

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

**§ 2191. Access To and Control of Facilities and Property.**

The Secretary of Public Health in consultation with the Department of Public Safety, Department of Public Works and the Emergency Management Office, may exercise, for such period as the state of public health emergency exists, the following powers concerning facilities, materials, roads, or public areas:

(a) *Use of materials and facilities.* To procure, by condemnation or otherwise, construct, lease, transport, store, maintain, renovate, or distribute materials and facilities as may be reasonable and necessary to respond to the public health emergency, with the right to take immediate possession thereof. Such materials and facilities include, but are not limited to, communication devices, carriers, real estate, fuels, food and clothing.

(b) *Use of health care facilities.* To require a health care facility to provide services of the use of its facility if such services or use are reasonable and necessary to respond to the public health emergency as a condition of licensure, authorization or the ability to continue doing business in the CNMI as a health care facility. The use of the health care facility may include transferring the management and supervision of the health care facility to the public health authority for a limited or unlimited period of time, but shall not exceed the termination of the declaration of a state of public health emergency.

(c) *Control of materials.* To inspect, control, restrict, and regulate by rationing and using quotas, prohibitions on shipments, allocation, or other means, the use, sale, dispensing, distribution, or transportation of food, fuel, clothing and other commodities, as may be reasonable and necessary to respond to the public health emergency.

(d) *Control of roads and public areas.*

(1) To prescribe routes, modes of transportation, and destinations in consultation with public safety authorities or the provision of emergency services.

(2) To control or limit ingress and egress to and from any stricken or threatened public area, the movement of persons within the area, and the occupancy of premises therein, if such action is reasonable and necessary to respond to the public health emergency.

**Source:** PL 13-63, § 13.

**Commission Comment:** PL 13-63 was enacted on February 10, 2004 and contained a short title, findings, purpose, severability, and savings clause provisions. See the comment to 3 CMC § 2181 regarding PL 13-63.