COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS SAIPAN, TINIAN, ROTA and NORTHERN ISLANDS



VOLUME 34 NUMBER 05

MAY 29, 2012

COMMONWEALTH REGISTER

VOLUME 34 NUMBER 05

MAY 29, 2012

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial Governor Eloy S. Inos Lieutenant Governor

EXECUTIVE ORDER No. 2012-04

DECLARATION OF HEALTH EMERGENCY

WHEREAS, the Commonwealth Healthcare Corporation ("CHC") provides the bulk of necessary healthcare in the Commonwealth, as well as providing all emergency medical services; and

WHEREAS, the disruption of the provision of medical services by the CHC poses a direct threat to the health and safety of the people of the Northern Mariana Islands; and

WHEREAS, the CHC is currently in arrears to payments to vendors providing vital services and equipment and is in arrears in regards to salary payments to necessary employees; and

WHEREAS, CHC, due to financial constraints, will have to shut down major functions of the Hospital, thus presenting an imminent threat to the public's health and welfare; and

WHEREAS, the CHC requires an infusion of funds to continue to provide medical services necessary for the health, welfare and safety of the people of the Northern Mariana Islands; and

WHEREAS, immediate restructuring and reorganization of CHC may be necessary to ensure its survival financially and as an institution that can deliver adequate healthcare to the people of the of the Northern Mariana Islands; and

WHEREAS, the disaster conditions described in Executive Order 2012-03, Declaration of Health Emergency continue and the actions needed to deal with the disaster are still necessary; and

WHEREAS, Article III §10 of the Constitution of the Commonwealth and section 5101 *et seq.* of Title Three of the Commonwealth Code provide that the Governor has the authority and duty to take the necessary steps to respond to impending disasters;

NOW THEREFORE, A State of Emergency for the Commonwealth of the Northern Mariana Islands is declared due to the imminent threat of the disruption of critical medical services in the Commonwealth and the danger that such a condition poses to the public because of the great increase in otherwise preventable deaths that would result.

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In order to meet this imminent threat, the Constitutional authority provided under Article III §10 is invoked, including, but not limited to, the authority to:

- 1. Suspend all statutory or regulatory provisions as required; and
- 2. The reprogramming of funds necessary to meet this emergency.

To ensure that the suspension of regulatory provisions does not lead to financial abuse, this emergency declaration incorporates the March 19, 2012 Memorandum of Understanding (MOU) between CHC and the Department of Finance, Office Management and Budget, and Office of the Attorney General. In addition, any financial reports submitted by the CHC pursuant to the MOU must be submitted with a certification of the person submitting them stating that the reports are a full and accurate under penalty of perjury.

day of May, 2012 Done this_

Benigno Ŕ

Governor

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial Governor

Eloy S. Inos Lieutenant Governor

EXECUTIVE ORDER NO. 2012-05

SUBJECT: DECLARATION OF A STATE OF DISASTER EMERGENCY: Commonwealth Utilities Corporation's imminent failure and the need to provide immediate reliable power, water, and wastewater services.

AUTHORITY: I, BENIGNO R. FITIAL, pursuant to the authority vested in me as Governor of the Commonwealth of the Northern Mariana Islands by Article III, § 10 of the Commonwealth Constitution and 3 CMC § 5121 of the Commonwealth Disaster Relief Act of 1979, do hereby declare a State of Disaster Emergency for the Commonwealth of the Northern Mariana Islands due to the imminent threat of the inability of the Commonwealth Utilities Corporation ("CUC") to provide critical power generation. water, and wastewater services to the CNMI and considering the harm such condition would pose to the Commonwealth of the Northern Mariana Islands.

Exercise of the Constitutional and statutory authority invoked herein will be effectuated by the issuance of Executive Directives setting forth the measures to be taken to address the State of Disaster Emergency pursuant to 3 CMC § 5121(f) (1-3), which states:

(f) In addition to any other powers conferred upon the Governor by law, the Governor may, during a state of disaster emergency:

- (1) Suspend the provisions of any regulatory statute prescribing the procedures for the conduct of the Commonwealth's business, or the orders, rules, or regulations of any Commonwealth activity or agency, if strict compliance with the provision of any such statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;
- (2) Utilize all available resources of the Commonwealth as reasonably necessary to cope with the disaster emergency of the Commonwealth;
- (3) Transfer the direction, personnel, or functions of the Commonwealth departments and agencies or units thereof for the purpose of performing or facilitating emergency services.

WHEREAS, I FIND THAT CUC IS FACING cash shortages which threaten to halt power, water, and wastewater services to the CNMI because of the lack of funds available for CUC to busy diesel fuel and lube oil for its operation. In addition, I find that in order to give relief to customers, renewable energy projects which have already gone through the Request for Proposals ("RFP") process must be implemented, but that with the Public Utilities Commission ("PUC") not functional, these projects must proceed without PUC review. I also find that in order to continue operations, CUC must be able to retain specialized technical employees who are not U.S. citizens and its executive power must be empowered to act in place of the Board until it can be constituted.

WHEREAS, CUC CANNOT PROCURE PROJECTS from competitive off-island bidders because the Board of Professional Licensing does not have the quorum required to issue licenses or certificates of authorization, which are prerequisites to bidding on CUC projects. Because the order in federal district court case *United States v CUC et al.*, No. 08-0051, requires CUC to cure certain infrastructure issues in a timely manner, bidding on current infrastructure issues is an imminent concern. Without the ability to accept bids from off-island bidders, CUC may not be able to obtain the skilled services required to make such repairs. Furthermore, by limiting the bidding pool to those who already have licenses in the CNMI, bidding is likely to be subject to false inflation, which would further tax CUC's budget.

WHEREAS, CUC IS THE SOLE ELECTRICITY SUPPLIER to the Government of the CNMI, including all public safety activities, the schools, and the only hospital. CUC also supplies electricity to most of the CNMI's businesses and homes. While some businesses and agencies own backup generators, they are not generally organized to use the backups as permanent power sources and the diesel oil purchased to run these generators is substantially more expensive than that used for CUC power.

WHEREAS, WITHOUT CUC ELECTRICITY:

- (1) Most CNMI economic activity would come to a halt, much refrigeration and air conditioning would end, and the airports and ports would be forced to rely on emergency generation on the limited, expensive oil supply for it;
- (2) The CNMI's health and safety would immediately be at risk because traffic signals and street lighting would cease to function; emergency. fire, police facilities and their communications systems, and the hospital and island clinics would have to rely on limited oil supplies for emergency generation and then cease functioning; and much refrigeration of food and medicines would end, as would air conditioning for the elderly and sick;
- (3) The public schools and the Northern Marianas College would close. Other educational institutions would close as their backup oil supplies for emergency generators were exhausted; and
- (4) Water and sewage treatment would soon end. One of CUC's largest electric customers is the combined CUC Water and Wastewater Divisions. CUC is the sole supplier of electricity for these systems. CUC's water system relies on electricity to maintain the system pressure needed to prevent the backflow of pathogens, to chlorinate, and to pump, store, and distribute water supplies.

CUC's wastewater system requires electricity to collect, pump, process, treat, and discharge sewage. The lack of electricity could result in sewage overflows, contaminating land and water and rendering unsafe the CNMI's beaches, which are also principal tourist destinations.

WHEREAS, THERE EXISTS A CASH CRISIS:

- (1) CUC is owed over \$8 million by the cash-strapped central government, the public school system ("PSS"), and the Commonwealth Healthcare Corporation ("CHC"). CUC is owed over \$4 million by residential users and is facing \$2.6 million in accounts payable to vendors who have, in good faith, provided materials and other services;
- (2) CUC only has days' worth of purchased diesel fuel to power its system because it lacks the funds to buy oil from its sole, cash-only supplier. CUC has no credit or other means to buy fuel than the revenue it collects from its customers;
- (3) CUC currently has shipments of urgently needed transformers, transformer pads, and poles en route or on island which will not be released unless it pays approximately \$930,000 to vendors. Without these materials, CUC faces great danger to its system if a typhoon or any other natural event interrupts service, and CUC will not be able to quickly recover; and

WHEREAS, THERE EXISTS A RENEWABLE ENERGY CRISIS:

- (1) CUC has gone through the RFP process for several renewable energy projects which would bring some relief to high utility rates, which are based on record-high oil prices;
- (2) The Public Utilities Commission ("PUC") is not functional because it does not have a quorum;
- (3) There is a question open as to whether the PUC must review CUC's renewable energy contracts once an RFP is complete; and
- (4) These contracts must be brought to completion as soon as possible or the customers of CUC will continue to suffer from high oil prices.

WHEREAS, THERE EXISTS A TECHNICAL WORKER CRISIS:

- (1) CUC faces a manpower crisis. Skilled workers and a responsive support system are key to the success of the operation, particularly for preventative maintenance. At present, CNMI law at 3 CMC §§ 4531 and 4532 prohibits CUC from hiring any more non-U.S. technical workers:
- (2) CUC bears a substantial obligation to deliver highly technical work on time to the satisfaction of the U.S. District Court and the U.S. Environmental Protection Agency ("EPA"), pursuant to two sets of consent, or "Stipulated Orders," Failure to meet the requirements of the federal court orders could

subject CUC and the CNMI to substantial fines and charges and, in the extreme, to a federal takeover of their finances;

- (3) CUC requires employees with specialized training. There are many non-U.S. citizens whom CUC needs to retain on technical and professional contracts. Without these positions filled, CUC operations would be severely compromised;
- (4) Adequate technical staff is essential to CUC's rehabilitation work. A major challenge to carrying out this rehabilitation has been finding the trained technicians needed to carry out these rehabilitation projects and to maintain and run the equipment. The technicians must be ready for service when needed and their services must be affordable. Any significant reduction in CUC's present technical workforce could seriously compromise CUC's ability to generate and distribute power;
- (5) The legislature, through P.L. 17-1 (Mar. 22, 2010), has limited CUC's ability to hire technical staff, eliminating prior statutory permission to hire up to nineteen foreign workers and reinstituting a moratorium on the government's hiring of foreign nationals, even if needed for highly technical positions for which no local or mainland citizens are available. The CUC Act, as subsequently reenacted by P.L. 16-17 (Oct. 1, 2008), provides that CUC shall hire such persons as are necessary for operations, *except as otherwise limited by other law*. 4 CMC § 8123(h);
- (6) There are not enough U.S. citizen or U.S. resident technical specialists at CUC to perform the power generation work, particularly specialists with experience in the type of engines that CUC uses. U.S. citizens with the necessary skills are not readily available in the CNMI and it is costly to recruit from the United States. CUC believes that the vast majority of skill sets, considering its cash restrictions, must come from non-U.S. personnel. CUC has tried to hire diesel mechanics in the CNMI, but has been unsuccessful in finding enough qualified candidates;
- (7) CUC has made on-going attempts to train its own current employees to move up to more advanced technical positions by gaining, through classes and training, the certifications that are needed for taking the required tests. However, there are other positions which require certification that it has been unable to fill from within;
- (8) The bottom line on CUC's technical work has been a substantial increase in reliability, specifically the availability of CUC's generation. CUC's transmission and distribution have similarly improved—January 2010 saw 10 hours and 44 minutes of outages; April 2010 saw one minute. It was critical to this latter improvement that CUC had the skilled, trained work force to maintain power lines;
- (9) The impact of an inadequate workforce would be five-fold:

- a. First, there would be a direct deterioration of service to existing customers. There would be brownouts or area blackouts with the above-mentioned loss of service.
- b. Second, the power plants would again degrade, producing more of these outages.
- c. Third, there would be an indirect effect, increasing rates over the longer term, because small consumers would have to shoulder more of the fixed costs of the CUC system. First, there would be loss of large customers. By contrast, if the hotels were to become part of the system, they could help pay CUC fixed costs, which would lower everyone else's rates. Hotels, businesses, and our residents need reliable, 24/7 power. With unreliable power, CUC would be unable to convince large commercial customers, particularly hotels, to join or rejoin its system. Second, if CUC fails to meet federal court deadlines for the Stipulated Orders, the Court could appoint a federal receiver and its consulting team, with all expenses charged to CUC customers.
- d. Fourth, the loss of CUC's technical experts would shut down or, at least, cripple the company's increasingly successful efforts to cut losses, particularly theft of service.
- e. Fifth, with the recovery of the world economy, oil prices can be expected to rise. If CUC's generators become less efficient because technical staff are unavailable to maintain CUC's engines' efficiency, that much more oil would be needed to generate a given amount of electricity. The price rise will thereby harm CUC's customers and electricity-dependent services with higher rates.
- (10) CUC has demonstrated that the required workers are available locally as nonresident workers, and cost-effectively so. CUC's renewal of contracts for approximately two dozen essential foreign expert workers was necessary to sustain the integrity of CUC's systems. Thus, continued relief from the legislative prohibition on hiring foreign national workers is necessary to ensure the delivery of uninterrupted power services to the people of the Commonwealth.

WHEREAS, A BOARD OF DIRECTORS DOES NOT EXIST:

- (1) There is no Board of Directors. CUC has functioned without a Board because it has had to. While CUC's enabling act, reenacted as P.L. 16-17, as amended, authorizes a Board, there is no CUC Board yet because, while the staff of the Governor's Office have diligently tried to find Board volunteers who meet the complex statutory qualifications, they have been unable to do so. Nonetheless, CUC must continue to function.
- (2) Without a Board in place. I still must provide for the continued operations of CUC. The Director needs to be able to negotiate with federal and other agencies.

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WHEREAS, BY THIS DISASTER EMERGENCY DECLARATION, I intend to enable CUC to continue to provide necessary services to the people of the Commonwealth. This Declaration is necessary to protect the health and safety of our children, our senior citizens, businesses, and all other CNMI residents and visitors.

NOW, THEREFORE, I hereby invoke my authority under Article III, § 10 of the Commonwealth Constitution and 3 CMC § 5121(f) to take all necessary measures to address the imminent threat facing the Commonwealth of the Northern Mariana Islands including, but not limited to, the authority to:

- 1. Suspend all statutory or regulatory provisions as required; and
- 2. The reprogramming of funds necessary to meet this emergency.

It is hereby **ORDERED** that:

This Declaration of a State of Disaster shall take effect immediately and all memoranda, directives, and other measures taken in accordance with this Declaration shall remain in effect for thirty (30) days from the date of this Executive Order unless I, prior to the end of the thirty (30)-day period, notify the presiding officers of the Legislature that the state of emergency has been lifted or has been extended for an additional period of thirty (30) days. 1 CMC § 7403(a): 3 CMC §5121(c).

Under authority of this Declaration and with the goal of mitigating or ameliorating the above described crises, I immediately direct the following:

DIRECTIVE 1: I hereby assume all of the executive power of the CUC which shall include any and all powers vested in the board of Directors and the Executive Director. This executive authority shall be exercised either by me or by my designated Executive Director.

DIRECTIVE 2: All provisions in Title 4 of the Commonwealth Code and P.L. 17-34 that concern PUC regulation of CUC and its actions, and potentially, any oversight of renewable energy contracts are suspended under this Order.

DIRECTIVE 3: Section 4531 of Title 3 of the Commonwealth Code is hereby suspended as to CUC as follows:

The following strike-out formatted language of the quoted provisions of the following statute regulating government employment is, as indicated, suspended immediately:

3 CMC §4531. Restrictions on Government Employment Employment by departments, agencies, and all other instrumentalities of the Commonwealth government is limited to citizens and permanent residents; provided that the government may enter into contracts with foreign nationals for services performed outside of the Commonwealth. As a result of my suspension of 3 CMC § 4531, CUC shall have the full power and authority to retain staff which may include employees other than citizens and permanent residents of the United States.

The above described Directives are in no way meant as the limits of my actions or authority under this Emergency Declaration. Accordingly, I reserve the right under this Emergency Declaration to issue any and all directives necessary to prevent, mitigate or ameliorate the adverse effects of the emergency.

SIGNED AND PROMULGATED on this 18 day of May 2012. 1 contas

Benigno R. Fitial Governor, Commonwealth of the Northern Mariana Islands



COMMONWEALTH DEVELOPMENT AUTHORITY

P.O. BOX 502149, SAIPAN MP 96950 Tel.: (670) 234-6245/6293/7145/7146 • Fax (670) 235-7147 Email: administration@cda.gov.mp • Website: www.cda.gov.mp



PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF AMENDMENTS TO THE REGULATIONS OF THE DEVELOPMENT CORPORATION DIVISION (DCD) OF THE COMMONWEALTH DEVELOPMENT AUTHORITY

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER AS PROPOSED AMENDMENT TO REGULATIONS Volume 34, Number 03, pp 032363 to 032371, of March 29, 2012

ACTION TO ADOPT AMENDMENTS TO THE DCD RULES & REGULATIONS: The

Commonwealth Development Authority, hereby adopts as permanent, the referenced amendments to the DCD Regulations which were published in the Commonwealth Register, Volume 34, Number 03, March 29, 2012, pp 032363 to 032371, pursuant to the procedures of the Administrative Procedure Act, 1 CMC §9104(a). The Commonwealth Development Authority announced that they intended to adopt them as permanent, and now do so. (A true copy is attached). We also certify by signatures below that, as published, such adopted amendments to the DCD Regulations are a true, complete and correct copy of the referenced amendments to the DCD Regulations and that they are being adopted without modification or amendment.

PRIOR PUBLICATION: The prior publication was as stated above. The Commonwealth Development Authority Board of Directors adopted the amendments to the DCD Regulations as final at its meeting of May 11, 2012.

We further request and direct that this Notice be published in the Commonwealth Register.

AUTHORITY: The Board of Directors of the Development Corporation Division thru its Chairman and the Board of Directors of the Commonwealth Development Authority thru its Chairman, are authorized to promulgate the DCD Rules and Regulations by virtue of the authority given CDA under 4 CMC §10203(a)(2) and (a)(30), and NMIAC 25-10-015.

EFFECTIVE DATE: Pursuant to the APA, 1 CMC sec. 9105(b), these adopted amendments to the DCD Rules and Regulations are effective 10 days after compliance with APA, 1 CMC §§9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

COMMENTS AND AGENCY CONCISE STATEMENT. Pursuant to the APA, 1 CMC sec. 9104(a)(2), the agency has considered fully all written and oral submissions respecting the amendments to the DCD Rules & Regulations. Upon this adoption of the amendments to the DCD Rules & Regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption. Please see the following pages for this agency's concise statement, if any, in response to filed comments.

ATTORNEY GENERAL APPROVAL: The adopted amendments to the DCD Regulations were approved for promulgation by the Attorney General in the above-cited pages of the

Commonwealth Register, pursuant to 1 CMC sec. 2153(e) (reviewed and approved, as to form and legal sufficiency) and are hereby being adopted without substantial substantive change.

We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:

Pedro I. Itibus Chairman, CDA Board of Directors

Tom Glenn A. Quitugua

Chairman, DCD Board of Directors

Filed and Recorded by:

Esther San Nicolas Commonwealth Register

11/12

Date

5/21/2012 Date

COMMONWEALTH REGISTER VOLUME 34 NUMBER 05 MAY 29, 2012 PAGE 032420

Amendments to the Rules & Regulations of the Development Corporation Division (DCD) of the Commonwealth Development Authority (CDA)

Section 19.8 <u>Deed in Lieu of Foreclosure</u>. In the event of default, the Loan Manager, together with the Executive Director, may propose a deed in lieu of foreclosure to the defaulted borrower. For purposes of these regulations, a deed in lieu of foreclosure shall be defined as when the defaulted borrower voluntarily agrees to exchange by way of a deed all of his or her mortgaged property for the elimination of all or a part of his or her debt.

Before any deed can be accepted, a <u>clean Preliminary Title Report (PTR)</u> and a current and approved appraisal must be obtained for the mortgaged property and the cost of <u>such PTR and</u> appraisal must be paid by the borrower. <u>For purposes of this section, an appraisal shall be</u> <u>considered "current" if its "date of value" is within one (1) year of the date of the deed in lieu of</u> <u>foreclosure</u>. The appraised value will be used for the value of the mortgaged property. In the event an appraisal value exceeds the outstanding balance of the defaulted loan, no credit or payment shall be made by CDA to the defaulted borrower for the difference. The value assigned the mortgaged property shall be the value of the loan only.

<u>Unless some other justifiable resolution is approved by the Board of Directors, any debt that</u> remains (anything above the appraised value of the mortgaged property) shall be reduced to a new note with new terms. If the defaulted borrower provides new and acceptable security for this new note, interest rates may be reduced; otherwise the interest rate on the new loan <u>should</u> remain the same as the rate for the old loan <u>unless the Board of Directors otherwise approves</u>.

Only CDA mortgaged properties can be used for deeds in lieu of foreclosure. <u>The Board of</u> <u>Directors may, however, upon recommendation of and justification by the Loan Manager and</u> <u>Executive Director approve deed(s) in lieu of foreclosure that convey the mortgaged properties</u> <u>plus or together with other unmortgaged property</u>. Before such additional property can be <u>accepted</u>, a clean PTR and current approved appraisal must also be obtained for such <u>unmortgaged property</u>. Otherwise, no other, new or substitute property can qualify for a deed in lieu of foreclosure.

Commonwealth of the Northern Mariana Islands Department of Finance - Division of Procurement & Supply Larrisa Larson, Secretary P.O. Box 5234 Capitol Hill, Saipan MP 96950 Tel. 664-1100

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS TO AMEND THE RULES AND REGULATIONS FOR GOVERNMENT VEHICLES UNDER THE DEPARTMENT OF FINANCE, DIVISION OF PROCUREMENT & SUPPLY

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS:

The Commonwealth of the Northern Mariana Islands, Department of Finance, Division of Procurement & Supply ("P&S") intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Proposed Regulations would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104 (a) or (b) (notice requirements). (1 CMC § 9105(b))

AUTHORITY: The Secretary of Finance is empowered by the Legislature to adopt rules and regulations for the administration and enforcement of the statute governing her activities. 1 CMC §§ 2553(j) (P&S function), 2557 (rules and regulations). *See also* Executive Order 94-3 (effective August 23, 1994, reorganizing the Executive branch); 1 CMC §7406(f) (Government Vehicle Act directs P&S to provide for the marking of vehicles).

THE SUBJECTS AND ISSUES INVOLVED: These proposed regulations concern government vehicles. The specific issues involved are the procurement and marking of government vehicles.

THE TERMS AND SUBSTANCE: These regulations set forth the procedures for procuring and marking government vehicles.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1))

TO PROVIDE COMMENTS: Send or deliver your comments to Larrisa Larson, Secretary of Finance, at the above address, with the subject line "Government Vehicle Regulations." Comments are due within 30 days from the date of publication of this notice. (1 CMC § 9104(a)(2)).

These proposed regulations were approved by the Secretary on May , 2012.

Submitted by:

I ARRISA LARSON

Secretary of Finance

5/17/12 Date . Date

Received by:

ESTHER S. FLEMING

Governor's Special Assistant/for Administration

Filed and Recorded by:

ER M. SAN NICOLAS Commonwealth Register

<u>05.24.2012</u> Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Dated the 2l day of MA, 2012.

EDWARD T. BUCKINGHAM Attorney General

NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE TITLE 70 DEPARTMENT OF FINANCE REGULATIONS

Regulation Title: Northern Mariana Island Administrative Code Title 70 (Department of Finance) Chapter 70-30 (Division of Procurement and Supply) Subchapter 30.2 (Government Vehicle Regulations)

Title 70; Chapter 70-30; Subchapter 30.2 shall be repealed in its entirety, and the following shall be added in its place:

Part 001 - General Provisions

§ 70-30.2-001 Authority

The regulations in this subchapter are issued pursuant to section 8 of article 10 of the Commonwealth Constitution, and 1 CMC §§ 2553(j), 2557, and 7406(f).

§ 70-30.2-005 Purpose

The purpose of the regulations in this subchapter is to provide the standards for the procurement and marking of government vehicles.

§ 70-30.2-010 Definitions

(a) "CNMI" means the Commonwealth of the Northern Mariana Islands.

(b) "CNMI government" means any government entity within the CNMI, including the executive, legislative, and judicial branches of the government; autonomous agencies and instrumentalities; and administrative departments and agencies. The term also includes the government offices and activity heads established and located outside the CNMI and supported by CNMI funds.

(c) "Director" means the Director of the Division of Procurement and Supply within the Department of Finance or his or her designee.

(d) "Employee" means a person, other than a government official, as defined herein, who is receiving compensation from the CNMI government.

(e) "Government official" means a department head, an activity head, an agency head, and their deputies; a judge of the CNMI judiciary; an elected official; and any other CNMI government official with expenditure authority who is authorized by law to administer, obligate, or expend public funds.

(f) "Government vehicle" means a vehicle, as defined in 9 CMC § 1102(x), that is owned or leased by the CNMI government, or that is purchased or leased using federal funds where the CNMI government is the grantee.

(g) "Law enforcement vehicle" means police cars and government vehicles operated by the Department of Public Safety, Customs Service, or Ports Authority Police.

(h) "Secretary" means the Secretary of Finance or his or her designee.

Part 100 - Procurement of Government Vehicles

§ 70-30.2-101 Procurement of Government Vehicles

(a) The procurement of vehicles by the CNMI government shall be consistent with the Procurement Regulations set forth in Chapter 30.3 of Title 70 of the NMI Administrative Code, and other applicable policies and procedures adopted by the Secretary. Procurement shall be in accordance with the standard vehicle specifications and vehicle classes set forth in this subchapter.

(b) The CNMI government shall not procure vehicles with tinted, reflective, or darkened windows that might interfere with visibility of the interior of the vehicle or with the visibility of the operator at any time, unless otherwise authorized by the Secretary. This restriction shall not apply to vehicles that are procured for use as law enforcement vehicles.

(c) A vehicle that has been procured or leased by the CNMI government may not be altered or modified without authorization from the Secretary.

(d) The Director shall reject any request for procurement of a government vehicle that is not consistent with the standard specifications or class scheme set forth in sections 105 and 110 of this subchapter.

§ 70-30.2-105 Standard Specifications for Government Vehicles

(a) Government vehicles shall be complete with all the necessary standard operating components and accessories customarily furnished to the general public.

(b) Workmanship. Vehicles shall be free from defects that may impair their operation, safety, and serviceability, or detract from appearance.

§ 70-30.2-110 Government Vehicle Classes

- (a) Class A. No vehicle specifications shall apply to Class A vehicles.
- (1) The Governor may choose and acquire a Class A vehicle for his or her official car.

(2) The Lieutenant Governor may choose and acquire a Class A vehicle for his or her official car.

(b) A Class B vehicle is a 4-door sedan with an engine size no larger than 6 cylinders.

(1) An elected official (including mayors, but excluding the Governor and Lieutenant Governor) may submit a request to acquire a Class B vehicle for his or her official car.

(c) A Class C vehicle is a 2- or 4-door sedan with an engine size no larger than 4 cylinders.
 (1) Department secretaries, executive directors, executive assistants, and special assistants to the Governor may submit a request to acquire a Class C vehicle as his or her official car.

(2) Division directors, and their equivalents if authorized, may submit a request to acquire a Class C vehicle for their official car.

(3) Government officials in charge of overseeing a government entity or activity may request to acquire a Class C vehicle for the use of government employees to accomplish regularly assigned duties and responsibilities.

(d) A Class D vehicle is a truck with a V6 or 4-cylinder engine.

(1) Government officials in charge of overseeing a government entity or activity may request to acquire a Class D vehicle with four-wheel drive provided that their line of duty requires frequent off-road driving to perform their official work duties and responsibilities.

(2) Government officials in charge of overseeing a government entity or activity may request to acquire a Class D vehicle provided that their line of duty requires regular highway driving and transportation of cargo weighing less than one-half ton.

(3) Government officials in charge of overseeing a government entity or activity may request to acquire a Class D vehicle with a crew cab provided that their line of duty requires regular transportation of cargo weighing less than one-half ton and regular transportation of employees to load and unload the cargo.

(e) A Class E vehicle is a four-wheel drive sport utility vehicle.

(1) Law enforcement and other public safety agencies may request to acquire a Class E vehicle to transport employees and non-employees in the event of a natural disaster or other emergency.

(f) A Class F vehicle is a 7- to 9-passenger van.

(1) Government officials in charge of overseeing a government entity or activity may request to acquire a Class F vehicle provided that their line of duty requires frequent transportation of more than four employees or non-employees for official government business.

Part 200 – Marking of Government Vehicles

§ 70-30.2-201 Marking Government Vehicles.

(a) Government vehicles shall be conspicuously and permanently marked with the name of the appropriate government entity. The name of the entity shall be spelled out in full, with reasonable abbreviations (e.g., "Div. of Envir. Quality"), and placed six inches below the window on the outside of the driver's door and the outside of the front passenger's door. The lettering of the marking shall be at least four inches in height. The marking shall be made with reflective material. These are the minimum marking requirements, and a government entity may mark its vehicles in a more conspicuous manner (e.g., placing the government entity's seal on the

vehicle) with approval of the Chief.

(b) If the government owns the vehicle, the government property number shall also be marked on the vehicle. The property number shall be placed six inches below the entity name. The lettering of the marking shall be at least two inches in height. The marking shall be made with reflective material.

(c) The marking requirements shall not apply to unmarked law enforcement vehicles or to government vehicles used by elected officials or judges.

(d) Government vehicles shall be properly marked by July 31, 2012. A government vehicle that is procured after the promulgation of this regulation shall be marked no later than 30 days after procurement.

(e) A government official or employee who drives a government vehicle that is not properly marked will be subject to disciplinary action as provided in 1 CMC § 7406.

Part 300 - Procedures and Implementation

§ 70-30.2-301 Procedures

The Secretary shall have the authority to prescribe all necessary procedures, consistent with this subchapter, for the full and complete implementation of this subchapter.

Part 400 - Miscellaneous Provisions

§ 70-30.2-401 Applicability

This subchapter shall apply in full force and effect to the procurement and marking of government vehicles in all Senatorial Districts of the Commonwealth and in other CNMI government offices located outside of the CNMI.

§ 70-30.2-405 Supersession

Upon the effective date of the regulations in this subchapter, all prior procedures, policies, or regulations governing the procurement and marking of government vehicles are hereby superseded.

§ 70-30.2-410 Severability

If any provision of the regulations in this subchapter should be held invalid by a court of competent jurisdiction, the validity of the remaining provisions of this subchapter shall not be affected thereby.

Commonwealth gi Sangkattan na Islas Marianas Siha

Dipattamentun Fainansiåt, Dibision i Procurement & Supply Larrisa Larson, Sekritåria P.O. Box 5234 Capitol Hill, Saipan MP 96950 Tel: 664-1100

NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA NI PARA U MA'AMENDA I AREKLAMENTU YAN REGULASION SIHA PARA TUMOBIT SIHA GI GUBIETNAMENTU GI PAPA' I DIPATTAMENTUN FAINANSIÅT, DIBISION I PROCUREMENT & SUPPLY

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÅPTA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Marianas siha, i Dipattamentun Fainansiåt, Dibision Procurement & Supply ("P&S) ha intensiona para u adåpta kumu petmanenti na regulasion siha ni mañechettun i Manmaproponi na Regulasion siha, sigun gi manera siha gi Åktun Administrative Procedures 1 CMC § 9104(a). I Manmaproponi na Regulasion siha para u ifektibu gi halum dies(10) dihas dispues di makumpli i 1 CMC §§ 9102 yan i 9104 (a) pat (b) (dinimåndan nutisia siha). (1 CMC § 9105(b))

ÅTURIDÅT: I Sekritårian Fainansiåt nina'i åturidåt ni Leyislatura para u adåpta i areklamentu yan i regulasion siha para i atministrasion yan fuetsa gi estatua ni ginibebietna i aktibidåt-ña siha. 1 CMC §§ 2553(j) (P&S na fungsion), 2557 (areklamentu yan regulasion siha). *Atan lokkui*' Otdin Eksakatibu 94-3 (umifektibu gi Agostu 23, 1994, mata'lun ma'otganisa i råmas Eksakatibu); 1 CMC §7406(f) (Åktun Tumobit Gubietnamentu dairektamenti P&S para u pribeniyi para i måtkan tumobit siha).

I SUHETU NI MASUMÅRIA YAN ASUNTU NI TINEKKA SIHA: Esti manmaproponi na regulasion siha intires tumobit gubietnamentu siha. I propiu na manera siha mantinekka ni procurement yan i måtkan i tumobit gubietnamentu siha.

I TEMA YAN I SUSTÅNSIAN I PALÅBRA SIHA: Esti na regulasion siha mapega mo'na i manera siha para procuring i tumobit gubietnamentu siha.

DIREKSION PARA U MAPO'LU YAN PUPBLIKASION: Esti i Manmaproponi na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi halum i seksiona gi manmaproponi yan nuebu na manma'adåpta na regulasion siha (1 CMC § 9102(a)(1) yan u mapega gi kumbinienti na lugåt siha gi halum i civic center yan gi ufisinan gubietnamentu siha gi kada distritun senadot, parehu i dos na lingguåhi English yan lingguåhin natibu. (1 CMC 9104(a)(1))

PARA U MAPRIBENIYI OPIÑON SIHA: Na'hanågui osino intrega i opiñon-mu guatu gi as Larrisa Larson, Sekritåriån Fainansiåt gi sanhilu' na address, yan i råyan suhetu "Regulasion Tumobit Gubietnamentu Siha". Todu opiñon debi na u fanhålum trenta(30) dihas ginin i fetchan i pupblikasion esti na nutisia. (1 CMC § 9104(a)(2)) Esti i manmaproponi na regulasion siha manma'aprueba ginin i Sekritåria gi Måyu _____, 2012

Nina'hålum as:

LARRISA LARSON Sekritårian Fainansiåt

Rinisibi as:

ESTHER S! FLEMING Ispisiåt Na Ayudånti Para/ Atrhinistrasion

Pine'lu yan Ninota as:

mula ESTHER M. SAN NICOLAS

Rehistran Commonwealth

05.24.2012 Fetcha

Sigun i 1 CMC § 2153(e) (Inaprueban Abugådu Heneråt i regulasion siha na para u macho'gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inaprueban Abugådu Heneråt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manmaprueba kumu fotma yan sufisienti ligåt ginin i CNMI Abugådu Heneråt van debi na u mapupblika, 1 CMC § 2153(f) (pupblikasion areklamentu van regulasion siha).

Mafetcha gi diha _2/_ gi _____ 2012.

EDWARD T. BUCKING HAM Abugådu Heneråt

KODIGUN ADMINISTRATIVE SANGKATTAN NA ISLAS MARIANAS TITULU 70 REGULASION SIHA GI DIPATTAMENTUN FAINANSIÅT

Titulun Regulasion: Kodigun Administrative i Sangkattan na Islas Marianas Titulu 70 (Dipattamentun Fainansiåt) Kapitulu 70-30 (Dibision Procurement yan Supply) Subchapter 30.2 (Regulasion Tumobit Gubietnamentu Siha)

Titulu 70; Kapitulu 70-30; Subchapter 30.2 debi na u ma'apela i interu-ña, yan i sigienti debi na u mana'danña' gi saga-ña.

Påtti 001 - Prubension Heneråt Siha

§ 70-30.2-001 Åturidåt

I Regulasion siha guini na subchapter manmalaknus sigun gi seksiona 8 gi attikulu 10 gi Konstitusion Commonwealth, CNMI, yan i 1 CMC §§ 2553(j), 2557, yan i 7406(f).

§ 70-30.2-005 Hinangai

I hinangain i regulasion siha guini na subchapter para u mapribeniyi standards para i procurement yan i måtkan tumobit gubietnu siha.

§ 70-30.2-010 Sustånsia Siha

(a) "CNMI" kumeke'ilekña i Commonwealth gi Sangkattan na Islas Marianas.

(b) "Gubietnamentun CNMI" kumeke'ilekña maseha månu na entity gubietnu gi halum i CNMI, ingklusu i eksakatibu, leyislatura, yan yudisiåt na råmas siha gi gubietnamentu; i ahensian autonomous siha yan i instrumentalities; yan i administrative na dipattamentu yan ahensia siha.
 I tema lokkui' ingklusu i ufisinan gubietnu siha yan i manehåntin aktibidåt yan i manggaigi gi hiyung i CNMI yan sinipopotta ni fondun CNMI siha.

(c) "Direktot" kumeke'ilekña i Direktot i Dibision i Procurement yan Supply gi halum i Dipattamentun Fainansiåt pat håyi ha desikna.

(d) "Emple'åo" kumeke'ilekña i petsona, ottru ki ufisiåt gubietnu, kumu madifina guini, ni manrisisibi compensation ginin i gubietnun CNMI.

(e) "Ufisiåt gubietnu" kumeke'ilekña na manehåntin dipattamentu, manehåntin aktibidåt, manehåntin ahensia, yan i iyon-ña deputies; i hues gi CNMI judiciary; ma'ilihi na ufisiåt; yan håyi ottru na ufisiåt gubietnu yan i expenditure authority ni ma'åturisa ginin i lai para u atministra, ubliga, pat u gåsta i fondun pupbliku siha.

(f) "Tumobit gubietnu" kumeke'ilekña i tumobit, kumu madifina gi 9 CMC § 1102(x), na

dueñu pat ma'atkila ginin i gubietnamentun CNMI, pat atyu i mafåhan pat ma'atkila ni ma'usa i fondun federåt siha anai i gubietnun CNMI i intrega.

(g) I tumobit i Law enforcement" kumeke'ilekña na tumobit pulisia siha yan tumobit gubietnu siha ni minaneneha ni Dipattamentun Sinåfu' Pupbliku, Sitbisiun Customs, pat i Pulisian i Ports Authority.

(h) "Sekritåria" kumeke'ilekña Sekritårian Fainansiåt pat i ha desikna.

Påtti 100 - Procurement Gubietnamentun Tumobit Siha

§ 70-30.2-101 Procurement Gubietnamentun Tumobit Siha

(a) I procurement tumobit siha gi gubietnun CNMI debi na u kunsisti yan i Regulasion Procurement siha na mapega mo'na gi Kapitulu 30.3 gi Titulu 70 gi NMI Kodigun Administrative, yan ottru manaplikåbli na areklu yan manera siha ginin i Sekritåria. I procurement debi na u tattiyi sigun i espisifikasion i standard tumobit siha yan i klåsin tumobit siha ni mapega mo'na guini na subchapter.

(b) I gubietnun CNMI ti debi na prokura i tumobit siha ni manma-tinted, reflective, pat mana'homhum i bintåna siha nai siña inistotba i inatan ginin halum i tumobit pat i inatan i draiba gi maseha håfa na ora, solamienti ma'åturisa ni Sekritåria. Esti na prinibi ti debi na u aplika para i tumobit siha na ma-procure para usu kumu tumobit law enforcement siha.

(c) I tumobit ni manmaprokura pat ma'atkila ginin i gubietnun CNMI ti u siña matulaika pat u mamådifika sin åturidåt ginin i Sekritåria.

(d) I direktot debi na u rinunsia maseha håfa na ginagåo para procurement gi tumobit gubietnu ni ti kunsisti yan i standard na episifikasion siha pat class scheme ni mapega mo'na gi seksiona 105 yan i 110 guini na subchapter.

§ 70-30.2-105 Standard na Espisifikasion para i Tumobit Gubietnu Siha

(a) I tumobit gubietnu debi na u mana'kumplidu yan todu i nisisåriu na standard operating components yan accessories customarily furnished para i pupbliku heneråt.

(b) Workmanship, Tumobit siha debi na u fan tai difektu nai siña para u impair operasion-ñiha, sinåfu', yan sitbisiu, pat detract ginin i ma'atanña.

§ 70-302.110 Klas Tumobit Gubietnamentu Siha

(a) Klas A. Tåya' espisifikasion tumobit siha debi na u aplika para i Klas A Tumobit.

(1) I Gubietnu siña ha atyik yan ha ganyi' i Klas A na tumobit para usun ufisiåt-ña na tumobit.

(2) I Sigundu Gubietnu siña ha atyik yan ha ganyi' i Klas A na tumobit para usun ufisiåt-ña na tumobit.

(b) I Klas B na tumobit i 4-pettå-ña na sidan yan i måkina miniddong-ña ti dangkuloña ki i 6 cylinders.

(1) I ma'ilihi na ufisiålis (ingklusu i atkåtdi siha, låo ti ingklusui Gubietnu yan i Sigundu Gubietnu) siña mana'hålum i ginagåo para u maganyi' i Klas B na tumobit para tumobit ufisiåt-ña.

(c) I Klas C na tumobit i 2- pat 4 pettå-ña yan i mineddung måkina ti dangkuloña ki 4 cylinders.

(1) I Sekritåriun Dipattamentu, direktot eksakatibu, executive assistants, yan special assistants siha para i Gubietnu siña ha na'hålum i ginagåo para u maganyi' i Klas C kumu usun ufisiåt-ña.

(2) Direktot Dibision siha yan i parehun-ñiha yanggin ma'åturisa, nai siña ha na'hålum i ginagåo pat u ganyi' i Klas C para ufisiåt-ñiha i tumobit.

(3) Ufisiålis gubietnu ni ma'ingkåtga uma'atan i entity pat aktibidåt gubietnamentu nai siña manggågåo para u ganyi' i Klas C na tumobit para usun emple'åo gubietnu siha para u mana'funhåyan i regulåt na che'cho' obligasion yan responsåpblidåt siha.

(d) I Klas D na tumobit i tråk na måkinan V6 pat 4- cylinder.

(1) I ufisiålis gubietnu siha ni ingkatgåo ni u ma'atan i entity pat aktibidåt gubietnamentu nai siña manggågåo para u ganyi' i Klas D na tumobit ni four-wheeled drive u mana'siguru na i che'chu'-ñiha ha dimånda frequent off-roa driving para u macho'gui' i che'chu'-ñiha ufisiåt obligasion yan responsåpblidåt siha.

(2) I ufisiális gubietnu siha ni ingkatgáo ni u ma'atan i entity pat aktibidát gubietnamentu nai siña manggågåo para u ganyi' siha i Klas D na tumobit u asigura na i che'chu'-ñiha ha dimånda regulát highway driving yan traspottasion kåtga ni gai libra meus di one-half ton.

(3) I ufisiålis gubietnu siha ni ingkatgåo ni u ma'atan i entity pat aktibidåt nai siña manggågåo para u ganyi' i Klas D na tumobit yan i crew cab u na'asigura nai i che'chu'-ñiha ha dimånda regulåt na transpottasion kåtga ni gai libra menus di one-half ton yan regulåt na transpottasion emple'åo para u kåtga yan u diskåtga i katga.

(e) I Klas E na tumobit i four-wheel drive sport utility vehicle.

(1) I law enforcement yan ottru ahensian sinåfu' pupbliku siha siña ha mamaisin para u ganyi' i Klas E na tumobit siha para transpotta emple'åo siha yan ti emple'åo siha yanggina siakåsu guaha natural disaster pat ottru emergency.

(f) I Klas F na tumobit i 7 – asta 9 na passenger van.

(1) I ufisiålis gubietnamentu siha ni ingkatgåo ni u ma'atan i entity pat aktibidåt gubietnamentu nai siña manggågåo para u ganyi' siha i Klas F na tumobit na'asigura na i che'chu'-ñiha hanesisita mås transpottasion ni mås ki kuåttru na emple'åo pat ti emple'åo siha para bisnis ufisiåt gubietnamentu.

Påtti 200 – Minåtkan Tumobit Gubietnu siha

§ 70-30.201 Minåtkan Tumobit Gubietnu Siha

(a) I tumobit gubietnu siha debi na u annuk klåru yan petmanenti na måtka ni propiu na'an i dipattamentun gubietnu. I na'an i dipatamentu debi na u madilitreha huyung kabålis, yan i risonåpbli na abbreviations (put ihemplu "Div. of Envir. Quality"), yan u mapega sais putgådas papa' i bintåna gi sanhiyung i pettan i draiba yan gi sanhiyung i pettan pasaheru. I mineddung i lettra debi na u putlumenus di kuattru putgådas linekkå'-ña. I minatka debi na ma'usa i dodonggat na klåsin matiriåt. Esti na dinimåndan minatka siha, yan i entity i gubietnamentu siña ha måtka i tumobet-ña siha gi manera anai a'annuk (e.g., placing the government entity's seal gi tumobit) ni inaprueban i Chief. (b) Yanggin iyun gubietnu i tumobit, i numirun propiadåt gubietnu debi na u mamåtka lokkui' gi tumobit. I numirun propiadåt debi na mapega sais potgådas gi papa' i na'an i dipattamentun gubietnu. I måtkan i lettra debi putlumenus ki dos potgådas linekkå'-ña. I minatka debi na u ma'usa i dodonggat na matiriåt.

(c) I dinimåndan minatka ti debi na u inaplika para i tai måtka na tumobit law enforcement pat para i tumobit gubietnu siha ma'usa ni manma'ilihi na ufisiålis yan hues siha.

(d) I tumobit gubietnu siha debi na u fanmamåtka propiu åntis di Huliu 31, 2012. I tumobit gubietnu ni maganyi' dispues i macho'guin esti na regulasion debi na u mamåtka ti u mås ki trenta(30) dihas dispues di procurement.

(e) I ufisiålis gubietnu pat emple'åo ni sumusugun i tumobit gubietnu ni ti mamåtka propiu para u masuhetu ni disciplinary action kumu mapribeniyi gi 1 CMC § 7406.

Påtti 300 – Manera yan Implementasion Siha

I Sekritåria debi na u åturisa ni para u otdin todu nisisåriu na manera siha, kunsisti yan esti subchapter, para todu u kabålis yan kumplidu i implementasion esti na subchapter.

Påtti 400 - Prubension Miscellaneous Siha

§ 70-30.2-401 Applicability

Esti na subchapter debi na u inaplika ni kabålis na fuetsa yan u hiniyung para i procurement yan minatkan i tumobit gubietnu siha gi halum todu Distriton Senadot Siha gi Commonwealth yan gi halum ottru ufisinan gubietnu siha ni manggaigi gi hiyung CNMI.

§ 70-30.2-405 Supersession

Gi inefektibun i fetchan i regulasion gi halum esti na subchapter, todu manmo'fo'na na manera siha, areklu, pat regulasion siha ni ginebebietna i procurement yan mamåtkan i tumobit gubietnu siha ni manmadiroga.

§ 70-30.2-410 Severability

Yanggin maseha håfa na prubension gi regulasion siha gi halum esti na subchapter debi na ti u båli ginin i kotti gi competent jurisdiction, i validity gi tetehnan na prubension siha gi esti na subchapter ti debi na u inafekta guini. Commonwealth of the Northern Marianas Islands Department of Finance-Division of Procurement & Supply Larrisa Larson, Secretary Department of Finance, P.O. Box 5234 Capital Hill, Saipan MP 96950 Tel. 664-1100

ARONGORONGOL TOULAP REEL POMMWOL ALLÉGH ME ATIWLIGH EBWE AMENDÁLI ALLÉGH ME ATIWLIGH REEL GHAREETAL GOBETNO FAAL DEPARTMENT OF FINANCE, DIVISION OF PROCUREMENT & SUPPLY

MANGEMANGIL MWÓGHUT YEEL BWE EBWE ADAPTÁLI POMMWOL ALLEGH ME ATIWLIGH

KKAL: Commonwealth of the Northern Mariana Islands, Dipatamentol Finance, Division of Procurement & Supply ("P&S") emwuschel bwe ebwe adaptáli me alléghúló allegh kka e appasch ngeli Proposed Regulations sángi mwóghutughutul Administrative Procedure Act 1 CMC §9104(a). Pomwol Atiwligh kkal ebwe bwuung ló 10 ráll mwiril compliance reel 1 CMC §§ 9102 me 9104 (a) me ngare (b)(notice requirements). (1 CMC § 9105(b)).

BWÁÁNGIL: Secretary il Finance ebwughi yaal lemelem merel Legislature bwe ebwe adáptali allégh me atiwligh kka aal administration me apeschekkúllúl bwung iye e lemeli yaal moghutughut. 1 CMC §§ 2553 (j) (P&S function), 2557(allégh me atiwligh). Amwuri Executive Order 94-3 (effective Agosto 23, 1994, reorganizing the Executive branch); 1 CMC §7406(f)(Government Vehicle Act e ngaley P&S bwe rebwe aghikkilal ghareeta).

KKAPASAL ME ÓUTOL: Pomwol atiwligh kkal nge reel ghareetal gobetno. Móghutughut kka nge e toolong reel bweibwoghil me aghikkilal ghareetal gobetno.

KKAPASAL ME AWEEWEL: Atiwligh kkal ebwe lo bwe iyel mwoghutughutul bweibwoghul me aghikkilal ghareetal gobetno.

AFAL REEL AMWELIL ME ARONGOWOWUL: Pomwol Allegh kkal ebwe appasch llong lól Commonwealth Register lól section wóól proposed and newly adopted regulations (1 CMC §9102 (a)(1) me appasch fetal lól bwuley kka e lo civic center me bwal lól bwulasiyoo kka lól senatorial district reel kkasal English, Remeralis me Refaluwasch. (1 CMC § 9104(a)(1)).

ISIISILONGOL MWALIILI:

Affanga ngare bwughiló yóómw mengimang rel Larissa Larsen, Secretary-il Finance reel address iye weilang me yaal subject line"Government Vehicle Regulations". Akkatolongol mangemang esabw aluló 30 ráál sengi ráál iye a appasch arongorong yel.(1CMC §9104(a)(2)

Pommwol allegh kkal a bwunguló merel Secretary wóól Móózo_____ 2012

lisaliyallong:

ARRISÁ LARSON Secretary of Finance

Mwiir sangi:

ESTHER S. FLEMING Governor's Special Assistant for Administration

5/17/12 Ráál 05/24/12

Ráál

Amwel sangi:

maa ER M. SAN NICOLAS ESTH Commonwealth Register

05.24.2012

Ráál

Sangi 1 CMC § 2153(e)allegh kkaal aa lleghlo mereel AG bwe e fil reel fféérul me 1 CMC § 9104(a)(3)(mwir sangi AG) pomwol allégh kka aa appaschlong aa takkal amwuri fischiy me angúúngú ló féérúl me legal sufficiency sángi CNMI Attorney General me ebwele akkatewoow, , 1 CMC § 2153(f)(arongowowul allégh me atiwligh kkaal.

Ráál iye 21 rállil MAy 2012.

EDWAR

Attorney General

NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE TITLE 70 DEPARTMENT OF FINANCE REGULATIONS

Regulation Title:Northern Mariana Island Administrative CodeTitle 70 (Department of FinanceChapter 70-30 (Division of Procurement and Supply)Subchapter 30.2 (Government Vehicle Regulations)

Title 70; Chapter 70-30; Subchapter 30.2 ebwe siwel alongal, nge ebwe liwel reel milikka faal:

Peigh 001- Milikka Autol

§ 70-30-001- Bwáángil

Atiwligh kkal lól subchapter yeel nge e towow sángi section 8 reel article 10 reel Commonwealth Constitution, me 1 CMC §§2553(j), 2557, me 7406(f).

§ 70-30.2-005- Bwúlul

Bwúlul atiwligh kkal lól subchapter yeel nge ebwe ayoora standards reel bweibwoghil me aghikkilal ghareetal government.

§ 70-30.2-010 Meeta Faal

- (a) "CNMI" faal milleel nge Commonwealth of the Northern Mariana Islands.
- (b) "CNMI government" faal milleel nge, alongal government entity lól CNMI, e toolong Executive, legislature me judicial branches lól government; autonomous agencies me instrumentalities; me administrative departments me agencies. Term yeel nge ebwal toolong government offices me activity heads iye a yoor nge e lo lughul CNMI nge e bwughi fundool merel CNMI.
- (c) "Director" faal milleel nge Direkktodil Division of Procurement and Supply lól Dipatamentol Finance me ngare iyo e afili.
- (d) "Employee" faal milleel nge aramas lughul government official, iye a aweewe, nge ekke bweibwogh abwóss merel CNMI government.
- (e) "Government official" faal milleel nge, department head, activity head, agency head me layur deputies; schóól aweewe lól CNMI judiciary; schóó kka re afilir, me inamo iyo CNMI government official iye expenditure authority iye eyoor bwáángil merel allégh be ebwe fééru, obligate, me expend li public funds.

(f) "Government Vehicle" faal milleel nge ghareeta, iye e aweewe lól 9CMC § 1102(x), nge yaal me ngare re akkilali reel CNMI government, me ngare re amééw, akkilali nge re yaya fundool federóód nge CNMI government ii grantee.

(g) "Law enforcement vehicle" faal milleel nge ghareetal ppwulisiya me ghareetal government ikka re yaaya reel Department of Public Safety, Custom Service, me Ports Authority Police.

(h)"Secretary" faal milleel nge Sekkretóriyol Finance me ngare iyo ye e afeli.

Peigh 100- Bweibwoghil Ghareetal Government

§ 70-30.2-101 Bweibwoghil Ghareetal Government

(a) Bweibwoghil ghareetal reel CNMI government nge e ebwe ffisch ngáli atiwlighil Procurement iye e affat lol Chapter 30.3 reel Title 70 me lóll NMI Administrative Code, me akkaw allégh me mwóghutughut kka e ffisch me re adáptáli mereel Sekkretóriyo. Bweibwoghil ghareeta nge ebwe attabwey standard vehicle specification me vehicle classes ikka e affat lól subchapter yeel.

(b)CNMI government esabw bweibwogh ghareeta kka e tinted, reflective, me a roosch bintónal iye ebwe atippa werewerel lól ghareeta we me werewerel schóól draiba, ngare schagh bwe re abrebali me reel Sekkretóriyo. Apilipil kkal nge ese bwal ngalii ghareeta kka re bwughi bwe yaayal schóól law enforcement.

(c) Ghareeta iye re bwughi me ngare akkilali mereel CNMI government nge esemwál rebwe liwili me ngare fééru meta ngáli ngare ese abreba mereel Sekkretóriyo.

(d) Direektood emwal ebwe asefali tingorul bweibwoghil ghareetal government ngare ese ffisch ngáli standard specification il class scheme ikka e lo lól section 105 me 110 lól subchapter yeel.

§ 70-30.2-105 Standard Specification il Ghareetal Government

(a)Ghareetal government ebwe uulus reel alongal standard operating components me accessories ikkan reghal bwal ngaler toulap.

(b)Workmanship, ghareeta kkal nge esabw yoor defectol iye ebwe angawa mwóghutughutur, safety me serviceability, me angawa ululul.

§ 70-30.2-110 Classes il Ghareetal Government

- (a) Class A. Esaabw yoor specification ngali ghareeta kka e class a.
- (1) Governor emwal ebwe afeli me bwughi ghareeta iye e Class A bwe waal
- (2) Lieutenant Governor emwal ebwe afeli me bwughi ghareeta iye e Class A bwe waal.

(b) Ghareeta kka Class B nge 4-asamal sedan, mókkinal nge esabw tumógh sángi 6 cylinders.
(1)Officialis kka re afilir(e toolong maghalaay, nge esabwal toolong Governor me Lieutenant Governor)emwel rebwe tungor bwe rebwe bweibwogh Class B ghareeta bwe yaar official car.

(c) Ghareeta kka Class C nge 2-ngare 4 asamal sedan, mókkinal nge esabw tumógh sángi 4 cylinders.

 (I) Department secretaries, executive directors, executive assistants, me special assistants ngáli Governor emwal rebwe tungor bwe rebwe bwughi ghareeta kka Class C bwe yaar official car.
 (2) Division directors me schóó kka re weewe ngaliir, ngare re authoriza liir, emwal rebwe issisilong tungor reel rebwe bwughi ghareeta kka Class C bwe yaar official car.

(3) Government officials kka reghal lemelem wóól akkaw mwóghutughutul government emwal rebwe tungor bwe rebwe bwughi ghareeta kka Class C reel empliyów rebwe yaya bwe rebwe féérú yaar angaang.

(d) Class D ghareeta nge trakk kka V6 me 4-cylinder mókkinal.

(1) Government officials kka eyoor yaar lemelem wóól akkaw móghutughutul government nge emwal rebwe tungor bwe rebwe bweibwogh ghareeta kka Class D iye e four-wheel drive bwe reel rebwe mwal yaar off-road driving bwe rebwe féérú yaar angaang.

(2)Government officials kka eyoor yaar lemelem wóól akkaw móghutughutul government nge emwal rebwe tungor bwe rebwe bweibwogh ghareeta kka Class D bwe yaar angaang nge rebwe faatabw wóól yaal me bweibwoghul kkaragha kka tchowul nge ese laap sangi eew-esoóbw ton.
(3) Government officials kka eyoor yaar lemelem wóól akkaw móghutughutul government nge emwal rebwe tungor bwe rebwe bweibwogh ghareeta kka Class D iye a crew cab bwe yaar angaang nge rebwe bweibwogh kkaragha kka tchowul nge ese laap sángi eew-esóóbw ton me rebwe umwur schóól angaange bwe rebwe issisital me issisitiwil kkaragha.

(e) Ghareeta kka Class E nge four-wheel drive sport utility .

(I) Law enforcement me akkaw public safety agencies emwel rebwe tungor bwe rebwe bweibwogh ghareeta iye Class E bwe rebwe umwum schóól angaang me schóóka rese bwal angaang iye ngare eyoor natural disaster me akkaw emergency.

(f) Ghareeta iye Class F nge 7-9 passenger van.

(I) Government officials kka eyoor yaar lemelem wóól akkaw móghutughutul government emwal rebwe tungor bwe rebwe bweibwogh ghareeta iye Class F bwe yaar angaang nge rebwe umwum laap sángi faamal empliyow me saabw empliyów ngáli eew official government business.

Peigh 200-Aghikkilalil Ghareetal Government

§ 70-30.2-201 Aghikkilalil Ghareetal Government.

(a)Ghareetal government nge rebwe aghikkilay reel ital bwulasiyo igha ebwe bwáá me iya. Ital bwulasiyo nge rebwe spelling-I wow, me ngare amoschumoschu ital (e.g. "Div. of Envir. Quality") me ebwe lo oloow inches fáál bintónal me lughul wóól asamal draiba me lughul reel asamal passenger. Letteral aghikkil nge ebwe faawu inches langal. Aghikkil kkal nge ebwe reflective na matiriyóód.. I kkal minimum marking requirements, me government entity emwal ebwe aghikkilali waar ghareeta igha ebwe ghi bwáá me iya. (e.g., rebwe isalita government entity seal wóól ghareeta) ngare re abreba li mereel Chief.

(b) Ngare yaal government ghareeta we, government property number ebwe bwal aghikkil wóól ghareeta we. Property number ebwe ló oloow inches fáál ital entity we. Letteral aghikkil we nge ebwe ruwoow inches langal. Aghikkil kkewe nge ebwe reflective material.

(c) Marking requirements nge ese bwal ffil ngáli ghareeta kka ese aghikkil ikka wár law enforcement me ghareetal government ikka re yaya reel officials me judges.

(d) Ghareetal government nge rebwe aghikkilar mwal Ullyo 31, 2012. Ghareetal government ikka re bwughi mwiril akkatowow atiwligh kkal nge rebwe aghikkilar esabw aluw sángi 30 ráll mwiril yaar bwughi.

(e) Government official ngare eschay schóól angangal government e draiba li ghareetal government nge ese aghikkil ghatch nge ebwe yoor disciplinary action ngali sángi 1 CMC § 7406.

Peigh 300- Móghutughut me féérul

§ 70-30.2-301 Móghutughut

Eyoor bwáángil Secretary bwe ebwe féérú móghutughut kka e ffil ngáli subchapter yeel ,igha ebwe ulus me attakaló féérúl subchapter yeel.

Peigh 400- Miscellaneous Provisions

§ 70-30.2-401 Applicability

Subchapter yeel a mwamwaw me bwungló ngali bweibwoghil me aghikkilal ghareetal government lól alongal Senatorial Districts lól Commonwealth me offisina kka yaal CNMI ikka re lo lughulul CNMI.

§70-30.2-405 Supersession

Ngare a bwung ló rállil atiwligh kkal lól subchapter yeel, alongal mwóghutughu, policies me atiwligh kka a lemeli bweibwoghil me aghikkilal ghareetal government nge ebwe le amwó ló.

§70-30.2-410 Severability

Ngare autol me atiwligh kka e lo lól subchapter re schungi mereer court of competent jurisdiction bwe invalid, validity-il provisions kka lusul nge ese bwal affecta li.



Commonwealth of the Northern Mariana Islands HEALTH CARE PROFESSIONS LICENSING BOARD P.O. Box 502078, #1242 Pohnpei Court Capitol Hill, Saipan, MP 96950 Tel No: (670)664-4809 Fax: (670)664-4814 Email: <u>bpl@pticom.com</u>

NOTICE OF PROPOSED AMENDMENTS TO THE HEALTH CARE PROFESSIONS LICENSING BOARD REGULATIONS FOR PHYSICIAN ASSISTANTS

INTENDED ACTION TO ADOPT THESE PROPOSED REGULATIONS: The Health Care Professions Licensing Board (HCPLB) intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). These regulations were previously published at Volume 33, No. 03 (3/23/11) but with additional changes made by the Board, intend to publish it again for public comments. The regulations would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or (b) (1 CMC §9105(b)).

These Physician Assistants Regulations shall supersede the prior Medicine/Surgery Regulations published at Volume 21 (7/23/99) and adopted at Vol. 21 (12/15/99) of the Commonwealth Register.

AUTHORITY: The Health Care Professions Licensing Board has statutory power to promulgate and effect regulations pursuant to P.L. 15-105, Section 3, § 2206 (b), as amended.

THE TERMS AND SUBSTANCE: Regulation History: PL 15-105 (effective when approved by Governor Benigno R. Fitial, November 7, 2007), the "Health Care Professions Act of 2007," 3 CMC §§ 2201-36. The Act created a Health Care Professions Licensing Board, as an independent regulatory agency, without placing it in a Department. The Board is authorized to license health care professionals in the Commonwealth, establish standards for educational programs, administer exams, and to discipline licensees for violations of the act. See PL 15-105. 3 CMC § 2206(b), which empowers the Board to adopt rules and regulations consistent with the Act and necessary to carry out the Act's provisions, including define and describe the regulated professions and their practice. The physician assistant is one of the health care profession, out of 31 health care professions, under the power, jurisdiction and authority of the HCPLB. § 2212 of PL 15-105.

THE SUBJECTS AND ISSUES INVOLVED: These rules and regulations shall supersede the prior regulations for physician assistants, Part 1200, § 140-50.1-1201 - 1270, NMIAC Title 140, published at Vol. 21 (7/23/99) and adopted at Vol. 21 (12/15/11) of the Commonwealth Register.

DIRECTIONS FOR FILING AND PUBLICATION: The Board is soliciting comments regarding these proposed amendments which must be received by the Board within thirty (30) days of first publication of this notice in the Commonwealth Register. Interested persons may request copies of the proposed amendments by contacting us at 664-4809 or by email at <u>bpl@pticom.com</u> or come by our office located at Bldg. 1242, Pohnpei Ct., Capitol Hill, Saipan.

Written comments on these amendments should be drop off at our office or sent to the BPL, P.O. Box 502078, Saipan, MP 96950.

Submitted By: almad al - Arrimp Ahmad Al-Alou, MD

HCPLB Acting Chairman

Received By:

Esther 5. Fleming Special Assistant for Administration

mila

5/23/20/2 Date

05.24.12 Date

Esther M. San Nicolas Commonwealth Register

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Filed and Recorded By:

<u>5.24.12</u> Date

EDWARD T. BUCKINGHAM Attorney General Commonwealth gi Sangkattan na Islas Marianas Siha KUETPUN PROFESIONÅT MANLISENSIAN INADAHIN HINEMLU' P.O. Box 502078, #1242 Ponhpei Court Capitol Hill, Saipan, MP 96950 Tel. No.: (670) 664-4809 Fax No. : (670) 664-4814 e-mail: bpl@pticom.com

NUTISIAN I MANMAPROPONI NA AMENDASION SIHA PARA I KUETPUN PROFESIONÅT MANLISENSIAN INADAHIN HINEMLU' NA REGULASION NI PARA AYUDÅNTIN MEDIKU SIHA

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÅPTA ESTI SIHA I MANMAPROPONI

NA REGULASION SIHA: I Kuetpun Manlisensian Profesionåt Inadahin Hinemlu' Siha (HCPLB) ha intensiona para u adåpta kumu petmanenti na regulasion siha ni mañechettun i Manmaproponi na Regulasion, sigun gi manera siha gi Åktun Administrative Procedure, 1 CMC § 9104 (a). Esti na regulasion siha esta ginin manmapupblika gi Baluma 33, No. 03 (3/23/11) låo guaha mås tinilaika mafa'tinas ginin i Kuetpu, ha intensiona para u pupblika ta'lu para i upiñon pupbliku siha.

I regulasion siha para u ifektibu gi dies(10) dihas na tiempu dispues di makumplin i 1 CMC §§ 9102 yan 9104 (a) pat (b) (1 CMC § 9105 (b)).

Esti i Ayudåntin Mediku na Regulasion siha debi na u tinilaika ni i finene'na na Regulasion i Medicine/Surgery siha ni mapupblika gi Baluma 21 (7/23/99) yan ma'adåpta gi Baluma 21 (12/15/99) gi Rehistran Commonwealth.

ÅTURIDÅT: I Kuetpun Manlisensian Profesionåt Inadahin Hinemlu' gai fuetsa ni para u macho'gui yan u huyung i regulasion siha sigun gi Lai Pupbliku 15-105, Seksiona 3, § 2206 (b), kumu ma'amenda.

I SUSTÅNSIAN I PALÅBRA SIHA: Historian Regulasion: Lai Pupbliku 15-105 (umifektibu gi anai inaprueba ni Gubietnu as Binigno R. Fitial, gi Nubembri 7, 2007), i " Åktun Profesionåt Inadahin Hinemlu' gi 2007," 3 CMC §§ 2201-36. I Åktu ni macho'gui ni Kuetpun Manlisensian Profesionåt siha, kumu guiguiya ha' na ahensian regulatory, sin u mapega gi Dipattamentu. I Kuetpu ha åturisa na para u lisensia i profesionåt inadahin hinemlu' siha gi halum i Commonwealth, ma'estapblisa standards para prugråman edukasion siha, administer exams, yan para u disiplina i manmalisesensia siha ni para i

yumuyulang i åktu. Atan i Lai Pupbliku 15-105. 3 CMC § 2206 (b), ni numåna'i fuetsa siha i Kuetpu ni para u ma'adåpta i areklamentu yan regulasion siha ni kumunsisti yan i prubension i Åktu siha yan nisisåriu na para u chuli' huyung i prinaktikan i Åktu. I Ayudåntin Mediku unu gi ayudåntin hinemlu' na profesion, gi hiyung i 31 na profesion ayudåntin hinemlu' siha, gi papa' fuetsa, jurisdiction yan åturidåt i HCPLB. § 2212 gi Lai Pupbliku 15-105.

SUHETU NI MASUMÅRIA YAN ASUNTU NI TINEKKA: Esti na areklamentu yan regulasion siha dedi na u tinilaika ni i finene'na na regulasion siha para i ayudåntin mediku siha, Påtti 1200, § 140-50.1-1201, NMIAC Titulu 140, mapupblika gi Baluma 21 (7/23/99) yan ma'adåpta gi Baluma 121 (12/15/11) gi Rehistran Commonwealth.

DIRIKSION PARA U MAPO'LU YAN MAPUPBLIKA: I Kuetpu mamamaisin imfotmasion sigun gi esti i manmaproponi na amendasion siha ni debi na u marisibi ginin i Kuetpu gi halum i trenta (30) dihas na tiempu gi primet na pupblikasion esti na nutisia gi halum i Rehistran Commonwealth. Håyi gai intires na petsona siña manggågåo kopia siha gi manmaproponi na amendasion siha ya å'agang ham gi 664-4809 pat i email gi <u>bpl@pticom.com</u> pat fåttu gi ufisinan måmi ni gaigi gi Bldg. 1242, Pohnpei Ct., Capitol Hill, Saipan. Tugi'i hålum put esti na amendasion siha ya u machuli' guatu gi ufisinan måmi pat na'hånåo para i BPL, P.O. Box 502078, Saipan, MP 96950.

Nina'hålum as: Momad Ul - Alarma

Ahmad Al-Alou, MD Kabesiyu, HCPLB

5/23/2012

Fetcha

Rinisibi as: Esther S. Fleming Espisiåt Na Ayudanti Para I Atministrasion

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Pine'lu Yan Rinikot as: _

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Esther M. San Nicolas **Rehistran Commonwealth**

<u>\$5.24.12</u> Fetcha

Sigun i 1 CMC § 2153 (e), (Inaprueban Abugådu Heneråt i regulasion siha ni para u macho'gui komu fotma) yan i 1 CMC § 9104 (a) (3) (inahentan inaprueban Abugådu Heneråt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisiente ligåt ginin i Abugådun Heneråt CNMI van debi na u mapupblika, 1 CMC § 2153 (f) (pupblikasion areklamentu yan regulasion siha).

EDWARD T. BUCKINGHAM Abugådu Heneråt

<u>5.24.12</u> Fetcha

Commonwealth Téél falúw kka falúwasch Efáng Marianas HEALTH CARE PROFESSIONS LICENSING BOARD

P.O. Box 502078, #1242 Pohnpei Court Capitol Hill, Seipel, MP 96950 Tilifoon No: (670)664-4809 Fax: (670)664-4814 Email: <u>bpl@pticom.com</u>

ARONG REEL POMWOL LLIWEL KKAAL NGÁLI ALLÉGHÚL <u>HEALTH CARE PROFESSIONS LICENSING BOARD</u> REEL ALILLISIL DOKKTO (PHYSICIAN ASSISTANTS)

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH KKAAL <u>Health Care</u> <u>Professions Licensing Board</u> (HCPLB) schéschéél e tipeli ebwe fillóóy pomwol allégh kka e appasch, bwelle reel mwóghutul <u>Administrative Procedure Act</u>, 1 CMC§ Talil 9104 (a). Allégh kkaal nge efasul akkaté llól Volume 33, No. 03 (3/23/11)eyoor akkaw siwel ikka e appasch llong iye e féér merel Board, nge re tipeli bwe rebwe bwal akkaté sefali woow reer toulap reel mángemangiir. Allégh kkaal ebwe kkamalló llól siegh (10) raalil ngáre schagh re tabweey ngáli alléghúl 1 CMC§§ Tálil kka 9102 me 9104 (a) me (b) (1) CMC §9105 (b)).

Alléghúl <u>Physician Assistants</u> ebwe siweli mmwal alléghúl safey/ Alléghúl <u>Surgery</u> ye e akkaté llól Volume 21 (7/23/991 me fillóól llól vol. 21 (12/15/991 mellól Commonwealth Register.

BWANGIL: <u>Health Care Professions Licensing Board</u> nge eyoor bwángil ebwe akkaté allégh kkaal me ghitipwotchuw allégh kkaal bwelle reel Alléghúl Toulap ye 15-105, Talil 3, § Tálil 2206 (b), iye aa ssiwel.

OUTOL ME KKAPASAL: Kkapasal Allegh: PL 15-105 (Schéschéél igha e allégheló mereel Governor Benigno R. Fitial, Aromwoy 7, 2007), "Health Care Professions Act Ilól 2007, " 3 CMC§§ Tálil 2201-36, Allégh yeel nge eyoora <u>Health Care Professions Licensing Board</u>, iye ebwe <u>independent</u> ammwelil agency yeel, mmwal rebwe atolongow Ilól Depattamento. Board (Mwiisch) nge re ngalleey bwangil ebwe ayoora lisensial <u>health care professionals</u> mellól <u>Commonwealth</u>, ayoora ammwelil ngáli <u>educational programs</u>, ayoora asóssot, me mwuttaar schóóy lisensia kka rese tabweey alléghúl Act yeel. Amweri PL 15-105. 3 CMC § Talil 2206 (b), iye e ngalleey bwangil Mwiisch ebwe fillooy allegh kka e ghol fil ngali Act me mwóghutáágheli aweewel Act, ebwal toolong aweewel alléghúl <u>professions</u> me akkabwungul. <u>Physician assistant</u> nge eew ammwelil <u>Health Care professions</u>, sángi eliigh me eew (31) <u>health care professions</u>, faal bwángil, yaal angaang HCFLB. Tálil § 2212 llol PL 15-105.

KKAPASAL ME ÓUTOL KKA EYOOR: Allégh kkaal ebwe siweli mmwal alléghúl alillisil dokkto, Peigh 1200, § ebwughuw faigh, limeigh. 1-1201 – 1270, NMIAC Title 140, akkate llól Vol. 21 (7/23/99) me fillooy llol Vol. 21 (12/15/11) mellól <u>Commonwealth Register</u>.

AFALAFAL ME AMMWELIL AKKATE: Mwiisch nge ekke tittingór mángemáng reel pomwol lliwel yeel iye rebwe bwughi llól eliigh (30) ráálil akkatéél arong yeel mellól <u>Commonwealth Register</u>. Schóókka re tipeli nge emmwel rebwe ffailong reel 664-4809 me ngáre email reel <u>bpl@pticom.com</u> me ngáre mweteti bwulasiyo Bldg. 1242, Pohnpei Ct., Capitol Hill, Seipeél. Ischil mángemáng reel lliwel kkaal ebwe atotoolong llól bwulasiyo me afanga ngáli HPL, P.O. Box 502078, Seipél, MP 96950.

Isaliyallong: Abmad Al - Almon Ahmad Al-Alou, MD HCPLB Acting Chairman Mwir sángi Esther S. Fleming Special Assistant for Administration

Ammwel sángi: Esther M. San Nicolas Commonwealth Register

5/23/2012 Rál

05.24.12

Sángi allégh ye 1 CMC§ Talil 2153 (e) (alughulugh mereel AG reel allegh kka ebwe akkate ighila) me 1 CMC§ Talil 9104 (a) (3) (bwughi alughulugh mereel AG) pomwol allegh kka e appasch nge raa takkal amweri fischi allégheló mereel CNMI Sow Bwungul Allégh Lapalap me ebwe akkatééló, 1 CMC§ Tali 2153 (f) (akkateel allegh kkaal).

EDWARD T. BUCKINGHAM Sów Bwungul Allégh Lapalap

5-24.12

§ 140-50.3-004100 Part 4100. Physician Assistant.

These rules and regulations shall supersede the prior regulations for physician assistants, Part 1200, § 140-50.1-1201 – 1270, NMIAC Title 140, published at Vol. 21 (7/23/99) and adopted at Vol. 21 (12/15/99) of the Commonwealth Register.

Chapter Authority: 3 CMC § 2206(b); PL 15-105, Section 3, § 2206(b), as amended. Regulation History: PL 15-105 (effective when approved by Governor Benigno R. Fitial, November 7, 2007), the "Health Care Professions Act of 2007," 3 CMC §§ 2201-36. The Act created a Health Care Professions Licensing Board, as an independent regulatory agency, given the complete jurisdiction, power, authority and duty to license and regulate all health care professions, except for the practice of nursing. The Board is empowered by the Legislature to adopt rules and regulations regarding all matters over which the Board has jurisdiction.

§ 140-50.3-004101 Definitions.

(a) "Administer" means the direct application of a drug, whole blood, blood components, diagnostic procedure or device, whether by injection, inhalation, ingestion, skin application or other means, into the body of a patient.

(b) "ARC-PA" means the Accreditation Review Commission for the Education of Physician Assistants, or its successor.

(c) "Contact" for the supervision of a physician assistant means communication in person, or by electronic means, including radio, telephone, fax, computer, or other telecommunication device.

(d) "Continuing Education (CE)" shall mean educational activities, which serve to maintain, develop, or increase the knowledge, skills, and professional performance, and relationships that a physician assistant uses to provide services for patients, the public, or the profession. The content of CE is that body of knowledge and skills generally recognized and accepted by the medical profession as within the basic medical sciences, the discipline of clinical medicine, and the provision of health care to the public.

(e) "Controlled Substance" means a substance, typically a drug or its chemical precursor, described or authorized for classification in the U.S. Controlled Substance Act, 21 USC 812, et seq., and periodically classified under one of Schedules II, III, IV, or V by the U.S. Drug Enforcement Administration (DEA), as presently codified in 21 CFR §1308.

(f) "Doctor," including "Dr.," D.O.," and/or "M.D." shall mean a physician.

(g) "Dispense" means to deliver a device or a medication in a suitable, labeled container to or for an ultimate user.

(h) "Impairment" means the inability of an applicant and/or license to practice medicine with reasonable skill and safety by reason of:

(1) Mental illness;

(2) Physical illness or condition, including, but not limited to, those illnesses or conditions that would adversely affect cognitive, motor or perceptive skills; or

(3) Habitual or excessive use or abuse of drugs defined by law as controlled substances, or alcohol or of other substances that impair ability.

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(i) "Medex" means a person who gained medical experience during military service and is currently licensed by this Board as a physician assistant based on the grandfather clause in P.L. 3-30 § 3(f) (as amended).

(j) "NCCPA" means the National Commission on Certification of Physician Assistants, an independent organization that was established to assure the competency of Physician Assistants and which administers the PANCE to graduates of accredited PA programs.

(k) "PA-C or PA-certified" is the title given to physician assistants who have taken and passed the PANCE and who maintain certification.

(I) "PANCE" means the Physician Assistant National Certifying Examination administered by the NCCPA.

(m) "Patient Encounter" is a record of an interaction between a patient and a healthcare provider.

(n) "Person" means a person real or legal, including a human being, and an artificial person, including government entity, non-governmental organization, association, corporation, Limited Liability Company, limited liability partnership, partnership or sole proprietorship.

(0) "Physician Assistant" or "Physician's Assistant" or "Physician Associate" or "PA" means a health care professional trained in intensive physician assistant/associate education programs and who has been certified by the NCCPA to practice medicine with physician supervision.

(p) "Practice of Medicine" means:

(1) Using the title "Doctor," "Doctor of Medicine," "Doctor of Osteopathy," "Physician," "Surgeon," "Dr.," "M.D.," "D.O.," "PA," "Physician Assistant," "Physician Associate," or any word or abbreviation to indicate or induce others to believe that one is engaged in the practice of medicine as defined hereon; and

(i) Holding out one's self to the public within the CNMI as being able to diagnose, treat, prescribe for, palliate, or prevent any human disease, ailment, injury, deformity, or physical or mental condition, whether by the use of drugs, surgery, manipulation, electricity, or any physical, mechanical, or other means whatsoever; or

(ii) Suggesting, recommending, prescribing, or administering any form of treatment, operation, or healing for the intended palliation, relief, or cure or any physical or mental disease, ailment, injury, condition, or defect of any person with the intention of receiving, either directly or indirectly, any fee, gift, or compensation whatsoever.

(q) "Prescription" shall mean a written, facsimile, electronic or telephone order or formula issued by a practitioner for a medication to be compounded and dispensed by a pharmacy to a patient.

(r) "Prescription Drug Order" or "Order" shall mean a prescription documented in a hospital or other institutional facility's chart/medical record for a medication to be compounded and dispensed by an inpatient pharmacy and then administered to a patient by a nurse or other medical professional with drug administration privileges. (s) "Remote Area," for purposes of these regulations, is defined as those islands within the CNMI other than Saipan.

(t) "Remote Practice Location" means a location in a remote area where a PA practices that is not his or her supervising physician's primary practice location.

(u) "State" includes a United States of America state, territory, tribal land, commonwealth, the District of Columbia, and any other U.S. jurisdiction other than the U.S. federal government.

(v) "Supervising Physician" means the licensed physician who supervises a physician assistant.

(w) "Supervision" of a physician assistant means overseeing the activities of and accepting responsibility for the medical services rendered by a physician assistant.

§ 140-50.3-004102 Requirements for Licensure.

(a) An applicant for licensure as a physician assistant must be at least twenty-one (21) years of age, is a U.S. citizen or a foreign national lawfully entitled to remain and work in the Commonwealth, and meets the following requirements:

(1) Applicant has at least a Bachelor's Degree as a Physician Assistant or Physician Associate from a program accredited by the Accreditation Review Commission for the Education of Physician Assistants (ARC-PA), or prior to 2001, either by the Committee on Allied Health Education and Accreditation of the American Medical Association or the Commission on Accreditation of Allied Health Education Programs; and

(2) Applicant passed the Physician Assistant National Certifying Examination (PANCE) administered by NCCPA, or other future national examinations; and

(3) Applicant provides evidence of current NCCPA certification; and

(4) Applicant possesses an active unrestricted license to practice as a physician assistant in another U.S. state or territory; and

(5) The applicant shall be of good moral character and shall not have been convicted of a crime of moral turpitude or a crime related to his or her practice as a physician assistant in any jurisdiction, US or foreign.

(b) In addition to the foregoing requirements, the Board may add the following requirements, in its discretion, and for good cause:

- (1) Require additional proof that the person is competent to practice professionally;
- (2) Require further examination;
- (3) Require additional proof that the person is of an acceptable moral character; and/or
- (4) Require that the person not be impaired by reason of substance abuse or debilitating physical or mental/emotional condition.

(c) A physician assistant license will be issued by the Board when the applicant meets the requirements set forth above. However, a physician assistant may not practice until a Practice Agreement has been filed and approved by the Board.

(d) Exemption.

(1) An individual who is currently licensed as a physician assistant and who was grandfathered in under the exemption for Medex in P.L. 3-30 § 3(f) (as amended) shall be exempt from satisfying all licensure requirements in § 140-50.3-004102 but will have an additional requirement for supervision. These individuals shall be required to have 75% on-site physician supervision.

(2) No new licenses will be issued under this exemption for Medex in P.L. 3-30 § 3(f) (as amended by P.L. 7-48).

(e) The Board may deny a license to a person to practice as a physician assistant if the person has been the subject of an adverse action in which his or her license was suspended, revoked, placed on probation, condition or renewal denied.

§ 140-50.3-004103 Licensure by Endorsement [reserved]

§ 140-50.3-004104 Scope of Practice.

- (a) The physician assistant may only provide those medical services which:
 - (1) He/she is competent to perform as determined by the supervising physician;

(2) Are consistent with his or her education, training and experience; and

(3) Are delegated in writing by the supervising physician responsible for the patients cared for by the physician assistant.

(b) A supervising physician shall delegate to a physician assistant only those tasks or procedures consistent with the supervising physician's specialty or usual and customary practice.

§ 140-50.3-004105 Practice Agreement.

(a) Licensee shall submit a Practice Agreement between himself or herself and the supervising physician(s), in a format provided by the Board, describing the manner and extent to which the physician assistant will practice and be supervised. The Board may approve, modify or reject the Practice Agreement as originally submitted. No licensed physician assistant may practice without a valid Practice Agreement on file with the Board. Practicing without an approved practice agreement shall be grounds for disciplinary action. The Practice Agreement, at a minimum, shall:

- (1) **Provide for:**
 - (i) Physician consultation;
 - (ii) Collaboration;
 - (iii) Adequate means for immediate communication between the parties; and
 - (iv) Referral and emergency coverage;

(2) Describe the physician assistant's scope of practice;

(3) List the settings where the physician assistant will be utilized, for example, a clinic, hospital, ambulatory center, patient home, emergency vehicle and/or other institutional setting. The supervising physician and the PA are each responsible for ensuring that both parties have the proper credentials and experience to practice in the capacity listed;

(4) If applicable, list specific prescriptive privileges and/or restrictions to the physician assistant's prescriptive privilege, as described in § 140-50.3-004107;

(5) Provide for the supervising physician's review and signature of records, as follows:
 (A) A minimum of 5% of all patient encounters by the physician assistant that do not involve a controlled substance will be reviewed and signed within thirty (30) calendar days;

(B) A minimum of 10% of all patient encounters by the physician assistant that involve a prescription drug order, prescribing, dispensing or administering of Schedule III-V controlled substances must be reviewed and signed within thirty (30) calendar days;

(C) A minimum of 15% of all patient encounters by the physician assistant that involve a Schedule II controlled substance must be reviewed and signed within seven (7) days; and

(D) The Board may require that up to 100% of all patient encounters by a physician assistant be reviewed and signed by a supervising physician.

(6) Describe the method by which a supervising physician will comply with the chart review requirements. The Board, may, at any time, request proof of compliance with this chart review requirement. Non-compliance may result in termination by the Board of a practice agreement;

(7) Identify the supervising physician's designated alternate supervising physician in his or her absence; and

(8) Contain a statement substantially as follows: "The physician will direct and exercise supervision over the physician assistant in accordance with the CNMI HCPLB's regulations and recognizes that he or she retains full professional and legal responsibility for the performance of the physician assistant and the care and treatment of the patient."

(b) If a practice agreement allows for the ordering, prescribing, dispensing and/or administering of controlled substances, a copy of that Practice Agreement will be filed by the Board with all CNMI outpatient pharmacies and any applicable inpatient pharmacies.

(c) The supervising physician and the physician assistant shall notify the Board in writing within seven (7) days of the termination of the Practice Agreement.

(d) Any change to the approved Practice Agreement must be reviewed and approved by the Board prior to any change taking effect.

(e) At a minimum, a Practice Agreement shall be renewed every 2 years or at the time of license renewal, whichever is sooner.

§ 140-50.3-004106 Supervising Physician.

(a) The supervising physician must comply with the following requirements in order to supervise a physician assistant:

(1) The supervising physician shall possess a current unrestricted license to practice medicine in the CNMI that is in good standing with the Board and a valid individual DEA

registration;

(2) The supervising physician's primary place of practice is within the CNMI. At least 50% of his or her practice must be clinical. A supervising physician shall delegate to a physician assistant only those tasks or procedures consistent with the supervising physician's specialty or usual and customary practice;

(3) The supervising physician will direct and exercise supervision over the physician assistant in accordance with these regulations and recognizes that he or she retains full professional and legal responsibility for the performance of the physician assistant and the care and treatment of the patient;

(4) The supervising physician shall provide adequate means for direct communication at all times between the physician assistant and him or her; this direct communication may occur through the use of technology which may include, but is not limited to, two-way radio, telephone, fax machine, internet, or other telecommunication device;

(5) The supervising physician will personally review and sign the records of patients seen by the physician assistant as described in Section 4105, "Practice Agreement";

(6) The supervising physician shall designate an alternate supervising physician in his or her absence. That alternate physician must satisfy all requirements of a primary supervising physician; and

(7) A supervising physician shall petition the Board if he or she wishes to supervise more than two full-time physician assistants or the equivalent of two full-time physician assistants.

(b) If a supervising physician does not comply with the regulations in this section or if he or she allows a physician assistant to practice without a valid practice agreement, he or she will be subject to discipline.

§ 140-50.3-004107 Special Provision: Prescription Privilege.

(a) The supervising physician may allow the physician assistant to make prescription drug orders, prescribe, dispense, and/or administer medications and medical devices to the extent described in the written practice agreement and subject to the following requirements:

(1) Physician assistants must be currently certified by the NCCPA in order to be automatically eligible for prescriptive privileges. Certification by NCCPA is independent from any decision of this Board;

(2) A physician assistant can only make prescription drug orders, prescribe, dispense and/or administer controlled substances if he or she holds a current DEA certificate that allows for those privileges. A copy of that certificate must be submitted to the Board before a PA can order, prescribe, dispense and/or administer any controlled substance;

(3) A physician assistant can only make prescription drug orders, prescribe, dispense and/or administer medications, including controlled substances, if authorized to do so by the supervising physician;

(4) In general, a supervising physician may authorize the prescription drug ordering, prescribing, dispensing and/or administration of Schedule III-V controlled substances.

(5) A supervising physician must request, with the consent of the physician assistant, authorization from the Board to allow the physician assistant to make prescription drug orders, prescribe, dispense and/or administer Schedule II controlled substances. Unless granted by the Board in an approved practice agreement, a physician assistant shall not order, prescribe, dispense, and/or administer Schedule II controlled substances;

(6) A prescription for a controlled substance written by a physician assistant must have his or her DEA number clearly written on the prescription form;

(7) A physician assistant may prescribe no more than a 30-day supply of Schedule III-V medications. A physician assistant can only prescribe prescription refills if the prescription is co-signed by a supervising physician whose DEA number is clearly written on the prescription form;

(8) When applicable, a physician assistant may prescribe no more than a 7-day supply of Schedule II medications. A physician assistant can only prescribe prescription refills if the prescription is co-signed by a supervising physician whose DEA number is clearly written on the prescription form;

(9) For physician assistants working in a remote practice location, the Board may limit the quantity of Schedule II and Schedule III-V medications prescribed to less than 7 days and 30 days, respectively. Also, the Board may impose additional supervision requirements such as maintaining an updated database of patients requiring daily and long-term scheduled medications. Such a database must be reviewed by a supervising physician at least monthly.

(10) A prescription for a controlled substance written by a physician assistant must be documented in that patient's chart and must include the name of the drug, dose, and route of administration, frequency, duration and quantity prescribed;

(11) Patient encounters by a physician assistant where a controlled substance was ordered, dispensed, and/or administered must be reviewed and signed by a supervising physician, as described in "Practice Agreement";

(12) A practice agreement allowing a physician assistant to make prescription drug orders, prescribe, dispense and/or administer any controlled substance will be filed with all local outpatient pharmacies and with any applicable inpatient pharmacies; and

- (13) The physician assistant shall comply with:
 - (A) All appropriate federal and CNMI laws and regulations; and

(B) The Regulations Governing the Importation, Storage, Sales, and Distribution of Drug and Pharmaceutical Products.

§ 140-50.3-004108 Remote Practice Location.

(a) To be eligible to practice in a remote practice location, as defined in § 140-50.3-004101(t), a physician assistant must:

- (1) Have a minimum of one (1) year of full-time clinical experience; or
- (2) Alternately, a PA without that experience will become eligible to practice in a

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remote practice location after he or she completes 160 hours of patient care in the CNMI under the direct and immediate supervision of a CNMI licensed physician.

(b) A physician assistant may practice through remote supervision if:

(1) There is no other CNMI-licensed physician concurrently working at the same physical location as the physician assistant; and

(2) The practice agreement and visitation requirements of this section are met; and

(3) The physician assistant maintains contact with the remote supervising physician, such as by telephone, radio, or email.

(c) In addition to the practice agreement requirements described in § 140-50.3-004105, the Practice Agreement shall include:

(1) The supervising physician(s) will provide adequate means for immediate and direct communication at all times between themselves and the physician assistant;

(2) Chart notes and prescriptions will be sent to the supervising physician for review and signature, as applicable, to maintain compliance with the chart review and signature requirements described in the "Practice Agreement."

(d) If authorized in an approved Practice Agreement, the physician assistant may make prescription drug orders, prescribe, dispense and/or administer scheduled medications subject to the requirements described in § 140-50.3-004107.

(e) The supervising physician must visit the remote practice location at least monthly for a minimum of four (4) hours to directly supervise the physician assistant and to review and co-sign the medical records of the physician assistant.

(f) The Board may redefine the term "remote area" and/or "remote practice location" through the use of an emergency order.

§ 140-50.3-004109 Application.

(a) An application for a license to practice as a physician assistant shall be made under oath on a form to be provided by the Board and shall be signed and sworn to under penalty of perjury, by the applicant. This application shall be accompanied with the following information and documentation as is necessary to establish that the applicant possesses the qualifications as required in these regulations:

(1) The applicant's full name and all aliases or other names ever used, current address, date and place of birth and social security number;

(2) Applicant's 2x2 photograph taken within six (6) months from date of application; and

(3) Applicant must pay the appropriate fees, including the application fee, which shall not be refunded;

(4) Applicant is to provide originals of all documents and credentials, or notarized or certified copies acceptable to the Board of such documents and credentials, including but not limited to:

(A) Diploma showing a degree of Physician Assistant or Physician Associate;

(B) Documents showing satisfactory proof that applicant has taken and passed the PANCE;

(C) Current NCCPA certification;

(D) Documents showing proof that applicant is licensed to practice as a physician assistant in another U.S. jurisdiction; and

(E) Document showing proof of a current and valid DEA registration certificate, if required.

(5) Applicant to provide a list of all jurisdictions, U.S. or foreign, in which the applicant is licensed or has ever applied for a license to practice as a physician assistant;

(6) Applicant to provide a detailed educational history, including places, institutions, dates and program descriptions of all his or her education beginning with secondary schooling and including all college, pre-professional, professional, and professional postgraduate training;

(7) Applicant to provide a list of all jurisdictions, U.S. or foreign, in which the applicant has been denied licensure or voluntarily surrendered a license to practice as a physician assistant;

(8) Applicant to provide a list of all jurisdictions, U.S. or foreign, of all sanctions, judgments, awards, settlements or convictions against the applicant that would constitute grounds for disciplinary action under 3 CMC § 2201, et seq. or these regulations; and

(9) Applicant to provide a report from the National Practitioner Data Bank (NPDB) within sixty (60) days from the signature date of the application.

(b) The burden of proof shall be upon the applicant to provide and verify the required information to the Board's satisfaction. The applicant shall be responsible for the cost of obtaining such information from recognized information and data services.

§ 140-50.3-004110 Continuing Education.

(a) All physician assistants licensed to practice in the CNMI are required to complete fifty (50) CE hours during the twenty-four (24) months prior to the expiration of their license as a prerequisite to the renewal of their biennial license.

(b) One hour of credit will be allowed for each clock hour of CE participation.

(c) Approved continuing education activities includes but are not limited to the following:
 (1) Activities designated as Category 1 by an organization accredited by the Accreditation Council on Continuing Medical Education (ACCME), the American Academy of Physician Assistants, the American Medical Association, or the Academy of Family Physicians; or

(2) CEs certified by the Maintenance of Proficiency (MainPro), which is a program of the College of Family Physicians of Canada; or

- (3) Commonwealth Health Corporation CEs; or
- (4) CEs as part of NCCPA certification.

(d) It shall be the responsibility of the licensee to obtain documentation, satisfactory to the Board, from the organization or institution of his or her participation in the continuing education and of the number of credits earned.

(e) If a licensee fails to meet the CE requirements for renewal of license because of illness, military service, or other extenuating circumstances, the Board, upon appropriate written explanation, may grant an extension of time to complete same, on an individual basis.

(f) Licensure renewal shall be denied to any licensee who fails to provide satisfactory evidence of completion of CE requirements or who falsely certifies attendance at and/or completion of the CE.

§ 140-50.3-004111 Renewal.

(a) All licenses issued by the Board expire every two years following issuance or renewal and become invalid after that date.

(b) Each licensee shall be responsible for submitting a completed renewal application at least sixty (60) days before the expiration date. The Board shall send, by mail or email, a notice to every person licensed hereunder, giving the date of expiration and the fee and any additional requirements for the renewal thereof.

(c) All licensees must submit satisfactory evidence of completion of CE requirements, as required under §4110 of these regulations and provide a copy of a current and valid DEA registration certificate, if required.

(d) Physician Assistants shall maintain a current national certification with NCCPA and provide a valid copy of the certificate in order to renew their CNMI license.

(e) A late fee of \$25.00 will be charged every 1^{st} of the month after the expiration date.

(f) Licenses which have expired for failure to renew on or before the date required may be reinstated within one year of the expiration date upon payment of the renewal and late fees for each calendar month until the renewal fee is paid. Each licensee whose license has expired and lapsed for more than one year by failure to renew must file a new application, meet current requirements for licensure, and receive Board approval.

(g) A licensee whose license has been revoked, suspended, or placed on probation by the licensing authority of another U.S. or foreign jurisdiction, or who has voluntarily or involuntarily surrendered his or her license in consideration of the dismissal or discontinuance of pending or threatened administrative or criminal charges, following the expiration date of his or her CNMI license, may be deemed ineligible for renewal of his or her license to practice as a physician assistant in the CNMI. This will not, however, prevent the Board from considering a new application.

§ 140-50.3-004112 Special Provision – Advertising and Identification to the Public.

(a) A PA shall at all times when on duty wear an ID badge stating his or her name and title of "Physician Assistant" or "PA."

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