the Commission during their regular meeting on February 9, 1999.

DATED this 15th day of November, 1999.


VICENTE M. MANGLONA
Chairman



COMMONWEALTH PORTS AUTHORITY

Main Office: SAIPAN INTERNATIONAL AIRPORT
P.O. BOX 1055 • SAIPAN • MP 96950
Phone: (1-670) 664-3500/1 FAX: (1-670) 234-5962
E-Mail Address: cpa.admin@saipan.com

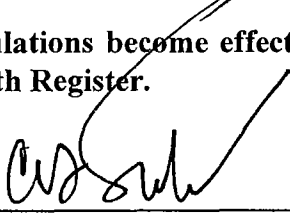

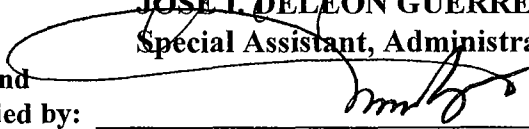
PUBLIC NOTICE

ADOPTION OF THE SECOND (1999) AMENDMENTS TO THE COMMONWEALTH PORTS AUTHORITY SEAPORT DIVISION

TERMINAL TARIFF REGULATIONS

The Commonwealth Ports Authority (CPA), pursuant to its rule-making authority under 2 CMC §2122(j), and in accordance with the provisions of 1 CMC §§9102, 9104(a), and 9105, hereby gives notice that the proposed Second (1999) Amendments to the Seaport Division Terminal Tariff Regulations which would implement at Part VI thereof a public parking fee schedule at the new Port of Saipan facility, as published in the Commonwealth Register, Vol. 21, No. 7, on July 23, 1999, at pages 16831 through and including 16837, were adopted by the CPA Board of Directors at its special meeting on November 12, 1999, with certain changes. The CPA Board changed the October 1, 1999 effective date to December 1, 1999. The Board also corrected Part VI(H)(4) to state that the \$35.00 parking fee per vehicle for seaport tenants is an annual fee. Finally, the Board deleted the second and third sentences of Part VI(H)(5) giving the Saipan Seaport Manager the discretion to exempt certain vehicles from paying the fee. Because of these changes, the regulations as adopted are hereby re-published in their entirety. Copies of the new regulations may be obtained from the Office of the Executive Director, Commonwealth Ports Authority, Saipan International Airport, or by mail at P. O. Box 501055, Saipan, MP 96950-1055.

The adopted regulations become effective ten (10) days after publication of this notice in the Commonwealth Register.

Issued by:		<u>11/23/99</u>
	CARLOS H. SALAS Executive Director	Date
Received by:		<u>12/13/99</u>
	JOSE I. DELEON GUERRERO Special Assistant, Administration	Date
Filed and Recorded by:		<u>12/14/99</u>
	SOLEDAD B. SASAMOTO Registrar of Corporations	Date

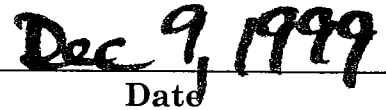
Certification by the Office of the Attorney General

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

MAYA B. KARA
Acting Attorney General

By: _____


ELLIOT A. SATTLER
Assistant Attorney General


Date



COMMONWEALTH PORTS AUTHORITY

Main Office: SAIPAN INTERNATIONAL AIRPORT
P.O. BOX 1055 • SAIPAN • MP 96950
Phone: (1-670) 664-3500/1 FAX: (1-670) 234-5962
E-Mail Address: cpa.admin@saipan.com

NUTISAN PUPBLIKU

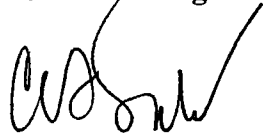
MA-ADOPTAN I SEGUNDO (1999) NA AMENDASION I COMMONWEALTH PORTS AUTHORITY DIBISION PANTALAN

REGULASION TERMINAL TARIFF

I Commonwealth Ports Authority (CPA), sigun gi aturidat I para u famatinas areklamento gi papa 2 CMC § 2122(j) yan sigun gi prubinsion siha ginen 1 CMC § 9102, 9104(a) yan 9105, ginen este a nutisia I pupbliku na I maproponin i segundo (1999) na amendasion siha gi Dibision Pantalan (Seaport) na Terminal Tariff areklamento siha, ni para u implementa I Patte VI pot I apas parking siha para I pupbliku gi I nuebu na facilidad, sigun gi mapupblika gi Commonwealth Register, Vol. 21, No. 7, gi dia Julio 23, 1999, pajina 16831 asta 16837, ma-adopta ni CPA Board of Directors gi espesiat na junta gi dia dose gi Novembre, 1999 ya guaha tinilaika siha. I CPA Board hatulaika I effectibu na dia, lugat di Oktubre dia uno, 1999, para u effectibu gi Desembre dia uno, 1999. Lokue, I Board a korihi Patte VI(H)(4) para una annok na I trentai-cinko pesos (\$35.00) apas un ano eyo na parking para I tenants I pantalan. Put otimo, I Board ana suha I segundo yan I tetsero na sentences gi Patte VI(H)(5) ni a nanae I mane-hanten I pantalan aturidat para u disidi haye siha ti para ufanman-apasi ni apas. Pot este siha na tinilaika, I regulasion, sigun gi ma-adopta, manma-pupblika talo todos. Kopian I nuebu na regulasion sina manma-nule gi ofisinan I Executive Director, Commonwealth Ports Authority, Saipan International Airport, pat sino by mail gi P. O. Box 501055, Saipan, MP 96950-1055.

I ma-adopta na regulasion siha para ufan-effectibu dies (10) dias despues di ma-pupblika este na nutisia gi Commonwealth Register.

Issued as:

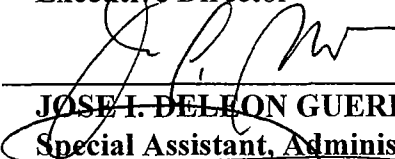


CARLOS H. SALAS
Executive Director

11/23/99

Fecha

Ma-risibi as:

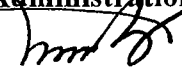


JOSE I. DELEON GUERRERO
Special Assistant, Administration

12/13/99

Fecha

Filed yan
Recorded as:



SOLEDAD B. SASAMOTO
Registrar of Corporations

12/14/99

Fecha

Setifikasion ginen I Ofisinan I Abugadun Hinerat

Sgun gi 1 CMC §2153, ni Inamenda nu i Lai Publiku 10-50, I areklamento yan regulasion ni chechetton guine, esta manma ina yan ma-apreba para u fotma ligat yan suficiente ginen I Ofisinan I Abugadun Hinerat giya CNMI.

**MAYA B. KARA
Acting Abugadun Hinerat**

**By: _____
ELLIOTTA A. SATTLER
Assistant Abugadun Hinerat**

Fecha



COMMONWEALTH PORTS AUTHORITY

Main Office: SAIPAN INTERNATIONAL AIRPORT
P.O. BOX 1055 • SAIPAN • MP 96950
Phone: (1-670) 664-3500/1 FAX: (1-670) 234-5962
E-Mail Address: cpa.admin@saipan.com

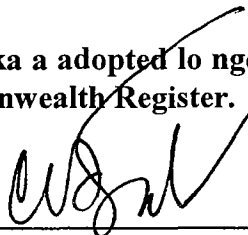
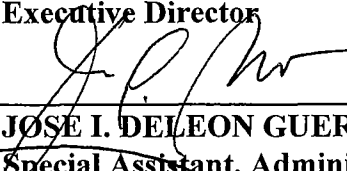
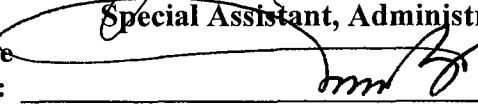
ARONGORONGOL TOULAP

ADOPTIONUL ARUWOWAL (1999) LLIWEL MELLOL COMMONWEALTH PORTS AUTHORITY SEAPORT DIVISION

TERMINAL TARIFF REGULATIONS

The Commonwealth Ports Authority (CPA), bwelle reel fféerúl allégh sáangi bwangil iye elo faal 2 CMC §2122(j), me eghol ngali alléghúl 1 CMC §§9102, 9104(a), and 9105, bwelle reel milleel ekki isisiwow arong bwe pomwol Aruwowal (1999) Lliiwel kkaal reel alléghúl Seaport Division Terminal Tariff iye ebwe attabweey Peigh VI reel mille ibwussul public parking fee schedule mellól bwuley ye e fféetá iye elo icliyel fféetághil waa mewóól Séipél, iye a toolong llól Commonwealth Register, Vol. 21, No. 7, llól maram ye Wuun 23, 1999, lo peigh scheel 16831 lóffósch ebwal toolong 16837, iye a adopted ló mereel CPA Board of Directors mellól ótol péépe llól maram we Aremwoy 12, 1999, meigha ebwal yoor abbáaw lliiwel. CPA Board e liweliiló Sarobwel 1, 1999 ngáli llól maram ye Tumwur 1, 1999. Board ebwal awela Peigh VI(H)(4) reel ebwe apasa bwe \$35.00 reel parking fee (abwós) reel ghareeta kka elo bwe seaport tenants nge ebwe annual fee. Board ebwal amwóowaló aruwoowal me ailuwal sentences mellól Peigh VI(H)(5) e ngalleey Saipan Seaport Manager llól tipal iyo ebwe abwós reel mille paying the fee. Bweigha reel lliiwel kkaal, allégh kka a adopted ló nge iyeeg a arong sefaál alongal ló. Kopiyel allégh kka e ffénge emmwel ebwe bweibwogh mereel Bwulasiyol Executive Director, Commonwealth Ports Authority, Saipan International Airport, reel mnil P. O. Box 501055, Saipan, MP 96950-1055.

Allegh kkaal ikka a adopted lo nge ebwe lleghelo llo Seigh (10) ral mwiril toolongol arong yeel llo Commonwealth Register.

Mereel:	 _____ CARLOS H. SALAS Executive Director	<u>11/23/99</u> Ral
Bwugiyal:	 _____ JOSE I. DELEON GUERRERO Special Assistant, Administration	<u>12/13/99</u> Ral
Isaliyal me Recorded:	 _____ SOLEDAD B. SASAMOTO Registrar of Corporations	<u>12/14/99</u> Ral

Certification Mereel Pwelosiyu Attorney General

Bwelle reel 1 CMC §2153, iye a lliwel mereel alleghul toulap Public Law 10-50, allegh kkaal ikka e appasch nge attakkal amweri me alughulughul mereel bwulasiyol CNMI Attorney General's.

**MAYA B. KARA
Acting Attorney General**

**Mercel: _____
ELLIOTT A. SATTLER
Assistant Attorney General**

Ral

**CERTIFICATE OF ADOPTION
OF AMENDMENTS TO THE
COMMONWEALTH PORTS AUTHORITY

TERMINAL TARIFF REGULATIONS**

I, Carlos H. Salas, Executive Director of the Commonwealth Ports Authority, the agency promulgating the amendments to Part VI of the Seaport Division Terminal Tariff Regulations, published in the Commonwealth Register under Volume 21, Number 7, on July 23, 1999, at pages 16831 through and including 16837 by signature below hereby certify that the final rules and regulations were adopted by the CPA Board at its special meeting on November 12, 1999.

The adopted regulations contained certain changes to the proposed version that was earlier published. One of the changes relates to the implementation date of the public parking regulations at the Port of Saipan. A second change deletes the language giving the Saipan Seaport Manager the discretion to exempt certain vehicles from paying the fee. A third provides that the \$35.00 parking fee for seaport tenants is an annual fee. As such, I hereby request that the adopted regulations be published in its entirety together with the Public Notice and this Certificate of Adoption.

I declare under penalty of perjury that the preceding rules and regulations are true and correct and that this declaration was executed on the 23rd day of November, 1999, at Saipan, Commonwealth of the Northern Mariana Islands.



**CARLOS H. SALAS
Executive Director**

**COMMONWEALTH PORTS AUTHORITY
SEAPORT DIVISION**

**SECOND (1999) AMENDMENT
TO THE TERMINAL TARIFF REGULATIONS**

The Terminal Tariff Regulations setting forth the rates, charges, and fees that are assessed at the commercial ports of the Commonwealth of the Northern Mariana Islands are further amended by the Commonwealth Ports Authority in order to implement public parking fees at the new Port of Saipan.

1. Part VI of the Terminal Tariff with respect to Miscellaneous Charges is amended to add a new Subpart H, which shall read as follows:

H. Public Parking Fees: A Public Parking Fee Schedule is hereby instituted at the Port of Saipan in order to generate additional revenue to assist the Commonwealth Ports Authority meet its seaport operating expenses and revenue bond obligation that was issued in order to redevelop and make major improvements to the Port of Saipan. The following public parking fees and provisions are adopted:

1. All vehicles owned by members of the general public shall park in designated-parking areas only and shall pay a public parking fee per vehicle as follows:

Minimum Fee (one-hour or less).....	\$1.00
Hourly Rate.....	\$1.00
Each Additional Hour (or fraction thereof).....	\$1.00
Maximum Daily Rate (more than 10-hours for each 24-hour period).....	\$10.00
Fee for Lost Parking Ticket per day.....	\$10.00

2. Buses (i.e. vehicles with a passenger capacity of more than 15-passengers) that drop-off and pick-up tourists and other passengers at the Port of Saipan shall pay a monthly fee of \$20.00 per vehicle. Because of limited parking space at the Port of Saipan for buses, such vehicles may only drop-off and pick-up passengers. If any bus decides to park at the limited bus-parking stalls, however, it shall pay an additional fee of \$10.00 per hour.
 3. Each taxicab shall pay a fee of \$5.00 per month and may park in taxicab-designated parking stalls only.
 4. Seaport tenants who park at the Port of Saipan public parking stalls shall pay an annual fee of \$35.00 per vehicle.
 5. Exemptions. The following vehicles are exempted from paying the foregoing parking fees: CPA-owned vehicles and vehicles owned by CPA officials and employees; CNMI Government vehicles; and U. S. Government vehicles (including the U. S. Military).
 6. Vehicles parked in violation of these Parking Regulations will be towed away from the Port premises, at the vehicle owner's expense.
 7. Color-coded decals may be issued by the Saipan Seaport Manager to identify the various categories of vehicles covered by these regulations.
2. The foregoing amendment to Part VI of the Terminal Tariff regulations shall become effective December 1, 1999.



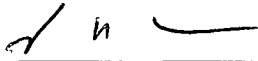
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
Medical Profession Licensing Board

PUBLIC NOTICE

**NOTICE OF ADOPTION OF THE RULES AND REGULATIONS
FOR LICENSING HEALTH CARE PROFESSIONALS
CHAPTER VII: OPTOMETRISTS AND OPTOMETRY**

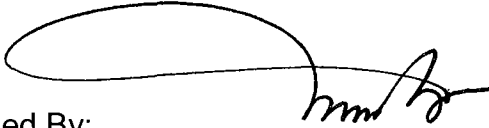
NOTICE IS HEREBY GIVEN that the Chairman of the Medical Profession Licensing Board of the Commonwealth of the Northern Mariana Islands, in accordance with the authority vested in it pursuant to 3 CMC §2214(a), adopts Chapter VII, Optometrists and Optometry, of the Rules and Regulations for Licensing Health Care Professionals. These amended Regulations were originally published in the October 15, 1999 Commonwealth Register, Volume 21, Number 10, at pages 16914-16924.

At the time the Regulations were published, the public was asked to provide comments and make suggestions for the modification or improvement of the Regulations. Comments were received and considered by the Medical Profession Licensing Board. The proposed Regulations have been modified to reflect some of the proposed changes. A complete copy of Chapter VII of the Regulations is hereby being republished to reflect these changes. Copies of Chapter VII, Optometrists and Optometry, of the Rules and Regulations for Licensing Health Care Professionals may be obtained from the office of the Secretary of the Medical Profession Licensing Board, located on the ground floor of the Commonwealth Health Center.



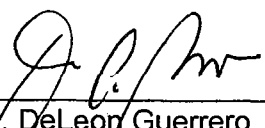
VICENTE S. ALDAN, M.D.
CHAIRMAN
Medical Profession Licensing Board

Date: 12/2/99


Filed By: _____
SOLEDAD B. SASAMOTO
Registrar of Corporations

Date: 12/14/99

RECEIVED BY:




Jose J. DeLeon Guerrero
Special Assistant for Administration

Date: 12/13/99

CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL

Pursuant to 1 CMC § 2153 as amended by P.L. 10-50, Chapter 9 of the Rules and Regulations for Licensing Health Care Professionals was reviewed and approved as to form and legal sufficiency by the CNMI Office of the Attorney General.

MAYA B. KARA
Attorney General, Acting

BY: 

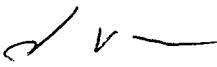
ELLIOTT A. SATTLER
Assistant Attorney General

DATE: Dec 9, 1999

CERTIFICATION OF ADOPTION OF THE RULES AND
REGULATIONS FOR LICENSING HEALTH CARE PROFESSIONALS
CHAPTER VII: OPTOMETRISTS AND OPTOMETRY

I, Vicente S. Aldan, M.D., the Chairman of the Medical Profession Licensing Board which is promulgating Chapter VI, Optometrists and Optometry, of the Rules and Regulations for Licensing Health Care Professionals, published in the October 15, 1999 Commonwealth Register, Volume 21, Number 10, at pages 16914-16924, by signature below, hereby certify that the Regulations as modified and published herein, are a true, complete, and correct copy of the Regulations now adopted by the Medical Profession Licensing Board. I further request and direct that this Certification be published in the Commonwealth Register and then be attached by both the Office of the Registrar of Corporations and by the Office of the Governor to the Rules and Regulations Governing the Health, Safety and Sanitation of the CNMI.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on the 2nd day of December, 1999 at Saipan, Commonwealth of the Northern Mariana Islands.

By: 

VICENTE S. ALDAN, M.D.
CHAIRMAN
Medical Profession Licensing Board

CHAPTER VII OPTOMETRISTS AND OPTOMETRY

7-1. Definitions:

For the purposes of this Chapter, the following terms shall have the meanings set forth below:

- A. **The Board** means: the Medical Profession Licensing Board of the CNMI.
- B. **Optometry** means: the care and services provided by or under the direction and supervision of an optometrist licensed pursuant to these regulations.
- C. **Optometrist** means: a person who has met all the conditions of these regulations for licensure, and is licensed in the CNMI to practice optometry.
- D. **Practice of Optometry** means:
 - 1. The examination or refraction of the human eye and its appendages and the employment of any objective or subjective means or methods other than surgery for the purpose of diagnosing or treating any visual, muscular, neurological, or anatomical anomalies or diseases of the eye.
 - 2. The employment of any means for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof, or the possession of testing appliances for the purpose of the measurement of the powers of vision.
 - 3. The prescribing of contact lenses and spectacle lenses for, or the fitting or adaptation of contact and spectacle lenses to, the human eye.
 - 4. Prescribing or directing the use of any instrument or device to train the visual system or correct any abnormal condition of the eye or eyes and the prescribing, fitting or employment of any lens, prism, frame or mountings for the correction or relief of or aid to the visual function.
 - 5. Performance of optometric procedures which do not require an incision or the use of a therapeutic laser.
 - 6. The prescription of legend drugs and controlled substances, except those listed in Schedules I and II as described in the United States Code, Title 21, Section 812, subject to the following limitations:

- a. Schedule III pharmaceutical agents shall be limited to an initial prescription, the duration of which does not exceed 48 hours, and may be extended only after consultation with an ophthalmologist. Prescriptions for controlled substances may not exceed in number the recommended dosage for the duration of the prescription, and may not be refilled without further examination and follow-up care. Optometrists shall not maintain inventories of controlled substances for dispensing or administering.
 - b. Optometrists may prescribe only for the treatment of conditions of the eye and adenexa.
7. Optometry shall not include the performing of cataract surgery, radial keratometry, cryosurgery, or laser surgery including laser procedures for correction of refractive error.

7-2. Practice of Optometry: License Required

A. License to Practice:

1. No person or persons shall open an office for the purpose of practicing optometry in the CNMI, or announce to the public in any way an intention to practice optometry in the CNMI, without first having obtained a license from the Board.
2. No person or persons, except a licensed optometrist or optometrists under this chapter whose licenses have not been revoked or lapsed, shall hold himself out by the use of any sign, newspaper, advertisement, pamphlet, circular, or any other means as qualified to practice optometry.
3. No person shall use the name or title "Optometrist", "Optometric Physician", or "Doctor of Optometry", or use the phrase "eye clinic", "eye institute", "eye doctor", or any other name, title, or phrase which would lead the public to believe that such person is engaging in the practice of optometry unless such person is licensed as an optometrist under this chapter. This paragraph shall not be construed to prohibit an ophthalmologist licensed to practice medicine in the CNMI from using the terms "eye clinic", "eye institute", or "eye doctor", however any term or phrase containing the words "optometrist", "optometric", or "optometry" may not be used by ophthalmologists.
4. No person or persons, except a licensed optometrist or optometrists under this chapter whose licenses have not been revoked or lapsed, or a physician and surgeon licensed to practice in the CNMI, shall have possession of any trial lenses, trial frames, graduated test cards, or other appliances or instruments used in the practice of optometry for the purpose of rendering assistance to patrons in the selection of

contact lenses, lenses, or eyeglasses, or sell ophthalmic lenses or replace broken contact lenses or lenses in eyeglasses except upon the prescription of a regularly licensed optometrist, or a physician and surgeon licensed to practice in the CNMI.

5. No person not licensed under this chapter or who has not paid the annual renewal fee as provided in this chapter, shall practice optometry as defined in this chapter.
- B. **Education**: Every applicant for licensure to practice optometry must attain the degree of Doctor of Optometry (O.D.) or its equivalent upon completion of a program in optometry from a college or university acceptable to the Board, whose program is accredited by the American Optometric Association's Council on Optometric Education.
- C. **Examination**: Applicants for licensure by examination must pass the National Board of Examiners in Optometry (NBEO) Examination, Parts I, II, and III. Credit will also be given to candidates who have passed Parts I and II of the NBEO and the NERCOATS examination.
- D. **Qualifications for Licensure by Reciprocity**: Applicants who meet all the requirements of the Board may be granted a license without examination if they are licensed to practice optometry in another state whose requirements for certification are substantially equivalent to those required in the CNMI. In order to be eligible for reciprocity, the optometrist must possess an unlimited license for the full scope of practice allowed for optometrists in the state of licensure.
- E. **Passing of Treatment and Management of Ocular Disease Examination**: All applicants for licensure (by examination or by reciprocity) must submit proof of passing the examination on the Treatment and Management of Ocular Disease (TMOD) which is administered by the NBEO. Passing Part III of the NBEO Examination (which includes the TMOD) will satisfy this requirement.
- F. **Continuing Education Requirements**: In order to renew the license, the optometrist must submit proof that he/she has, during the preceding twenty-four (24) months, received a minimum of fifty (50) clock hours of continuing education from sources approved by the Board. Approved courses include those approved by the Council on Optometric Practitioner Education (COPE), or those sponsored by the American Optometric Association, the American Academy of Optometry, the American Academy of Ophthalmology, or any School of Optometry or School of Medicine in the United States that is recognized by the Board. Courses relating to business or practice management shall not be counted toward this requirement.

7-3. Application for Licensure

- A. An application for licensure as an optometrist must be made on forms supplied by the Board. The application must state:
1. The date and place of birth as well as the various places of employment since the date of graduation from high school.
 2. The applicant's educational background, including schools attended, length of time in attendance at each and whether or not the applicant is a graduate of those schools.
 3. Whether or not the applicant has ever applied for a license or certificate as an optometrist in another place and, if so, when and where and whether the application was approved.
 4. The applicant's practical training and experience.
 5. Whether or not the applicant has ever had a license or certificate as an optometrist revoked, restricted or suspended or whether proceedings involving such a revocation, restriction or suspension have ever been instituted against the applicant.
 6. Whether the applicant has ever been convicted of a felony or an offense involving moral turpitude.
 7. Whether the applicant has ever been addicted to the use of narcotics, controlled substances, or alcohol.
 8. Whether the applicant has ever been investigated for, charged with, or convicted for the use or illegal sale or dispensing of controlled substances.
- B. The application must include the address of the applicant's practice or intended practice and the address of any satellite offices.
- C. The applicant must submit to the Board proof of:
1. Completion of training as an optometrist in a program accredited by the American Optometric Association's Council on Optometric Education.
 2. Passage of Parts I, II, and III of the National Board of Examiners in Optometry (NBEO) Examination, or passage of Parts I and II of the NBEO and the NERCOATS Examination.
- D. The Board may require other documents or proof of qualifications, as it may deem proper.

- E. Each application must be signed by the applicant and sworn to before a notary public or other officer authorized to administer oaths.
- F. The applicant must submit the application to the Secretary of the Board at least 30 days before the next meeting of the Board.
- G. All required fees must accompany the application.

7-4. Rejection of Application

An application may be rejected if it appears that:

1. An applicant for licensure as an optometrist is not qualified to perform the duties and responsibilities of an optometrist as established by the Board pursuant to Section 7-1; or
2. Is not of good moral character or reputation; or
3. Any credential submitted is false; or
4. The application is not made in proper form or other deficiencies appear in it.

7-5. Term of License

The license of an optometrist shall be valid for a period of two (2) years.

7-6. Renewal of License

The license of an optometrist shall be renewed through an application signed by the optometrist accompanied by all required fees. Additional documents may be required if needed to establish that the applicant continues to meet all requirements for licensure.

7-7. Grounds for Revocation of License

The license of any optometrist may be revoked by the Board when, after notice and hearing in accordance with the provisions of these regulations, it finds that the optometrist engaged in any of the following activities:

- A. Providing services beyond the scope of the practice of optometry as defined in this chapter.

- B. Practicing or attempting to practice the profession of optometry while under the influence of intoxicating beverages or narcotic drugs.
- C. Giving or receiving rebates.
- D. Gross negligence or repeated or continuing acts of negligence or incompetence in the practice of optometry.
- E. Any conduct or practice, including incompetency, which constitutes a danger to the health, welfare or safety of patients or the public.
- F. Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of the profession of optometry.
- G. Refusing to divulge to the Board upon demand the means, methods, devices or instrumentalities used for optometric examination or therapy.
- H. Failing to comply with a Board order or consent agreement.
- I. Fraud, forgery, unsworn falsification, false swearing or perjury involving a matter before the Board or a written instrument submitted to the Board.
- J. Willfully and without legal justification failing to furnish in a timely manner information which is necessary for the Board to conduct an investigation under this chapter and which has been requested or subpoenaed by the Board.

7-8. Notice of Charges, Hearing, Service of Notice

Before the Board revokes the license of an optometrist, the Board shall give the optometrist a written notice specifying the charges made against the optometrist and stating that the charges will be heard at the time and place indicated in the notice.

7-9. Prior Regulations Superseded

These Optometry Rules and Regulations shall supersede the prior Optometry Rules and Regulations published at Chapter VII, Volume 11, No. 9, page 6427 of the Commonwealth Register, dated September 15, 1989.




COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
Medical Profession Licensing Board

PUBLIC NOTICE

NOTICE OF ADOPTION OF THE RULES AND REGULATIONS
FOR LICENSING HEALTH CARE PROFESSIONALS
CHAPTER XI: PHYSICIAN ASSISTANTS


NOTICE IS HEREBY GIVEN that the Chairman of the Medical Profession Licensing Board of the Commonwealth of the Northern Mariana Islands, in accordance with the authority vested in it pursuant to 3 CMC §2214(a), adopts Chapter XI, Physician Assistants, of the Rules and Regulations for Licensing Health Care Professionals. These amended Regulations were originally published in the July 23, 1999 Commonwealth Register, Volume 21, Number 07, at pages 16838-16849.

At the time the Regulations were published, the public was asked to provide comments and make suggestions for the modification or improvement of the Regulations. Numerous comments were received and considered by the Medical Profession Licensing Board. The proposed Regulations have been modified to reflect some of the requested changes. A complete copy of Chapter XI of the Regulations is hereby being republished to reflect these changes. Copies of Chapter XI, Physician Assistants, of the Rules and Regulations for Licensing Health Care Professionals may be obtained from the office of the Secretary of the Medical Profession Licensing Board, located on the ground floor of the Commonwealth Health Center.



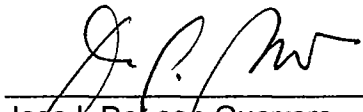
VICENTE S. ALDAN, M.D.
CHAIRMAN
Medical Profession Licensing Board

Date: 12/2/99


Filed By: _____
SOLEDAD B. SASAMOTO
Registrar of Corporations

Date: 12/14/99

RECEIVED BY:



Jose I. DeLeon Guerrero
Special Assistant for Administration

Date: 12/13/99

CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL

Pursuant to 1 CMC § 2153 as amended by P.L. 10-50, Chapter 9 of the Rules and Regulations for Licensing Health Care Professionals was reviewed and approved as to form and legal sufficiency by the CNMI Office of the Attorney General.

MAYA B. KARA
Attorney General, Acting

BY: 

ELLIOTT A. SATTLER
Assistant Attorney General

DATE: Dec 9, 1999

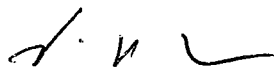


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
Medical Profession Licensing Board

CERTIFICATION OF ADOPTION OF THE RULES AND
REGULATIONS FOR LICENSING HEALTH CARE PROFESSIONALS
CHAPTER XI: PHYSICIAN ASSISTANTS

I, Vicente S. Aldan, M.D., the Chairman of the Medical Profession Licensing Board which is promulgating Chapter XI, Physician Assistants, of the Rules and Regulations for Licensing Health Care Professionals, published in the July 23, 1999 Commonwealth Register, Volume 21, Number 07, at pages 16838-16849, by signature below, hereby certify that the Regulations as modified and published herein, are a true, complete, and correct copy of the Regulations now adopted by the Medical Profession Licensing Board. I further request and direct that this Certification be published in the Commonwealth Register and then be attached by both the Office of the Registrar of Corporations and by the Office of the Governor to the Rules and Regulations Governing the Health, Safety and Sanitation of the CNMI.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on the 2nd day of December, 1999 at Saipan, Commonwealth of the Northern Mariana Islands.

By: 
VICENTE S. ALDAN, M.D.
CHAIRMAN
Medical Profession Licensing Board

CHAPTER XI

PHYSICIAN ASSISTANTS

11-1. QUALIFICATIONS OF APPLICANTS

An applicant for licensure as a physician assistant must:

1. Have graduated from high school, or possess an equivalent educational background.
2. Be able to communicate adequately in the English language.
3. Be of good moral character and reputation.
4. Have attended and completed a course of training as a physician assistant approved by the Council on Medical Education of the American Medical Association.
5. Have passed an examination administered by the National Commission on the Certification of Physician Assistants (NCCPA) or another certifying agency established for such purposes which is recognized by the Board.
6. Have and maintain an active license to practice in another state.

11-2. APPLICATION FOR LICENSURE

1. An application for licensure as a physician assistant must be made on forms supplied by the Board. The application must state:
 - a. The date and place of birth as well as the various places of employment since the date of graduation from high school.
 - b. The applicant's educational background, including schools attended, length of time in attendance at each and whether or not the applicant is a graduate of those schools.
 - c. Whether or not the applicant has ever applied for a license or certificate as a physician assistant in another place and, if so, when and where and whether the application was approved.
 - d. The applicant's practical training and experience.
 - e. Whether or not the applicant has ever had a license or certificate as a physician assistant revoked, restricted or suspended or whether proceedings involving such a revocation, restriction or suspension has ever been instituted against the applicant.
 - f. Whether the applicant has ever been convicted of a felony or an offense involving moral turpitude.
 - g. Whether the applicant has ever been addicted to narcotics, controlled

- substances, or alcohol.
- h. Whether the applicant has ever been investigated for, charged with, or convicted for the use or illegal sale or dispensing of controlled substances.
2. The application must include:
 - a. The name and address of the supervising physician and that physician's type of practice.
 - b. The name and address of any alternate supervising physician and that physician's type of practice.
 - c. The address of any satellite office of the supervising physician(s).
 - d. A Practice Agreement between the physician assistant and the supervising physician describing the manner and extent to which the physician assistant will practice and be supervised, including the identification of additional licensed physicians who will supervise the physician assistant; the education, training and experience of the primary supervisor and of the physician assistant; and other such information as the Board may require. The Board may approve, modify or reject the Practice Agreement as originally submitted.
 3. The applicant must submit to the Board proof of:
 - a. Completion of training as a physician assistant in a program approved by the Commission on Medical Education of the American Medical Association; and
 - b. Current certification by the National Commission on Certification of Physician Assistants (NCCPA).
 - c. Current CPR certification.
 4. The Board may require other documents or proof of qualifications, as it may deem proper.
 5. Each application must be signed by the applicant, co-signed by the supervising physician who wishes to employ and supervise the physician assistant, and sworn to before a notary public or other officer authorized to administer oaths.
 6. The applicant must submit the application to the Secretary of the Board at least 30 days before the next meeting of the Board at which consideration of the application is desired.
 7. All required fees must accompany the application.

11-3. REJECTION OF APPLICATION

1. An application may be rejected if it appears that:
 - a. An applicant for licensure as a physician assistant is not qualified to perform the duties and responsibilities of a physician assistant as established by the Board

- pursuant to Section 11-1; or
 - b. Any credential submitted is false; or
 - c. The application is not made in proper form or other deficiencies appear in it.
- 2. The Board shall not approve an application by any one supervising physician to employ or supervise more than two physician assistants at one time.

11-4. CONTENTS OF LICENSE

The license issued by the Board shall contain the names of the physician assistant, the supervising physician and any alternate supervising physicians; the duration of the license; and the general type of medical services that the physician assistant is permitted to perform. The license shall also set forth the location(s) at which the medical services may be provided and any other limitations or requirements, which the Board may prescribe.

11-5. EXPIRATION OF LICENSE/TERMINATION OF EMPLOYMENT

- 1. Except as provided in subsection 2, herein below, the license of a physician assistant shall be valid for a period of two (2) years.
- 2. No physician assistant may practice without a valid Practice Agreement on file with the Board.
 - a. The supervising physician shall immediately notify the Board of the termination of employment of his/her physician assistant(s).
 - b. The supervising physician and the physician assistant shall submit to the Board upon request a summary of the reasons for and circumstances surrounding the termination of the physician assistant's employment.
 - c. In the event of a change in the supervising or alternate supervising physician, the physician assistant shall notify the Board in writing a minimum of 10 days after the said change occurs for the Board's approval.

11-6. RENEWAL OF LICENSE

- 1. The license of a physician assistant shall be renewed through an application signed by the physician assistant and co-signed by the supervising physician, accompanied by all required fees.
- 2. The application must include evidence of current and unexpired NCCPA certification and proof of 50 hours of Category 1 continuing medical education in the preceding two years.

11-7. PERFORMANCE OF MEDICAL SERVICES

1. The medical services that the Board may authorize a physician assistant to perform shall be determined based on the physician assistant's education, training, and experience as well as the scope of practice of the supervising physician.
2. The physician assistant must wear a placard, plate or insignia, which identifies him/her as a physician assistant at all times when on duty.
3. No physician assistant may represent him/herself, or allow him/herself to be represented as a physician or in any other manner which would tend to mislead any patient or the general public as to the professional status of the physician assistant.
4. Any changes in the supervising physician and physician assistant's Practice Agreement must be submitted to the Board for approval.

11-8. PRESCRIPTION AND DISPENSING OF MEDICATIONS

1. Subject to paragraph 9 below, the physician assistant may prescribe, dispense, and administer drugs and medical devices to the extent delegated by the supervising physician. The physician assistant shall be regarded as an agent of the supervising physician when engaging in prescribing activities.
2. All dispensing activities of the physician assistant shall:
 - a. Comply with appropriate federal and CNMI regulations; and
 - b. Occur when pharmacy services are not reasonably available, or when it is an emergency.
3. The physician assistant may request, receive, and sign for professional samples and may distribute professional samples to patients.
4. All prescriptions written by the physician assistant must be fully documented (drug, dose, frequency, duration, amount) in the patient's medical record, and that medical record must be approved and co-signed by the supervising physician within two working days.
5. All prescriptions that are written by the physician assistant must be on prescription forms that bear the supervising physician's name, address, telephone number, and DEA number when required.
6. All prescriptions written by the physician assistant must include, in addition to his/her signature, his/her name clearly printed and the designation "PA."
7. The medication record or log for all prescription medications dispensed by the

physician assistant must be co-signed by the supervising or alternate supervising physician within one week.

8. Physician Assistants dispensing medications shall comply with "The Rules and Regulations Governing the Importation, Storage, Sales and Distribution of Drug and Pharmaceutical Products."
9. Physician Assistants are not authorized to prescribe or dispense controlled drugs.

11-9. DUTIES OF THE SUPERVISING PHYSICIAN

1. The supervising physician is responsible for all the medical activities of his/her physician assistant. The supervising physician shall ensure that:
 - a. The physician assistant is clearly identified to the patients as a physician assistant.
 - b. The physician assistant performs only those medical services appropriate to the specific training and experience of that physician assistant, approved by the Board and set forth in the license of the physician assistant.
 - c. The physician assistant does not represent him/herself, or allow him/herself to be represented, as a physician or in any other manner which would tend to mislead patients or the general public as to the professional status of the physician assistant.
2. The supervising physician shall review and co-sign a minimum of 25% of the patient records of the physician assistant weekly, except in remote areas, where the review of 25% of the patients' records may be done monthly.
3. The supervising physician or designated alternate supervising physician shall be available at all times for direct consultation with the physician assistant. Except for remote areas,
 - a. 50% onsite supervision is required for those with current NCCPA certification.
 - b. 75% onsite supervision is required for those without current NCCPA certification.
4. When a physician assistant is permitted by the Board to practice in a remote area other than the regular office of the supervising physician, consultations and supervision requirements may be indirect, as by telephone or radio. The supervising physician shall:
 - a. Review the work done by the physician assistant either directly or indirectly, by radio or telephone, on a daily basis; and
 - b. Visit the remote area at least monthly for a minimum of four hours to act as consultant to the physician assistant and to review and co-sign the medical records of the physician assistant.
 - c. For purposes of these regulations, the term "remote area" is defined as, "those islands within the CNMI other than Saipan, Rota or Tinian."

5. The supervising physician shall supervise the performance of the physician assistant in a hospital or other institution.
6. Whenever the supervising physician is to be absent from the CNMI, it is the responsibility of the supervising physician to designate and contact a qualified alternate physician to supervise the physician assistant.
7. In times of emergency or as approved by the Board "remote area" may be redefined.
8. No physician whose license has been suspended or revoked can continue to act as a supervising physician.

11-10. GROUNDS FOR REVOCATION OF LICENSE

The license of a physician assistant may be revoked by the Board when, after notice and hearing in accordance with the provisions of these regulations, it finds that the physician assistant:

1. Has willfully and intentionally made a false or fraudulent statement or submitted a forged or false document in applying for the license.
2. Has held him/herself out as a licensed physician or repeatedly permitted another to represent him/her as a licensed physician.
3. Has performed medical services otherwise than at the direction or under the supervision of the supervising physician.
4. Has been delegated authority to perform or has performed medical services beyond his/her competence or beyond those medical services which were authorized under the license issued by the Board.
5. Has engaged in or is engaging in the performance of medical services when he/she is unable to do so with reasonable skill and safety to patients because of the use of alcohol or any controlled substance or because of any mental or physical condition or illness.
6. Is guilty of gross negligence in the performance of medical services.
7. Is guilty of willful disobedience of any provision of these regulations.
8. Is guilty of administering, dispensing, or possessing any controlled substance otherwise than in the course of legitimate medical services or as authorized by law.

9. Has been convicted of a violation of any federal or state law or law of a foreign country regulating the possession, distribution, or use of a controlled substance; or
10. Has been convicted of a felony or any offense involving moral turpitude.

11-11. NOTICE OF CHARGES; HEARING; SERVICE OF NOTICE

Before the Board revokes the license of a physician assistant, the Board shall give the physician assistant and his/her supervising physician a written notice specifying the charges made against the physician assistant and stating that the charges will be heard at the time and place indicated in the notice.

11-12. SUSPENSION OF NCCPA CERTIFICATION REQUIREMENT

Physician assistants licensed by the Board prior to January 1997 and currently holding a valid CNMI Physician Assistant license but not having NCCPA certification shall be exempted from said certification requirement until January 1, 2001, at which time all CNMI-licensed physician assistants shall be required to hold current NCCPA certification.

11-13. REVOCATION OF PRIOR PHYSICIAN ASSISTANT REGULATIONS

These Physician Assistant Rules and Regulations shall supersede the prior Physician Assistant Rules and Regulations published in Chapter VI, Medicine/Surgery, of the Rules and Regulations for Licensing Health Care Professionals, Vol. 11 No. 9 Commonwealth Register, page 6420, dated September 15, 1989.

11-14 MEDEX EXEMPTION

Medexes who were "grandfathered" by P.L. 3-30 will be exempted from taking and passing the NCCPA exam. However, they are required to comply with the rest of the regulations, and will be required to have 75% onsite supervision.

11-15 NURSE PRACTITIONER EXEMPTION


Nurse Practitioners licensed under the Physician Assistant Regulations will be exempted from the educational and examination requirements for Physician Assistants. They will be required to show proof of education and examination within their own profession. They are required to comply with the rest of the regulations, and will be required to have 50% onsite supervision. Nurse Practitioner professional licensure will fall under the Physician Assistant Regulations until such time that separate regulations governing Nurse Practitioners are promulgated.


NOTICE AND CERTIFICATION OF ADOPTION
OF AMENDED RULES AND REGULATIONS
FOR REAL PROPERTY APPRAISERS

I, Francisco Q. Guerrero, Chairman of the Board of Professional Licensing which is promulgating the Rules and Regulations for Real Property Appraisers published in the Commonwealth Register Volume 21, No. 09 on September 16, 1999 at pages 16908 to 16913, by signature below hereby certify that as published such Rules are a true, complete and correct copy of the Rules and Regulations for Real Property Appraisers previously proposed by the Board of Professional Licensing which, after the expiration of appropriate time for public comment, have been adopted with no changes.

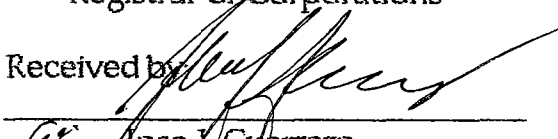
By signature below, I hereby certify that the proposed rules Regulations for Real Property Appraisers as herein amended are the true, correct and complete Amended Rules and Regulations for Real Property Appraisers adopted by the Board of Professional Licensing. I further request and direct that this Notice and Certification of Adoption be published in the CNMI Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on this 15TH day of December, 1999, at Saipan, Commonwealth of the Northern Mariana Islands.


Francisco Q. Guerrero
CHAIRMAN

Filed by: 
Soledad B. Sasamoto
Registrar of Corporations

12/15/99
Date Time

Received by: 
Jose I. Guerrero
Special Assistant for Administration

12/15/99
Date Time

Pursuant to 1 CMC §2153 as amended by P.L. 10-50 the Rules and Regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15TH day of DEC, 1999.


Maya B. Kara
Attorney General (Acting)
By: 
Elliott A. Sattler
Assistant Atty. General

NOTICE AND CERTIFICATION OF ADOPTION
OF ADMINISTRATIVE REGULATIONS
FOR PRACTICE AND PROCEDURES
OF THE BOARD OF PROFESSIONAL LICENSING

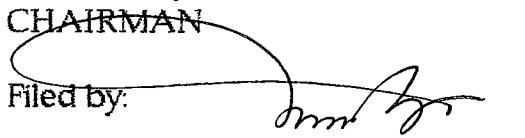
I, Francisco Q. Guerrero, Chairman of the Board of Professional Licensing which is promulgating the Administrative Regulations for Practice & Procedures of the Board of Professional Licensing published in the Commonwealth Register Volume 21, No. 10 on October 15, 1999 at pages 16937 to 16944, by signature below hereby certify that as published such Regulations are a true, complete and correct copy of the Administrative Regulations previously proposed by the Board of Professional Licensing which, after the expiration of appropriate time for public comment, have been adopted with no changes.

By signature below, I hereby certify that the proposed Administrative Regulations for Practice and Procedures as herein amended are the true, correct and complete Administrative Regulations adopted by the Board of Professional Licensing. I further request and direct that this Notice and Certification of Adoption be published in the CNMI Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on this 15th day of Dec., 1999, at Saipan, Commonwealth of the Northern Mariana Islands.


Francisco Q. Guerrero
CHAIRMAN

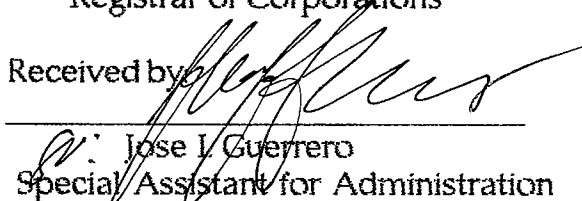
Filed by:


Soledad B. Sasamoto
Registrar of Corporations

12/15/99
Date

Time

Received by:


Jose I. Guerrero
Special Assistant for Administration

12/15/99
Date

Time

Pursuant to 1 CMC §2153 as amended by P.L. 10-50 the Administrative Regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Dec., 1999.

Mayra B. Kana
Attorney General (Acting)

By:


Elliott A. Saite