

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



**COMMONWEALTH REGISTER
VOLUME 33
NUMBER 10
October 26, 2011**

COMMONWEALTH REGISTER

VOLUME 33
NUMBER 10

October 26, 2011

TABLE OF CONTENTS

PROPOSED REGULATIONS

Public Notice of Proposed Rules And Regulations which are Amendments to the Rules and Regulations of the Department of Public Health	031985
Public Notice of Rules and Regulations Which are Amendments to the Rules and Regulations of the Child Care and Development Fund, DCCA	031993
Public Notice of Proposed Amendments to the Rules and Regulations of the Department of Finance	032075

DIRECTIVES (2011)

Directive No. 282 Work Hours for FY 2012 Effective October 3, 2011 Office of the Governor	032087
---	---------------

- ii. Sexually violent offenses as defined by CNMI law or other similar offenses in other jurisdictions;
 - iii. Criminal sex offense against a minor as defined by CNMI law or other similar offenses in other jurisdictions;
 - iv. Child abuse or neglect as defined by CNMI law or similar offenses in other jurisdictions;
 - v. Violations of the CNMI Minor Children Firearms Control Act or similar offenses in other jurisdictions;
 - vi. Distribution of a controlled substance to persons under 18 as defined by CNMI law or similar offenses in other jurisdictions; and
 - vii. All other criminal histories will be evaluated based on the nature and severity of the incident; the identity of the victim; the length of time since the incident; whether any specific pattern of criminal behavior exists; and specific efforts the individual has made towards rehabilitation.
- c. Is free of tuberculosis as indicated by a skin test or chest x-ray completed within the last 24 months;
- d. Have a child care facility or home with an installed smoke detector, unobstructed emergency exits, and an emergency exit plan.
- e. Shall attend training and technical assistance activities as a condition of receipt of funds to enhance their personal growth and professional development in order to improve the quality of child care services. Effective May 1, 2009 all child care service providers must annually participate in at least 20 hours of training and technical assistance as approved by the Child Care Program. This may include workshops, seminars, conference, etc. on health and safety, nutrition, first aid, child abuse and detection, and caring for children with special needs as scheduled and approved by the Child Care Program.



Commonwealth of the Northern Mariana Islands
Department of Public Health
Office of the Secretary of Public Health



P.O. Box 500409CK, Saipan, MP 96950
 Tel: (670) 234-8950; Fax: (670) 234-8930
 Joseph.kevin@dph.gov.mp

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS
WHICH ARE AMENDMENTS TO THE RULES AND REGULATIONS OF THE
DEPARTMENT OF PUBLIC HEALTH

INTENDED ACTION TO ADOPT THESE PROPOSED PROCEDURS TO THE SCHEDULE OF FEES OF THE COMMUNITY GUIDANCE CENTER: The Commonwealth of the Northern Mariana Islands, Department of Public Health, intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations will become effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a). (See 1 CMC § 9105(b)).

AUTHORITY: The Department of Public Health, under 1 CMC §§ 2603 and 2605, is empowered to maintain and improve the health conditions and is authorized to adopt rules and regulations regarding those matters over which it has jurisdiction.

THE TERMS AND SUBSTANCE: The Rules and Regulations provide for the adoption of new rates for the services and procedures provided at the Community Guidance Center (CGC). Specifically, they provide the fees charged for certain services and procedures at CGC.

THE SUBJECTS AND ISSUES INVOLVED: These Rules and Regulations:

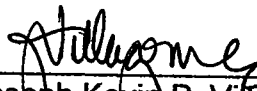
1. add the attached fees to the Community Guidance Center's Schedule of Fees.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Rules and 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)).

The Department of Public Health will take appropriate measures to make these Regulations known to the persons who may be affected by them.

TO PROVIDE COMMENTS: Send or deliver your comments to Josephine T. Sablan, Attn Joseph Kevin Villagomez, at the above address, fax or email address, with the subject line "Schedule Fees of the Community Guidance Center." Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMC § 9104(a)(2))

These proposed regulations were approved by the Secretary of Public Health on this ____ day of September 2011.

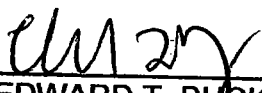
Submitted by:  9-28-11
Joseph Kevin P. Villagomez
Secretary of Public Health Date

Received by:  10/11/11
Esther S. Fleming
Special Assistant for Administration Date

Filed and Recorded by:  10-11-11
Esther M. San Nicolas
Commonwealth Register 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 ____ day of September 2011.


EDWARD T. BUCKINGHAM
Attorney General

Commonwealth of the Northern Mariana Islands
Department of Public Health
Office of the Secretary of Public Health

P.O. Box 500409CK, Saipan, MP 96950
Tel: (670) 234-8950; Fax: (670) 234-8930
Joseph.kevin@dph.gov.mp

**ARONGORONGOL TOULAP REL POMMWOL ALLEGH KKAL
EBWE AMENDALI ALLEGH KKA E LLO DIPATAMENTOL LIMILIMIL TOULAP**

MANGEMANGIL MÓGHUT YEEL BWE EBWE ADAPTALI POMMWOL ABWÓSS ME COMMUNITY GUIDANCE CENTER. Commonwealth Téél faluw kka efang lól Marianas, Dipatamentool Limilimil Toulap, emwuschel ebwe adoptali me alleghuló allegh kka e appasch ngeli Pommwol allegh. Sengi procedures-il Administrative Procedure Act, 1 CMC § 9104(a). Allegh kkal ebwe bwungló 10 ráál mwiril compliance ngeli 1 CMC §§ 9102 me 9104(a). (Amweri 1 CMC 9105(b)).

BWÁÁNGIL: Dipatamentol Limilimil Toulap, faal 1 CMC §§ 2603 me 2605 eyoor bwungul bwe ebwe amwuschu me aghatchuw limilimal toulap me ebwe adaptali allegh kka eyoor yaal lemelem wóól.

KKAPASAL ME AWEWEL: Allegh kkal ebwe ayoora rel rebwe adaptali féél abwóss rel setbisio me móghutughut kka re awoora me Community Guidance Center (CGC). Me iir rebwe ayoora me feeri meel akkaw setbisio me móghutughut me CGC.

KKAPASAL ME ÓUTOL: Allegh Kkal

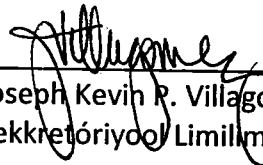
1. Aschuw me appascha abwóss kkal ngeli Community Guidance Center's Schedule of Fees.

AFALAFAL REL AMWELIL ME AKKATÉÉL: Pommwol allegh kkal ebwe appaschlong lól Commonwealth Register lól section iwe proposed and newly adopted regulation (1 CMC § 9102(a)(1) me ebwe appasch fetal igha e fisch me lól leli kka e llo civic center me bwulasiyool gubetnamento me lól eew senatorial district, llól English me mwaliyaasch. (1 CMC § 9104(a)(1)).

Dipatamentool Limilimil Toulap rebwe feeri fisch i yaar angaang bwe rebwe aroonga ngaalir schóó kka rebwe affected reel.

ISIISILONGOL MWALIILI: Afanga ngare bwughiló yóómw mengemeng rel Josephine T. Sablan Attn Joseph Kevin Villagomez, rel address iye weilang, fax ngare email address, nge subject line "Schedule Fees of the Community Guidance Center." Akkatolongol mengemeng nge ebwe 30 ráál mwiril yaal appasch arongorong yeel. Isalilong yóómw data, views me arguments. (1 CMC § 9104(a)(2))


Pommwol allegh kkal re bwunguló merel Sekkretóriyool Limilimil Toulap wóol
_____ ráál Settembre 2011.

Isaliyalong: 
Joseph Kevin P. Villagomez
Sekkretóriyool Limilimil Toulap

9-28-11
Ráál

Mwiir Sangi: 
Esther S. Fleming
Alillisil Soulem

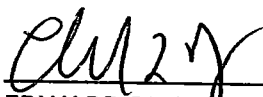
10/11/11
Ráál

Amwel Sangi: 
Esther M. San Nicolas
Commonwealth Register

10.11.2011
Ráál

Sangi 1CMC § 2153(e) (Allegh kkal aa lleghló merel AG bwe ebwe akkateewow rel feerul me 1 CMC § 9104(a)(3)(Aa bweibwogh alleghul sangi AG)pommwol allegh kka aa apaschlong aa takkal amwuri fishiy me a bwungo ló deerol me legal sufficiency sangi CNMI Soubwungul allegh lapalap me ebwele akkateewow (1 CMC § 2153(f)(akkateel allegh kkal)

Ráálil yey _____ Settembre 2011


EDWARD BUCKINGHAM
Soubwungul Allegh Lapalap

COMMONWEALTH GI SANGKATTAN NA ISLAN MARIANAS SIHA

Dipattamentun Hinemlu' Pupbliku
Ufisinan Sekretariun Hinemlu' Pupbliku

PO Box 500409 CK, Saipan, MP 96950
Tel: 670.234.8950; fax: 670.234.8930
Joseph.kevin@dph.gov.mp

**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA
NI PARA I AMENDASION PARA I AREKLAMENTU YAN REGULASION SIHA GI
DIPATTAMENTUN HINEMLU' PUPBLIKU**

I AKSION NI MA'INTENSIONA NA PARA U MA'ADAPTA ESTI I MANMAPROPONI NA MANERA SIHA PARA I MASIÑALA NA APAS SIHA GI COMMUNITY GUIDANCE CENTER: I Commonwealth gi Sangkattan na Islas Marianas siha, i Dipattamentun Hinemlu' Pupbliku, Dibision Espitât, ha intensiona para u adâpta kumu petmanenti na regulasion siha ni mañechettun i Manmaproponi na Regulasion siha, sigun gi manera siha gi Âktun i Administrative Procedures, 1 CMC § 9104(a). I Regulasion siha para u ifektibu gi halum i dies(10) dihas dispues di makumpli i 1 CMC §§ 9102 yan 9104(a). (Atan i 1 CMC § 9105(b)).

ÂTURIDÂT: I Dipattamentun Hinemlu' Pupbliku, gi papa' i 1 CMC §§ 2603 yan i 2605, i nina'i fuetsa para u maintain yan u adilânta i kundision hinemlu' siha yan inâturisa para u adâpta i areklamentu yan i regulasion siha sigun gi atyu na manera siha gi anai gai âturidât.

I TEMA YAN SUSTÂNSIAN I PALÂBRA SIHA: I Areklamentu yan i Regulasion siha ha pribeniyi para i adâptasion i nuebu na âpas siha para i sitbisiu siha yan i manera ni ha pribeniyi gi Community Guidance Center (CGC). Ispisiâtmenti, ma pribeniyi fees charged para i pumalu na sitbisiu siha yan manera siha gi CGC.

I SUHETU NI MASUMÂRIA YAN ASUNTU SIHA NI TINEKKA: Esti na Areklamentu yan Regulasion siha:

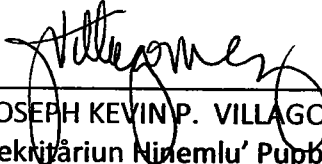
1 dumanña' i meñechettun na âpas siha para i Community Guidance Center's Schedule of Fees.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Areklamentu yan Regulasion siha debi na mapupblika gi halom i Rehistran Commonwealth gi seksiona gi maproponi yan nuebu na ma'adâpta na regulasion siha (1 CMC § 9102(a)(1)) yan u mapega gi kumbinienti na lugât siha gi halum i civic center yan gi halum i ofisinan gubietnamentu siha gi kada distritun senadot, parehu gi English yan gi lingguâhin natibu. (1 CMC § 9104(a)(1)).

I Dipattamentun Hinemlu' Pupbliku para u chuli' appropriate measures para u fa'tinas esti siha na Regulasion ni matungu' ni petsona siha ni siña maninafekta parasiha.

PARA U MAPRIBENIYI UPIÑON SIHA: Na'hãnao pat intrega i imfetmasion-mu guatu gi as Josephine T. Sablan, Attn Joseph Kevin P. Villagomez, sanhilu' na address, fax pat email address, yan i rãyan suhetu "Masiñãla Na Ápas Siha gi Community Guidance Center". Todu imfotmasion siha debi na u fanhãlum trenta(30) dihas ginin i fetchan publikasion esti na nutisia. Put fabot na'hãlum i imfetmasion, upiñon, pat testamoñon kinentra siha. (1 CMC 9104(a)(2))


Esti i manmaproponi na regulasion siha manma'aprueba ginin i Sekretãriun I Hinemlu' Pupbliku gi esti gi diha _____ gi Septembri 2011.

Nina'hãlum as: 

JOSEPH KEVIN P. VILLAGOMEZ
Sekretãriun Hinemlu' Pupbliku

9-28-11


Fetcha

Rinisibi as: 

ESTHER S. FLEMING
Ispisiãt Na Ayudãnti Para I Atministrasion Gubietnu

10/11/11

Fetcha

Pine'lu Yan
Ninota as: 

ESTHER M. SAN NICOLAS
Rehistran Commonwealth

10.11.11

Fetcha

Sigun i 1 CMC § 2153(e) (I Abugãdu Henerãt ha aprueba i regulasion siha na para u macho'gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inaprueban Abugãdu Henerãt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan sufisienti ligãt ginin i CNMI Abugãdu Henerãt yan debi na u mapupblika, 1 CMC § 2153(f) (publikasion areklamentu yan regulasion siha).

Mafetcha guini gi diha _____, gi Septembri 2011.



EDWARD T. BUCKINGHAM
Abugãdu Henerãt

BEHAVIORAL HEALTH SERVICES FEE SCHEDULES (2011)

Proecedure Code	Procedure Code Description	MD, Psychiatrist Ratae	Doctoral Level Rate	Masters Degree Level Rate	Bachelors Degree Level Rate
90801	Individual psychological diagnostic assessment and evaluation on face to face (60-90 minutes) and reporting	247.80	247.80		
90804	Individual psychotherapy, insight oriented, behavior modifying and/or, supportive 20-30 minutes face to face w/patient		68.36		
90805	With medical evaluation and management services	115.47			
90806	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, 45-50 minutes face to face w/patient		84.06		
90807	With medical evaluation and management services	135.90			
90808	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, 60-90 minutes face to face w/patient		107.61		
90809	With medical evaluation and management services	149.32			
96101	Psychological testing includes psychodiagnostic assessment of intellectual abilities, emotionality, personality, and psychopathology on face to face 60-90 minutes w/patient		186.76		
99211	Medication Management (Prescription filling only)	50.28			
99212	Medication Management	73.33			
99244	Psychiatric diagnostic assessment and evaluation	156.74			

	face to face w/patient				
H0001	Alcohol and/or drug assessment			63.70	
H0005	Alcohol and/or drug services; per individual on group counseling 60-90 minutes			35.00	35.00
H0015	Individual substance abuse intensive outpatient treatment per day			115.00	115.00
H0022	Alcohol and/or drug intervention service			68.36	68.36
H0046	Individual mental health counseling services, NEC 45-50 minutes face to face w/patient			68.36	68.36
H2027	Alcohol/drug psychoeducational service on group (60-90 minutes) per individual			25.00	25.00
H2035	Individual alcohol and/or drug counseling 45-50 minutes			99.40	99.40
S9445	Violence prevention class (anger management), patient education, NEC. per session (60-90 minutes per individual			25.00	25.00
S9446	Life skills class is group patient education, NEC per session Per individual			35.00	35.00
S9454	Stress management class individual per 60-90 minutes class session			25.00	25.00
S9484	Crisis mental health intervention services (per 15 minutes)	55.00	35.00	35.00	25.00
T1023	Intake and Assessment per encounter face to face w/patient		115.36	115.36	92.86

**Commonwealth of the Northern Mariana Islands
Child Care and Development Fund**

Melvin L.O. Faisao

Child Care and Development Fund Administrator
Department of Community and Cultural Affairs
Caller Box 10007 Building No. 1347
Saipan, MP 96950

Tel. 664-2575 Fax: 664-2547

**PUBLIC NOTICE OF RULES AND REGULATIONS
WHICH ARE AMENDMENTS TO THE RULES AND REGULATIONS OF THE CHILD
CARE AND DEVELOPMENT FUND**

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS:

The Commonwealth of the Northern Mariana Islands, DCCA Child Care and Development Fund intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104 (a). The regulations would become effective 10 days after compliance with 1 CMC § 9102 and 9104 (a) or (b). (1 CMC § 9105 (b))

AUTHORITY: The Department of Community and Cultural Affairs is empowered by the Legislature to adopt rules and regulations for the administration and enforcement of the statute governing activities over which the department has jurisdiction **1 CMC §§ 2354.**

THE TERMS AND SUBSTANCE: The Rules and Regulations provide for the regulation of all Child Care and Development Fund service providers.

THE SUBJECTS AND ISSUES INVOLVED: These rules and regulations shall:

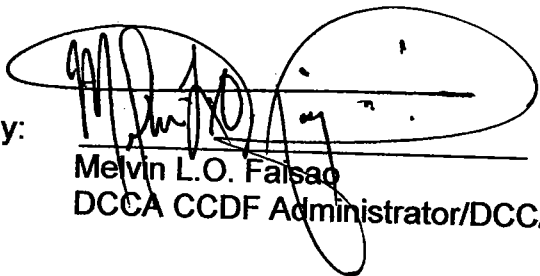
1. Changes or addition to definitions:
 - a. Group Home Child Care Providers, to add "with a maximum of 12"
 - b. In Home Care Provider to change to "means any individual who provides care in the home of the child"
 - c. To add definition of job search, "is defined as an activity that demonstrates an individual is actively seeking potential employment. Qualifying job search activities include, but is not limited to, completing job applications in person, completing on-line computer applications at employment agencies and/or community agencies, engaging in interviews, registration at the CNMI Labor Office, and phone inquiries (minimum of 10 per week) about possible job openings with potential employers.
2. Eligibility requirements for Child Care Services Providers so that child care payments may be authorized:
 - a. For licensed center based, group home, and family child care home providers

- b. For licensed-exempt family home care providers, including in-home providers
- c. All providers subjected to the Sex offenders Registry and Notification Act (SORNA)
- d. Requirement of a telephone landline

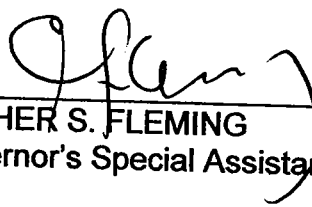
DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section proposed and newly adopted regulations (1 CMC § 9102 (a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district,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

TO PROVIDE COMMENTS: Send or deliver your comments to Melvin L.O. Faisao, DCCA Secretary., Attn: Updated CCDF Rules and Regulations at the above address, fax or email address, with the subject line "Updated CCDF Rules and Regulations". Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMC § 9104 (a)(2))

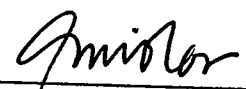
These proposed regulations were approved by the DCCA Secretary on September 30, 2011.

Submitted By: 
 Melvin L.O. Faisao
 DCCA CCDF Administrator/DCCA Secretary

Date: 10/12/2011

Received by: 
 ESTHER S. FLEMING
 Governor's Special Assistant for Administration

Date: 10/19/11

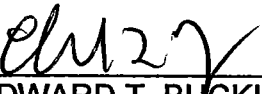
Filed and Recorded by: 
 ESTHER M. SAN NICOLAS
 Commonwealth Register

Date: 10.25.2011

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 18 day of October, 2011



EDWARD T. BUCKINGHAM
Attorney General

CHILD CARE AND DEVELOPMENT FUND

Rules & Regulations

GENERAL PROVISIONS

§ 55-50-001

Purpose

The purpose of these Administrative Rules is to provide guidance for determining eligibility requirements, benefit amounts, and method of determining child care payments for the child care program in compliance with the rules governing the administration and implementation of the Child Care and Development Fund block grant as authorized part of the Omnibus Reconciliation Act of 1990, Pub. L. No. 101-58, Section 5082 and as amended by PRWORA, Public Law 104-193 Section 9598

§ 55-50-005

Definitions

- (a) “Activity” means employment, education, job search or job training, vocational or employment training.
- (b) “After-School Care” means a child care program provided after the close of the regular school day during the academic year for children who are enrolled in public or private elementary schools.
- (c) “Application” means the written action by which an individual applies on behalf of his/her family to receive child care services on a form prescribed by the Child Care Program. The application requests information on the total monthly family income, size of the family, ages of family members, employment status or education or training or a combination thereof of the parent applicant or applicants and requires attachments that evidence monthly family income, education, or training status, employment status, and proof, usually birth certificates or passports, of age and citizenship of the applicants.
- (d) “Before-School Care” means a child care program provided before the opening of the regular school day during the academic year for children who are enrolled in public or private elementary schools.

- (e) “Budget Month” means the calendar month from which the Child Care Program shall use the child care payment form to calculate the reimbursable payment for the month.
- (f) “Center-Based Child Care Provider” means a provider licensed or otherwise authorized to provide child care services for fewer than 24 hours per day per child in a non-residential setting.
- (g) “Child” means any person who has not reached the age of thirteen.
- (h) “Child Care” means those situations in which a Child Care provider has agreed to assume the responsibility for the child’s supervision, development, and guidance, apart from and in the absence of the child’s parent, for any part of a 24-hour day.
- (i) “Child Care Program” means the CNMI Department of Community and Cultural Affairs that shall administer and implement the Child Care Development Fund (CCDF) activities and provide assistance in compliance with the requirements of federal regulations.
- (j) “Child Care Provider” means any person, 18 years and older, or an agency, or organization and their employees who provide direct care, supervision, and guidance to children apart from and in the absence of the child’s parent (s). Child Care providers are regulated by the Child Care Licensing Program of the Department of Community and Cultural Affairs to provide child care or are legally exempt from licensure or registration by the same licensing program.
- (k) “Child Care Services” means the care given to an eligible child by an eligible child care provider.
- (l) “Educational Program” means a curriculum-based education program established by a school, agency or business for the purpose of the development of skills and/or academic study necessary for an occupation.
- (m) “Employed” means the parent or legal guardian is engaged in an activity in exchange for wages or salary for at least 30 hours per week.

- (n) "English as a Second Language" (ESL) means the condition where the child and/or the parent (see definition on "parent" have limited English proficiency.
- (o) "Family Child Care Provider" means an individual who provides child care services to 5 or more children for fewer than 24 hours per day per child, as the sole caregiver, in a private residence other than the child's residence.
- (p) "Family" means one or more adults and their minor children, if any, related by blood, marriage, adoption or judicial decree, who resides in the same household. Related adults other than spouses or unrelated adults residing together shall each be considered a separate family.
- (q) "Federal Poverty Index (FPI) Guidelines" means the official Federal statistical definition of poverty which is issued yearly in the Federal Register by the Secretary of the Child Care Program of the Health and Human Services under the authority of 42 U.S.C. 8621, OBRA of 1981. It is a simplification of the U.S. Census Bureau's poverty threshold, which is issued for administrative purposes.
- (r) "Full-Time Care" means child care provided for 30 hours or more per week. This does not apply to before-school care, after-school care, and intercession care.
- (s) "Gross Income" means any benefit in cash which is received by the individual as a result of current or past labor or services, business activities, interest in real or personal property or as a contribution from persons, organizations, or assistance agencies.
- (t) "Group Home Child Care Provider" means two or more individuals who provide child care services to **5 or more children, with a maximum of 12**, for fewer than 24 hours per day per child, in a private residence other than the child's residence.
- (u) "Guardian" means a Court appointed Legal Guardian of the person of the minor child.
- (v) "**In Home Care Provider**" means any individual who provide's care in the home of the child.

- (w) “Intercession Care” means child care provided at breaks during the academic year for children who are enrolled in public or private elementary schools, including summer care and holidays.
- (x) “Job Search” is defined as an activity that demonstrates an individual is actively seeking potential employment. Qualifying job search activities include (but is not limited to) completing job applications in person; completing on-line computer applications at employment agencies and/or community agencies, engaging in interviews, registration at the CNMI Labor Office, and phone inquiries (minimum of 10 per week) about possible job openings with potential employers.
- (y) “Job Training, Vocational or Employment Training” means an organized training program (including community college and university education) established by an institution, agency or business for the purpose of the development of an occupation.
- (z) “License-Exempt Care” means child care to less than 5 children which is exempt from licensure pursuant to CNMI Law and the current state plan and is registered by the Child Care Program.
- (aa) “Licensing Agency” means the department within the CNMI Government that approves or disapproves child care licensing in accordance with CNMI law and the Day Care Rules and Regulations, specifically the Department of Community and Cultural Affairs (DCCA).
- (bb) “Parent” means a birth, foster or adoptive parent, guardian, a person acting in the place of a parent, step-parent, or relative who is related to the child by blood, marriage, or adoption, who resides with and is legally responsible for the care, education, and financial support of a child. That designation may remain even when the child or parent is temporarily absent from the home as long as the parent continues to maintain responsibility for the care, education, and financial support of the child. In cases of split custody, it is the parent with whom the child resides with more than 50% of the time. In cases where each parent has custody of the child for an equal amount of time, then both parent’s must jointly qualify for the program.
- (cc) “Part-Time Care” means child care provided for less than 30 hours per week. This excludes before-school, after-school care and intercession care.

- (dd) "Payment Month" means the calendar month in which the Child Care Program shall issue the child care payment.
- (ee) "Physician" means an individual licensed by the CNMI for the practice of medicine.
- (ff) "Registered" means children, parent, parents, and service providers who are registered with the DCCA Child Care Program and who benefit from the DCCA Child Care Program.
- (gg) "Relative" means related by blood, marriage, or adoption.
- (hh) "Relative Care" means child care provided by legal grandparents, great-grandparents, great aunts, 1st and 2nd cousins, aunts, uncles, and siblings living in a separate residence who are at least 18 years old. Relative child care providers caring for 5 or more children must be licensed.
- (ii) "Sliding Fee Scale" means a system of cost sharing by a family based on income and size of the family in accordance with 45 CFR Subpart 98.42.
- (jj) "School Age" means the chronological age of children enrolled in elementary and junior high school below the age of 13.
- (kk) "Special Needs Child" means a child who is physically or mentally incapable of caring for himself or herself as determined by a health care provider or a Public School System certified psychologist.
- (ll) "State Plan" means the official document submitted to the federal government by the Child Care Program describing the administration of child care services in the CNMI under the Child Care and Development Fund
- (mm) "Very Low Income" means income that is at or below the 85% of State Median Income Guideline.

§ 55-50-010

Confidentiality

Family income data, employment records and other family and child records and monthly data reported to the federal government on families receiving subsidized child care services shall remain confidential and saved in locked data files (This applies to both computerized and paper files).

§ 55-50-015

Geographical Location

All child care is made available to eligible clients on a CNMI-wide basis.

§ 55-50-020

Scope

Child care services, irrespective of setting, must include:

- (a) Supervision to assure the child's safety, comfort, and health;
- (b) Personal care as appropriate to the child's age and developmental maturity;
- (c) Educational and recreational activities appropriate to the child's age, developmental stage, and degree of physical or mental ability;
- (d) Health and nutritional services which may include breakfast, lunch, dinner, and snacks; health and nutritional education to the child, as well as to the parents or parents; monitoring of health problems; and where appropriate, arranging for medical or psychological screening and consultation.

Part 100-

Application to Child Care Program

§ 55-50-101

Application Process

- (a) Requests for child care services shall be submitted in writing on a form prescribed by the Child Care Program.
- (b) The form shall be dated and signed under penalty of perjury that all the information requested by the Child Care Program to establish eligibility for child care services, as stated on the form, is accurate.
- (c) The form shall be signed by the parent. Applicants are required to submit copies of documents (including but not limited to an employment verification stating hours and hourly rate, paycheck stubs with business name, hours worked and hourly rate, birth

certificates, school and/or training documents, 1040 tax return, notarized affidavit of living arrangement, employment contract {if applicable}) for verification. It is the responsibility of the applicant to provide the necessary documentation for verification.

(d) Applicants shall provide verification of the cost of the selected child care arrangement.

(e) The date of application shall be the date the signed form and all supporting documents are received by the Child Care Program.

(f) The date of eligibility shall be determined by the Child Care Program once all required documentation is received and verified and the Child Care Program determines that the family is eligible for subsidized care.

(g) For applicants determined eligible, child care subsidized payments shall be initiated or arranged as soon as possible, but not later than 30 days from receipt of the payment invoice from the service provider; which is signed by the parent and the provider. Child Care services shall be denied when the applicant does not complete the process of application/determination of eligibility, including but not limited to verification, or withdraws the application or is otherwise ineligible.

§ 55-50-105

Priority Applications

The following sets forth the priorities for serving eligible children:

- (a) Families with very low income
- (b) Low income families with special needs children
- (c) Homeless families with children

§ 55-50-110

Notice of Application Disposition

- (a) The Child Care Program shall notify applicants about the applicant's eligibility for child care service within fifteen (15) days after submission of a complete application with all required attachments.

- (b) Applicants determined not eligible shall be sent a written notice that contains a statement of the action taken, the reason for the action, the specific rules supporting the action, and the right to appeal the action of the Child Care Program through established administrative appeal procedures.

Part 200-

Eligibility

§ 55-50-201

Eligibility Requirements for Child Care Services

Depending upon availability of funds, children who qualify for child care payments shall meet the following requirements:

- (a) Reside with the parent who is working, attending a job training or an educational program and who has a monthly CNMI gross income that does not exceed Federal Poverty Income Guideline (FPIG) for a family of the same size; and
- (b) Be under the age of 13; and
- (c) All parents shall be eligible for child care under this subchapter provided the parents meet the following conditions:
 - 1. Have a monthly gross income that does not exceed the Federal Poverty Income Guideline (FPIG) for a family of the same size; and
 - 2. Residency: The family must be living in the CNMI with the intention of making the CNMI their home permanently. Acceptable documentation includes, but is not limited to, utility payment receipts, house rental/mortgage receipts, etc.
 - 3. Citizenship: Only the citizenship and immigration status of the child, who is the primary beneficiary of the child care service, is required for eligibility purposes. The child must be a U.S. citizen or a qualified alien, as defined in Personal Responsibility Work Opportunity Act (PRWORA), to be eligible for childcare assistance. Acceptable documentation includes, but is not limited to, birth certificate or passport.
 - 4. Gainfully employed 30 hours per week or scheduled to start work in 2 weeks; or

5. Need child care for up to 30 calendar days during a break in employment, if employment is scheduled to resume within 30 calendar days; or
6. Job Search: Need child care for up to 30 calendar days during a break in employment and is actively seeking employment
7. Are enrolled in a job training and educational program (for at least 30 hours per week) or attending an education program on a full time basis (12 hours per semester for the college and five classes per day for the PSS); or
8. For parents who are in the final semester of a program and who need less than 12 credits to graduate, they will be considered to be attending full-time for that final semester if in fact they are taking all the credits needed to graduate.
9. Are a two-parent family household where one parent is in an approved activity (working, attending job training or an educational-program) and the other parent is determined to have a disability which prevents the parents from providing care for their own children. In such cases, proof of disability and inability to provide child care shall be verified by the written report of a physician, psychologist, psychiatrist, or a territory-licensed care provider. The written report shall be reviewed every two months, and is valid when one parent is participating in an approved activity.
10. Eligibility may be re-established for periods not to exceed 6 months.
11. Participation in a mandatory orientation

(d) Child care providers shall meet the following conditions in order that child care payments may be authorized:

- a. For licensed center based, group home, and family child care providers:
 - i. Is 18 years old or older;

- ii. Afford parents unlimited access to their children during normal hours of provider operation and whenever the children are in the care of the provider

- iii. Completes an application packet (and renewed annually) and submits the following documents:
 - 1. W-9
 - 2. Current Business License
 - 3. Child Care Licensing Certificate
 - 4. Center Rate
 - 5. Center Program Policy/Parent Handbook which include at a minimum the following areas with further guidance as specified by DCCA's CCP
 - a. Admission and Enrollment
 - b. Supervision
 - c. Emergency Evacuation Plan, Drills, and Closing
 - d. Sanitation and Hygiene
 - e. Sleeping Position
 - f. Food Handling, Feeding and Nutrition
 - g. Staff Schedule and supervision
 - h. Smoking Policy
 - i. Evening and Night Care Plan (as applicable)
 - 6. First Aid/CPR Certificate

- iv. Submits to an initial and annual inspection and approval

- v. Must meet at a minimum 35 square footage of indoor learning space per child

- vi. Must meet at a minimum 33% of facility capacity at 75 square footage of outdoor playground space per child.

- vii. Subject to DCCA Child Care Program Staff announced and unannounced visits

- b. For licensed-exempt family home providers, including in-home providers
 - i. Is 18 years or older
 - ii. Afford parents unlimited access to their children, including written records concerning their children, during normal hours of provider operation and whenever the children are in the care of the provider;
 - iii. Completes an application packet (and renewed annually) and submits the following documents:
 - 1. W-9
 - 2. Rate that will be charged parents
 - 3. Current Business License
 - 4. Police Clearance
 - 5. Health Clearance
 - 6. First Aid/CPR Certificate
 - iv. Submits to an initial and annual inspection and approval
 - v. Subject to DCCA Child Care Program staff announced and unannounced visits
 - vi. Complete a Self-Certification Checklist as specified and made available by the DCCA CCP

(c) All types of providers will:

- a. Have no known history of child abuse or neglect, physical or psychological/psychiatric problems or criminal convictions that may adversely affect or interfere with the care of children.
- b. Provide consent to conduct a child abuse record check and criminal history record check. A child care provider must not have criminal history that poses a risk to children; these include but are not limited to:
 - i. Violent felonies in which an individual threatens to cause, attempts to cause or causes serious bodily injury;

- f. All providers including family members living in the provider's home 18 years and older shall be checked against the Sex Offenders Registry and Notification Act (SORNA) with the Department of Public Safety (DPS). In the event that a family member living in the prospective provider's home is identified as included in the registry, that provider's application is disapproved.
- g. All providers must have a working telephone land line within the building

(e) Child care providers shall not be one of the following:

- 1. Parents, biological or legal;
- 2. Step-parent living in the household;
- 3. Legal guardians;
- 4. Providers who are not in compliance with territory regulatory requirements;
- 5. Individuals under the age of 18 years; and
- 6. Other individuals determined by the licensing agency and/or the Child Care Program to pose a risk to the health and safety of a child.

(f) The Child Care Program shall:

- 1. Verify that the children and parents meet the eligibility requirements as described in these regulations;
- 2. Determine that the provider selected by the parent is appropriate following the regulations of the licensing agency and the Child Care Program; and
- 3. Review eligibility no less frequently than every 6 months.

§ 55-50-205

Income considered in eligibility determination

- (a) Monthly gross income shall be used to determine eligibility
- (b) Monthly gross income means non-excluded monthly sums of income received from sources such as but not limited to:
 - 1. "Gross income" means any benefit in cash which is received by the individual as a result of current or past labor or services (before deductions), business activities, interest in real or personal property or as a

contribution from persons, organizations, or assistance agencies, such as:

- A. Wages and
- B. Salary

§ 55-50-210

Excluded monthly income

The following types of income received in any given month shall be excluded from consideration in determining income eligibility for child care payments;

- (a) Money received from the sale of property such as stocks, bonds, a house, or a car unless the person was engaged in the business of selling the property, in which case, the net proceeds would be counted as self employed income;
- (b) Withdrawals of bank deposits;
- (c) Loans;
- (d) Gifts, including in-kind gifts such as free room and board, when the gift is not a form of compensation in lieu of wages or salary;
- (e) Monies received in the form of a nonrecurring lump sum payment including, but not limited to, the following:
 - 1. Income tax refunds, rebates, credits;
 - 2. Retroactive lump sum social security, SSI, or unemployment compensation benefits;
 - 3. Retroactive annual adjustment payments in the veteran administration's (VA) disability pensions;
 - 4. Lump sum inheritance or insurance payments;
- (f) Refunds of security deposits on rental property or utilities;
- (g) Earnings of minor children who are members of the household and are students at least half-time shall be excluded even during temporary interruptions in school attendance due to semester or vacation breaks, provided the minors' enrollment will resume following the break;
- (h) Capital gains

- (i) Loans, grants, and scholarships obtained and used under conditions that prohibit use for current living expenses;
- (j) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the United States Secretary of Education;
- (k) Home produce utilized for home consumption;
- (l) The value of coupon allotment under the Food Stamp Act of 1977, as amended;
- (m) The value of USDA donated or surplus foods;
- (n) The value of supplemental food assistance under the Child Nutrition Act of 1966 (42 U.S.C. § 1771-1789) and the special food service program for children under the National School Lunch Act, as amended;
- (o) Benefits received from the special supplemental food program for women, infants, and children (WIC) (Pub. L. No. 92-443);
- (p) Allowances and payments to participants in programs, other than on-the-job training, under the Work Investment Act (WIA) of 1998 (20 U.S.C. § 9201);
- (q) The earned income of individuals participating in on-the-job training program under the Job Training Partnership Act (JTPA) of 1982 (25 U.S.C. § 640d – 640d-28) who are between 18 and 19 years of age and under the parental control of another household member;
- (r) Earned income tax credit (EITC) payments received either as a lump sum or recurring payments under section 3507 of the Internal Revenue Code of 1986;
- (s) Financial assistance provided by a program funded in whole or in part under title IV of the Higher Education Act in accordance with Pub. L. No. 99-498
- (t) Payments or allowances under any federal or local laws for the purpose of energy assistance;
- (u) Assistance payments received as a result of a declared federal major disaster or emergency from the federal emergency management agency (FEMA), and other comparable disaster

assistance provided by any state or local government agency, and disaster assistance organizations;

- (v) Payments made from the Agent Orange Settlement Fund or any other fund established in connection with settling liability claims concerning the chemical Agent Orange (Pub. L. No. 101-201);
- (w) Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4636);
- (x) Payments received under the Radiation Exposure Compensation Act (Pub. L. No. 101-426) to compensate individuals for injuries or deaths resulting from the exposure to radiation from nuclear testing or uranium mining;
- (y) Payments to individuals participating in the Senior Community Service Employment Program (SCSEP) funded under title V of the Older American Act of 1965 (Pub. L. No. 100-175);
- (z) Payments to volunteers derived from the volunteer's participation in the following program authorized by the Domestic Volunteer Service Act of 1973 (42 U.S.C. §§ 5011, 4951-4958):
 - 1. Foster grandparent program;
 - 2. Senior companion program; and
 - 3. Volunteers in service to America (VISTA) and AmeriCorps program.
- (aa) Military re-enlistment bonus;
- (bb) Any other payments made in accordance with territory and federal laws that preclude the payments from being counted as income.

§ 55-50-215

Treatment of Income

- (a) All non-excluded income available to the family within a given month shall be considered.
- (b) Eligibility determination based on income status shall be supported by documentation.

- (c) Failure to provide necessary information to verify amount or source of income shall disqualify the family.

Part 300-

Child Care Payment

§ 55-50-301

Method of computing childcare payment

- (a) The family shall provide verification of the child care provider and the child care to the program.
- (b) The Child Care Program will compute the monthly projected cost of the care based on:
 - 1. Need for child care;
 - 2. The type of care provided;
 - 3. The child's age;
 - 4. Whether the care is full day or partial day care service;
 - 5. The child's attendance;
 - 6. The parent's work attendance;
 - 7. The parent's share of the cost of child care in accordance with the Sliding Fee Scale as set forth in the current state plan.
- (c) The projected child care payment rate shall be calculated by:
 - 1. Counting the number of employment, education, or job, or vocational or employment training hours to the engaged in by the parent for the month;
 - 2. Comparing the parent's employment, education or job, or vocational or employment training hours including commuting time with the need for child care hours and
 - 3. Using the current child care rate table to identify the type of child care for each qualifying child and the payment rate for that type of child care
 - 4. The child care amount to be paid each month of eligibility shall be the child care rate on the child care rate table as referenced in attachment #1, minus the co-payment amount or as identified in attachment #3.
- (d) Eligibility for child care subsidized payment shall be suspended for any month the total monthly income exceeds the income criteria for the size of the family.

§ 55-50-305

Child Care Payments

- (a) The payment rate shall be established by the current State Plan.
- (b) Child care payments shall be an expense that is reimbursed to the child care provider.
- (c) The parent's co-payment shall be established by the current Sliding Fee Scale as set forth in the current State Plan.
- (d) When computing the reimbursement amount, the Child Care Program shall establish a reasonable relationship between the need for part-time or full-time care and the conditions for which child care is required.
- (e) The Child Care Program shall issue a Payment Invoice and an attendance form for parent and provider to sign and submit for a reimbursable payment for child care services rendered the previous month. The attendance form must show the number of hours the child is in the care of the service provider. Failure to submit a completed and signed payment invoice and/or an attendance form shall result in no payment.
- (f) A completed signed payment invoice and/or attendance form must be received by the Child Care Program within the first three working days of the month. Invoices received after the third (3rd) working day of the month will be considered late and will not be processed until the following month.
- (g) The family shall pay its portion of the child care cost.
- (h) Effective Oct. 1, 2009, all parents will pay their co-payments directly to the CNMI Treasury.
- (i) The family shall be responsible for any child care costs in excess of the maximum child care rates as set forth in the current CNMI plan.

Part 400 Other Requirements

§ 55-50-401 Reporting Changes

A parent who is a recipient of subsidized child care services shall be responsible to report in writing in a prescribed form to the Child Care Program within 10 calendar days of the occurrence of any changes in:

- (a) Monthly gross income and the source of the income;
- (b) Address, including:
 - 1. Place of residence;
 - 2. Mailing address; and
 - 3. contact number
- (c) Family member size
- (d) Marital status;
- (e) Providers from whom the parent is receiving child care services;
- (f) Circumstances which may affect the recipient's eligibility for continuing services, including, but not limited to:
 - 1. Changes in number of hours of childcare required and cost of child care;
 - 2. Changes in hours of employment, educational program, or job, vocational or employment training;
 - 3. Anticipated changes in the individual's situation that may affect the individuals eligibility for continued child care assistance;
- (g) Attendance: Parent shall report any more than 2 absences in a month.

§ 55-50-405

Re-determination of eligibility

- (a) The Child Care Program shall re-determine income and program eligibility for continued child care payments;
 - (1) When information is obtained that there are anticipated changes in the individual's or family's situation;
 - (2) Promptly, not to exceed 30 days, after information is received that changes have occurred in the individual's or family's circumstances which may result in ineligibility
 - (3) When a payment invoice for services rendered within 60 days is not submitted to the Child Care Program; and

(4) Not less frequently than every 6 months from the month eligibility was determined.

(b) Re-determination of eligibility shall be made in the same manner as the disposition of an application including signing and dating a form prescribed by the Child Care Program.

(c) Child care shall be terminated for recipients when they do not complete the process of re-determination of eligibility, which include attending a mandatory orientation.

Part 500- Adverse Actions

§ 55-50-501 Denial, Suspension or termination of child care.

Child care payments shall be denied, suspended, or terminated when:

- (a) The parent does not submit the signed payment invoice; or
- (b) The payment invoice prescribed by the Child Care Program is not signed and dated; or
- (c) The child no longer meets the eligibility requirements; or
- (d) The parent no longer meets the eligibility requirements; or
- (e) The provider no longer meets the licensing requirements, or
- (f) Conditions initially present in the family situation have changed and child care is no longer needed or any listing/registration requirements for exempt care
- (g) When the child care provider is no longer meeting licensing and/or subsidy requirements as applicable
- (h) The parent(s) voluntarily requests in writing discontinuance of child care services; or
- (i) The parent (s) and the child are unable to use child care or
- (j) The parent (s) cannot be located; or
- (k) The family fails to provide the required verification for re-determination or to support the reported changes; or

- (l) When recipients do not complete the process of re-determination or eligibility; or
- (m) When the Child Care Program determines that there are insufficient funds to maintain all children receiving care. Priorities for eligibility will be determined pursuant to section 55-50-105 of these regulations.
- (n) When the parent does not pay their contribution to the cost of child care at the minimum percentage fee (co-payment).

§ 55-50-505 Notice of adverse action

- (a) Prior to any action to reduce, deny, suspend, or terminate any childcare service specified in these regulations, the Child Care Program shall provide the parent with timely and adequate notice before the adverse action is taken.
- (c) The notice of adverse action shall be considered timely when the Child Care Program provides the notice at least 10 calendar days prior to the effective date of action.
- (c) In order to be adequate, the notice shall contain the following information:
 1. The proposed action and the reason for the proposed action and
 2. A citation to the Child Care Program rules supporting the proposed action
 3. The name and telephone number of the person to contact for additional information.
 4. The family's right to appeal the Child Care Program's decision to the Secretary, Department of Community and Cultural Affairs.

§ 55-50-510

Administrative Appeal Requests

- (a) A parent may file a written request for an administrative appeal when the family is dissatisfied with the Child Care Program's adverse action of denying, reducing, terminating, suspending, and assistance. The family shall have an opportunity to:
 1. Examine the case record as well as all documents and records to be used at the appeal hearing at a reasonable

time before the date of the hearing as well as during the hearing;

2. Present the case independently or with the aid of legal counsel;
3. Bring witnesses, including and interpreter if non-English speaking;
4. Establish all pertinent facts and circumstances;
5. Advance any arguments appropriate to the issue being heard without undue interference; and
6. Question or refute any testimony or evidence, and to confront and cross-examine any witness.

(b) The appeal request shall be in writing delivered to the Department of Community and Cultural Affairs Office of the Secretary within 10 calendar days of the date on which the notice informing the family of a child care program's decision was delivered to the family and shall refer to the following:

1. The request is for an administrative appeal.
2. The specific action identified in the notice that is being appealed; and
3. Whether continuation of benefits at the current level are being requested with the understanding that the family will be required to pay back the total value of benefits (received pending the decision) if the DCCA decision is upheld.

(c) If the request is not filed within 10 calendar days of the date the notice was provided to the family, the request shall be denied and the Office of the Attorney General shall provide notice of denial to the family.

(d) The Attorney General or designee shall preside over a hearing within 30 days of timely appeal request.

1. The hearing shall be informal where strict rules such as the exclusion of hearsay evidence do not apply. However, the evidence presented must be relevant.
2. The family and the Child Care Program shall have an opportunity to present evidence, including witness testimony and documents. Each party shall also have the right of cross-examination.
3. The hearing shall be audio-recorded.
4. The Attorney General or designee shall issue a written decision to the Child Care Program and the family within 30 days after the hearing.

- (e) In the event that an appeal decision is rendered in favor of the family, benefits shall be restored as appropriate.

§ 55-50-515

Overpayment and recoupment

- (a) Failure to provide the Child Care Program notice of a change in circumstances could result in an overpayment. An overpayment may occur when a Child Care Provider receives payments to which the provider is not entitled, including but not limited to:
1. Administrative errors, such as a parent is not charged the appropriate payment amount;
 2. Parent errors, such as unintentional errors in payment invoices or fraud; and
 3. Provider errors, such as failure to immediately inform of a child's absences; or fraud.
- (b) An overpayment made to a provider shall be recovered through;
1. A reduction of the amount payable to the provider in subsequent months until the entire amount of overpayment is recovered. The parent is responsible for the difference and must pay the difference to the provider.
 2. Repayment in full or in part, by the provider to the Child Care Program;
- (c) Parents subject to recovery of overpayment shall be provided written notice by the Child Care Program stating:
1. Reasons, dates, and the amount of the overpayment
 2. The proposed method by which the overpayment shall be recovered; and
 3. The parent's right to request and administrative appeal if the individual disagrees with the Child Care Program's proposed action.
- (d) When there is both an overpayment and an underpayment to the parent, the overpayment and underpayment shall be offset one against the other in correcting the payment.
- (e) Overpayment to parents may be recovered from the family that was overpaid, from individuals who were members of the family when overpaid, or from families which include members of a previously overpaid family.

- (f) When recouping child care overpayments, overpayment may be recovered only from child care benefits, provided the parent continues to receive such benefits.
- (g) Recovery of child care overpayments to parents who formerly received child care benefits shall be referred to the Child Care Program's investigation office for collection action.
- (h) If a parent for whom a collection action has been initiated fails to make a payment for any month in the calendar tax year, the Child Care Program may refer debts exceeding twenty-five dollars to the comptroller of the State for tax set off.
- (i) If the DCCA Child Care Program underpays a provider, the DCCA Child Care Program will reimburse the provider by paying back the underpaid amount.

§ 55-50-520

Termination For Insufficient Funds

- (a) The Child Care Program may suspend or terminate benefits, reduce benefits, or refuse to take new applications for certain or all classes of beneficiaries as set forth in Section 1006, the Child Care Program determines, at its discretion, that insufficient funds will be available to pay for child care services at current amounts through the end of the fiscal year.
- (b) The budget will be managed by reviewing monthly expenditures, and evaluating whether the cumulative expenditures at the end of any given month is less than or equal to the number of months that have expired in the fiscal year times 1/12 of the budget appropriation for child care payments.
- (c) When the Child Care Program determines that the budget appropriation has or soon will be exceeded, notices of adverse action may be issued to limit the number of children receiving subsidies in any given month. This determination is entirely within the Child Care Program's discretion.
- (d) Case termination, suspension or reduction of benefits, or refusal to take application will be prioritized as set forth in section 60-10-105.

Commonwealth gi Sangkattan na Islas Marianas Siha

Inadahin Pátgun yan Fondun Inadilánta

Melvin L.O.Faisao

Inadahin Pátgun yan Atministradot Fondun Inadilánta

Dipattamentun Kumunidát yan Kuttura

Caller Box 10007 Numirun Guma' 1347

Saipan, MP 96950

Tel. 664-2575 Fax: 664-2547

NUTISIAN PUBLIKU GI AREKLAMENTU YAN REGULASION SIHA NI MANMA'AMENDA PARA I AREKLAMENTU YAN I REGULASION I INADAHIN PÁTGUN YAN FONDUN INADILÁNTA

I AKSION NI MA'INTENSIONA PARA U MA'ADÁPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islas Marianas siha, DCCA Inadahin Pátgun yan Fondun Inadilánta ha intensiona para u adápta kumu petmanenti na regulasion siha ni mañechettun i Manmaproponi na Regulasion siha, sigun gi manera siha gi Áktun i Administrative Procedure, 1 CMC § 9104(a). I regulasion siha para u ifektibu gi dies(10) dihas dispues di makumpli i 1 CMC §§ 9102 abd 9104 (a) pat (b). (1 CMC § 9105 (b))

Áturidát: I Dipattamentun Kumunidát yan Kuttura nina'i fuetsa ni Leyislatura para u adápta i areklamentu yan i regulasion siha para i atministrasion yan i enforcement i estatua ni ginibebetna i aktibidát siha ni i jurisdiction i dipattamentu **1 CMC §§ 2354.**

I TEMA YAN I SUSTÁNSIAN I PALÁBRA SIHA: I Areklamentu yan i Regulasion siha ha pribeniyi para i regulasion todú i Inadahin Pátgun yan Fondun Inadilánta na service providers.

I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti i areklamentu yan regulasion siha debi na:

1. I para difinasion i tinilaika yan i ma'áomenta siha:
 - a. Group Home Child Care Providers, para u áomenta "ni más meggai gi 12"
 - b. Gi halum i Home Care Provider para u tulaika para "kumeke'ilekña na maseha háyi na indibiyuát ni ha pribeniniyi cares gi halum guma' i patgun"
 - c. Para u áomenta i difinasion i job search, "madifina kumu un aktibidát na ha demonstreha un indibiyuát ni actively seeking potential employment. Qualifying job search na aktibidát siha ni sãonã, lão ti minidi para, u na'kumplidu i aplikasion cho'chu' siha mismu, completing on-line computer applications gi employment agencies yan/pat ahensian kumunidát siha, engaging gi interviews, registrasion gi Ufisinan Hutnaleru CNMI, yan phone inquiries (putlumenus 10 biãhi gi simãna) put i pusipbli ni mababan cho'chu' siha gi potential employers.
2. Kualifikasion dinimãnda siha para i Child Care Services Providers sa' i apas i inadahin pátgun debi na u ma'áuturisa:
 - a. Para i malisensia na center based, gurupun guma', yan i family child care home providers
 - b. Para i licensed-exempt family care providers, sãsonã gi in-home providers
 - c. Todú providers ma-subjected para i Sex Offenders Registry yan Áktun Nutifikasion (SORNA)
 - d. Dinimãndan i telephone landline

I DIREKSION NI PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasion siha debi na mapupblika gi halom i Rehistran Commonwealth gi seksiona gi maproponi yan nuebu na ma'adapta na regulasion siha (1 CMC § 9102(a)(1)) yan u mapega gi kumbinienti na lugat siha gi halum i civic center yan gi halum i ufisinan gubietnamentu siha gi kada distritun senadot, parehu gi English yan gi lingguahin natibu. (1 CMC § 9104(a)(1))

PARA U MAPRIBENIYI UPIÑON: Na'hanao pat intrega i imfetmasion-mu guatu gi as Melvin L.O. Faisao, Sekritariun DCCA., Attn: Updated CCDF na Areklamentu yan Regulasion siha sanhilu' na address, fax pat email address, yan i rayan suhetu "Updated CCDF na Areklamentu yan Regulasion Siha". Todu imfetmasion siha debi na u fanhalum trenta(30) dihas ginin i fetchan publikasion esti na nutisia. Put fabot na'halum i imfetmasion, upiñon, pat testamoñon kinentra siha. (1 CMC § 9104(a)(2))

Esti i maproponi na regulasion siha manma'aprueba ginin i Sekritariun i DCCA gi Septembri 30, 2011.

Nina'halum as:


Melvin L.O. Faisao
DCCA CCDF Atministradot/Sekritariu

10/12/2011
Fetcha

Rinisibi as:


ESTHER S. FLEMING
Ispisiat na Ayudanti para Atministradot Gubietnu

10/19/11
Fetcha

Pine'lu yan
Ninota as:


ESTHER M. SAN NICOLAS
Rehistran Commonwealth

10.25.2011
Fetcha

Sigun i 1 CMC § 2153(e) (Inapruedan Abugadu Henerat i regulasion siha ni para u macho'gui kumu para fotma) yan 1 CMC § 9104(a)(3) (hentan inapruedan Abugadu Henerat) I maproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba kumu fotma yan suficiente ligat ginin i CNMI Ufisinan Abugadu Henerat yan debi na u mapupblika, 1 CMC 2153(f) (publikasion i areklamentu yan i regulasion siha.

Mafetcha gi diha 19 gi Oktubri, 2011


EDWARD T. BUCKINGHAM
Abugadu Henerat

CHILD CARE YAN DEVELOPMENT FUND
Areklamentu & Regulasion Siha

PRUBENSION HENERÁT

§ 55-50-001

Minitu'

I minitu' esti siha i Areklamentun Administrative ha pribeniyi giniha para dinititminan dinimândan kualifikáo siha, kantidân benifisiu siha, yan manera ni dinititminan i apas i child care siha para i prugrâman i child care ni ha kumpli ni i ginebiebetna i areklamentun atministrasion siha yan i implementasion i Child Care yan i Development Fund block grant kumu ha ma'aturisa pâti gi Âktun Omnibus Reconciliation gi 1990, Lai Publiku 101-58, Seksiona 5082 yan kumu ma'amenda ginin i PRWORA, Lai Publiku 104-193 Seksiona 9598

§ 55-50-005

Sustânsia Siha

- (a) "Aktibidât" kumeke'ilekña imple'áo, idukasion, inalgáo cho'chu' pat training cho'chu', vocational, pat training imple'áo.
- (b) "Inadahin Finakpu' Iskuela" kumeke'ilekña na i prugrâman inadahin pâtgun mapribeniyi dispues di mahuchum i ha'ânin iskuela gi durântin i academic year para i famagu'un ni manhâlum gi iskuelan publiku pat i private na iskuela siha.
- (c) "Aplikasion" kumeke'ilekña na i matugi' na aksion ni i indibiyuât ha aplika sigun gi familiâ-ña para u risibi sitbision inadahin pâtgun siha gi fotma ni ma'otdin ginin i Prugrâman Inadahin Pâtgun. I aplikasion ha gágáo imfotmasion gi tutât i suetdun familia, mineddung i familia, idât gi miembrun i familia siha, istâo imple'áo pat idukasion pat training pat dumanña' guihi gi aplikântin i saina pat i mañaina yan i dinimânda na attachment siha ni guaha ebidensian i suetdun familia gi mes, idukasion, pat istâon training, istâon imple'áo, yan apruebasion, tengnga i settifikun mafañangu siha pat i pasapotti siha, i idât yan i citizenship i aplikânti siha.
- (d) "Inadahin Ântis Di Iskuela" kumeke'ilekña na i prugrâman inadahin pâtgun mapribeniyi ântis di u mababa i ha'ânin i regulât na iskuela gi durântin academic year para i famagu'un ni manhâlum gi iskuelan publiku pat private na iskuela siha.

- (e) “Budget Month” kumeke’ilekña i mes kalendâriu ginin i Prugrâman Inadahin Pâtgun debi na u usa i fotman i apas inadahin pâtgun para u katkula i reimbursable na âpas para i mes.
- (f) “Center-Based Child Care Provider” kumeke’ilekña na i malisensia na provider pat sino ma’âturisa para pribeniyi sitbisiun inadahin pâtgun siha para menus di bentikuâtru(24) oras gi diha gi kada pâtgun gi halum i non-residential setting.
- (g) “Pâtgun” kumeke’ilekña na maseha hâyi na petsona ni ti mâfattu idât-ña gi tressi âñus.
- (h) “Inadahin Pâtgun” kumeke’ilekña na todû atyu na sichuasion siha gi anai i Inadahin Pâtgun na provider kumuntentu para u assume i responsâpblidât para i child’s supervision, development, yan giniha, apatta ginin yan yanggin tumaigui i sainan i patgun, para maseha hâfa na pâtti gi halum i bentikuâtru (24)oras gi diha.
- (i) “Prugrâman Inadahin Pâtgun” kumeke’ilekña na i CNMI Dipattamentun Kumunidât yan Kuttura na siña ha administer yan implimenta i Child Care Development Fund (CCDF) na aktibidât siha yan ha pribeniyi inasisti gi makumplin i dinimânda siha gi regulasion federât siha.
- (j) “Child Care Provider” kumeke’ilekña na maseha hâyi na pitsona, dissí’otchu(18) âñus yan pat la’amku’ pat i ahensia, pat otganasian yan i imple’âo-ña siha ni pribeniyi direct care, supervision, yan giniha para i famagu’un ni manapâtta ginin yan gi tumaigui i saina (mañaina) siha. I Inadahin Pâtgun na provider siha mamaneha ginin i Prugrâman Manlisensian Inadahin Pâtgun gi Dipattamentun Kumunidât yan Kuttura na u pribeniyi inadahin pâtgun pat man-legally exempt ginin i manlisesensia pat i registrasion ginin i parehu na prugrâman manlisensia.
- (k) “Sitbision Inadahin Pâtgun Siha” kumeke’ilekña na i inadahi ni manâ’i para kualifikâo na pâtgun ginin i kualifikâo na child care provider.
- (l) “Prugrâman Idukasion” kumeke’ilek`na na i curriculum-based na prugrâman idukasion ma’istapblisa ginin i iskuela, ahensia pat bisnis para i minitu’ i development of skills yan/pat academic study nisisâriu para okupasion.

(m) “Imple’ão” kumeke’ilekña na i saina pat i pipulan u engaged gui’ gi aktibidât kuantan suetdu siha pat âpas para putlomenus trenta(30) oras gi kada simâna.

(n) “Kumu Sigundu Na Lînguâhi i English” (ESL) kumeke’ilekña na i kundision amânu i patgun yan/pat i saina (atan i difinasion gi “Saina” gai minidi i English Proficiency.

(o) “Family Child Care Provider” kumeke’ilekña na i indibiyuât ni ha pribeninyi sitbision inadahn pátgun siha gi singku(5) pat mäs para i menus ki bentikuâttru(24) oras gi diha gi kada pátgun, kumu i guiya solamienti uma’atan, gi residensiâ-ña ottru ki i residensian i pátgun.

(p) “Familia” kumeke’ilekña na unu pat mäs na âmku’ yan i manmenus na idât famagu’un, yanggin maseha, parientis ginin i haga’, matrimoni, inadâptasion, pat judicial decree, ni sumäsaga gi halum i parehu na guma’. Manâmku’ ni mamparientis ottru ki asagua siha pat ti mamparientis na manâmku’ ni manisiha mañâga debi na kada unu u makunsidera siparâo na familia.

(q) “Federal Poverty Index (FPI) Na Giniha Siha” kumeke’ilekña i ufisiât federât statistical definition gi poverty ni malaknus gi kada sâkkan gi halum i Rihistran Federât ginin i Sekretâriun i Prugrâman i Inadahin Pátgun gi Health yan Human Services gi papa’ i âturidât i 42 U.S.C. 8621, OBRA gi 1981. I simplification gi U. S. Census Bureau’s poverty threshold, ni malaknus para i hinangai i administrative siha.

(r) “Full-time Care” kumeke’ilekña na i inadahn pátgun mapribeninyi trenta(30) oras pat mäs gi kada simâna. Esti ti ha aplika para i before-school na inadahi, after-school na inadahi, yan i intercession na inadahi.

(s) “Gross Income” kumeke’ilekña maseha hâfa na benifisiu gi cash ni marisibi ginin i indibiyuât kumu risutta gi prisenti pat gi ma’pus na hutnât pat sitbisiu siha, aktibidât bisnis siha, magâhit na intires pat propiedât petsonât pat kumu kontribusion ginin tâotâo siha, otganasian, pat inasistin ahensia siha.

(t) “Group Home Child Care Provider” kumeke’ilekña na dos pat mäs na indibiyuât siha ni ha pribeninyi sitbision inadahn pátgun para singku(5) pat mäs na famagu’un, asta hulu’ gi dossi(12) maximum, para menus di

bentikuátru(24) oras gi kada diha gi kada pátgun, gi private pat ottru ki i residensian i patgun.

(u) “Pipulan” kumeke’ilekña na i kotti ha apunta Legal Guardian na petsona para i menus na idát pátgun.

(v) “In Home Care Provider” kumeke’ilekña na maseha háyi na indibiyuát ni ha pribeniyi inadahi gi halum i gima’ i patgun.

(w) “Intercession Care” kumeke’ilekña na i inadahin pátgun mapribeniyi at breaks gi durántin i academic year para i famagu’un ni manhálum gi ilementáriu publiku pat private na iskuela siha, sásãonão i summer care yan i holidays.

(x) “Inaligão Cho’chu” madifina kumu aktibidát ni ha demonstreha un indibiyuát ni ánimu manaligão cho’chu’. Aktibidát Kualifikãon manaligão cho’chu’ siha sásãonão (lão ti minidi para i) kinemplidun aplikasion petsonát siha; kinemplidun aplikasion gi on-line computer siha gi ahensian empli’ão yan/pat ahensian kumunidát siha, humálum gi interviews, registrasion gi CNMI Ufisinan Hutnaleru, yan chinek tilifon siha (putlumens dies(10) gi kada simãna) put pinusipblin mababan cho’chu’ gi potential employers.

(y) “Training Cho’chu’, Vocational pat Training Employment” kumeke’ilekña na i prugrãman organized training(sásãonão kulehun kumunidát yan idukasion unibetsidát) ma’istapblisa ginin i institusion, ahensia pat bisnis para hinangain i development i akupasion.

(z) “License-Exempt Care” kumeke’ilekña na i inadahin pátgun para u menus ki singku(5) na famagu’un ni ma-exempt ginin i licensure sigun gi Lain CNMI yan i prisenti na state plan yan marihista ginin i Prugrãman Inadahin Pátgun.

(aa) “Malisensian Ahensia” kumeke’ilekña i dipattamentu gi halum i Gubietnamentun CNMI ha aprueba pat ha disaprueba i manlisensian inadahin pátgun sigun gi lain CNMI yan i Areklamentu yan Regulasion siha gi Day Care, espisiátmienti i Dipattamentun Kumunidát yan Kuttura (DCCA).

(bb) “Saina” kumeke’ilekña mafañãgu, foster pat adoptive parent, pipulan, petsona ni ha kuekuenta kumu saina, step-parent, pat parientis ni pumarientis yan i patgun ginin i haga’, masagua, pat adãptasion, ni sumãsaga yan i risponsãpbli ligát para i inadahin i patgun. Atyu na detitminasion siña sumãga maskiseha i patgun pat i saina tumaigui tempuráriu gi gima’ kuntát kumu i saina

(ll) "State Plan" kumeke'ilekña na i ufisiât na dokumentu ni mana'hålum para i gubietnamentun federât ginin i Prugrâman Inadahin Pâtgun ni ha diskiribi i atministrasion i sitbision inadahin pâtgun gi halum i CNMI gi papa' i Child Care yan Development Fund.

(mm) "Gof Takpapa' Na Suetdu" kumeke'ilekña na i suetdu ni pat gi papa' i 85% gi State Median Income Guideline.

§ 55-50-010

Konfidensiât

Imfotmasion suetdun familia, notan employment siha yan ottru familia yan notan pâtgun siha yan imfotmasion gi mes para i gubietnamentun federât gi familia siha ni marisisibi subsidized sitbision inadahin pâtgun debi na u saga konfidensia yan i mapega gi makadâdalû na file imfotmasion siha (Esti ha aplika parehu yan i computerized yan file pâppit siha).

§ 55-50-015

Geographical Location

Todu inadahin pâtgun mana'guaguaha para i kualifikâo na clients gi interu CNMI basis.

§ 55-50-020

Scope

Sitbisiun inadahin pâtgun siha, irrespective of setting, debi na u sãonão:

(a) Minaneha para u mana'siguru na sãfu' i patgun, comfort, yan i hinemlu;

(b) Personal care kumu apropositu para i idât i patgun yan i developmental maturity;

(c) Educational yan recreational na aktibidât siha mampropiu para i idât i patgun, developmental stage, yan i degree of physical or mentally ability;

(d) Health yan nutritional na sitbisiu siha ni siña mañãonão i amotsan ogga'an, amotsan talu'ãni, sena, yan snacks; health yan nutritional education para i patgun, kumu parehu para i mañaina pat mañaina siha; ma'a'atan i prubleman

hinemlu' siha; yan amânu apropositu, ma'arerekla para i medical pat psychological screening yan consultation.

Pâtti 100

Aplikasion para i Prugrâman Inadahin Pâtgun

§ 55-50-101

Application Process

(a) Ginagâo para i sitbisiun inadahin pâtgun siha debi na mana'hâlum i tinigi' gi fotma ni ma'otdin ginin i Prugrâman Inadahin Pâtgun.

(b) I fotma debi na u mafetcha yan mafitma gi papa' i penalty of perjury na todû imfotmasion ni magâgâo ginin i Prugrâman Inadahin Pâtgun ni para u istapblisa i kualifikâo para i sitbisiun inadahin pâtgun siha, kumu masângan gi fotma, dinanchi.

(c) I fotma debi na u mafitma ni saina. Aplikânti siha manmadimânda para u mana'hâlum kopian dukumentu siha (sâsâonâo lão ti minidi para i employment verification ni ha sâsangan i ora yan i apas i ora, chek pagamentu siha ni gaigi na'an i bisnis, i ora ni mafacho'chu'i yan i apas i ora, settifikun mafafiâgu siha, iskuela yan/patdukumentun training siha, 1040 tax return, ma-notarized na affidavit na sumâsaga i dos, employment contract (yangging aplikâpbli)) para i verification. Rispunsâpblidât i aplikânti para u pribeniyi i nisisâriu na dukumentu para i verification.

(d) Aplikânti siha debi na pribeniyi verification i gâstun i selected child care arrangement.

(e) I fetchan aplikasion debi na u mafitma gi fetcha anai mafitma i fotma yan todû i sumupopotta i dukumentu siha ni marisibi ni Prugrâman Inadahin Pâtgun.

(f) I fetchan kualifikâo debi na u madetitmina ni Prugrâman Inadahin Pâtgun gigun todû dukumentasion ni madimânda marisibi yan ma-verified yan i Prugrâman Inadahin Pâtgun ha detitmina na kualifikâo i familia para i subsidized care.

(g) Para i aplikánti siha ni madetitmina na kualifikáo, i inadahin pátgun ma-subsidized i apas siha debi na i initiated pat arranged amánu siña na chinaddik, lão ti dispues di trenta(30) dihas ginin risibu ápas invoice ginin i service provider; ni mafitma ni saina yan i provider. I sitbisiun Inadahin Pátgun debi na ma-denied yanggin, i aplikánti ti ha na'kumplidu i process aplikasion/detitminasion i kualifikasion, sásáonáo lão ti minidi para i verification, pat linaknus i aplikasion pat osino ti kualifikáo.

§ 55-50-105

Priority Application

I sigienti siha mapega mo'na i priorities para i sitbisiu ni mangkualifikáo na famagu'un:

- (a) Familia siha ni mantakpapa' na suetdu
- (b) Takpapa' na suetdun familia siha ni with special needs children
- (c) Man tai guma' na familia ni manggai famagu'un

§ 55-50-110

Nutisian Dispusion Aplikasion

(a) I Prugráman Inadahin Pátgun debi na u nutisia i aplikánti siha put i applicant's eligibility para i sitbisiun inadahin pátgun gi halum kinsi (15) dihas dispues di mana'hálum i kumplidu na aplikasion ni todú mañechettun i attachment ni manmadimánda siha.

(b) Aplikánti siha ni madetitmina na ti kualifikáo debi na u mana'hanágui tinigi' nutisia ni ha sasahguan statement gi aksion ni macho'gui, i rason i aksion, i ispisifikáo na areklu ni sinipopotta i aksion, yan i diretchu para inapela i aksion gi Prugráman Inadahin Pátgun ginin i ma'istapblesi administrative appeal procedures.

Pátti 200-

Kualifikasion

§ 55-50-201

Dinimándan Kualifikasion Para i Sitbisiun Inadahin Pátgun

Dipendi gi sigun i guinahan fondu siha, famagu'un ni mangkualifika para ápas i Inadahin pátgun siha debi na u afakcha' i sigienti na dinimánda siha:

(a) Sumásaga yan i saina ni machocho'chu', ha atetendi job training pat educational program yan gai suetdu gi mes gi CNMI gross income ni ti ha upus i Federal Poverty Income Guideline (FPIG) para un familia ni parehu mineddung; yan

(b) Menus di tressi(13) na idât; yan

(c) Todu mañaina debi na u fangkualifikáo para i inadahin pátgun gi papa' esti i subchapter ni mana'siguru i mañaina siha na ma-meet i sigienti siha na kundision:

- 1. Gai iyu monthly gross income ni ti ha upus i Federal Poverty Income guideline (FPIG) para un familia ni parehu na mineddung; yan**
- 2. Residencia: I familia debi na u fañásaga gi halum i CNMI ni i intension na mapega na i CNMI i petmanienti guma'-ñiha. Akseptáo i dokumentasion sásônáo, lão ti ni midi para, risibun apas utility siha, risibun atkilon guma'/mortgage siha, etc.**
- 3. Citizenship: Atyu ha' i citizenship yan immigration status i patgun, ni primary beneficiary gi sitbision inadahin pátgun, madimânda para i hinangain kualifikáo siha. I patgun debi na u U.S. Citizen pat qualified alien, kumu madifina gi halum i Áktun i Personal Responsibility Work Opportunity (PRWORA), ni para u kualifikáo para i inasistin inadahin pátgun. Akseptáo i dokumentasion ni sônáo, lão ti minidi para, settifikan mafañágu pat pasapotti.**
- 4. Gainfully mamuseria trenta(30) oras gi simâna pat masiñála para u fa'cho'chu' gi halum i dos(2) simâna na tiempu; pat**

5. Nisisita inadahin pátgun asta hulu' trenta(30) dihas gi kalendáriu gi durántin i break inemple'a, yanggin i inemple'a masiñála para u tutuhun gui' gi halum trenta(30) dihas gi ha'ánin kalendáriu; pat

6. Inaligáo Cho'chu': Nisisita inadahin pátgun para hulu' gi trenta(30) dihas gi kalendáriu gi durántin i break inemple'a yan ánimu manaligáo cho'chu'.

7. Humálum gi job training yan gi prugráman idukasion(putlumenus trenta(30) oras gi simána) pat ha atetendi i prugráman idukasion gi full time basis dossi(12) oras gi semester gi kulehu yan singku(5) na klasis gi kada diha para i PSS); pat

8. Para i mañaina ni manggaigi gi final semester gi prugráma yan ha nisisita menus di dossi(12) na kreditu siha para u magraduha, u fanmakunsidera para u ma'atetendi full-time para i uttimu na semester yanggin magáhit na machuchuli' todú i kreditu siha ni manisisita para u fanmagraduha.

9. Káo i dos saina gi familia gi anai unu na saina gaigi gi inaprueba na aktibidát (machochó'chu', ha atetendi job training pat un prugráman-idukasion) yan i ottru saina madetitmina na gai disability ni ha pribeni i saina kontra i prinibenin inadahi para i famagu'on-ña siha. Yanggin háfa na manera, apruebasion disability yan inability para u pribeniyi inadahin pátgun debi na u mana'kláru i ripot ni mediku, psychologist, psychiatrist, pat i territory licensed care provider. Tinigi' ripot debi na u maribisa kada dos mesis siha, yan bumáli yanggin un saina pumattisipáo gi halum i ma'aprueba na aktibidát.

10. Eligibility siña mata'lun ma'istapblisa para i tiempu ni ti inipus sais(6) mesis.

11. Mandatory na pattisipasion para i orientation

(d) I child care providers debi na u fanafakcha' gi sigienti na kundision siha nai siña ma'áturisa i apas i child care:

a. Para i licensed center base, group home, yan family child care providers:

i. Debi na u disi'otchu(18) áñus pat la'amku';

ii. Afford parents unlimited access para i famagu'un-ñiha gi durántin normal hours gi provider operation yan amánu i famagu'un na manggaigi gi inadahin i provider

iii. Kumplidu na packet aplikasion (yan marinueba kada sâkkan) yan ha na'hâlum i sigienti na dukumentu siha:

1. W-9
2. I Priseni na Lisensian Bisnis
3. Settifikun Linisensian Inadahin Pâtgun
4. Apas Sentru
5. Areklamentun Sentru Prugrâma/Parent Handbook
ni sâonão gi minimum i sigienti âria siha ni mäs giniha kumu ma'ispisifika ni ginin i DCCA's CCP
 - a. Admission yan Enrollment
 - b. Supervision
 - c. Plânun Emergency Evacuation, Drills, yan Closing
 - d. Sanitation yan Hygiene
 - e. Sleeping Position
 - f. Food Handling, Feeding yan Nutrition
 - g. Staff Schedule yan supervision
 - h. Smoking Policy
 - i. Evening yan Night Care Plan (kumu aplikâbli)

6. First Aid/Settifikun CPR

iv. Para u mana'hâlum i primet yan i rinikonosin kada sâkkan yan inaprueba

v. Debi na u afakcha' gi minimum 35 square footage gi sanhalum i learning space para kada pâtgun.

vi. Debi na u afakcha' gi minimum 33% gi kapasidât i fasilidât gi 75 square footage gi sanhiyung gi sagan humugându para kada pâtgun.

vii. I DCCA Child Care Program Staff gai diretchu na u anunsia pat ti u anunsia i binisita siha.

b. Para i licensed-exempt family home provider, yan sâsâonão in-home providers

i. Debi na u disi'otchu na idât para la'amku'

ii. **Afford parents unlimited access para i famagu'un-ñiha sâsâonão tinigi' imfotmasion siha ni tinetekka i famagu'un-ñiha gi durântin normal hours gi provider operation yan amânu i famagu'un ni manggaigi gi inadahin i provider;**

iii. **Kumplidu na packet aplikasion (yan marinueba kada sâkkan) yan ha na'hâlum i sigienti na dokumentu siha:**

1. W-9
2. I apas ni para u matâsa i mañaina siha
3. I Prisentî na Lisensian Bisnis
4. Police Clearance
5. Health Clearance
6. First Aid/Settifikun CPR

iv. **Para u mana'hâlum i primet yan i rinikonosin kada sâkkan yan inaprueba**

v. **I DCCA Child Care Program Staff gai dretchu na u anunsia pat ti u anunsia i binisita siha.**

vi. **Mana'kumplidu i Self-Certification Checklist kumu ma'ispisifika yan mana'guaha ginin i DCCA CCP**

(c) **Todu klâsin providers para u:**

a. **Tâya' matungo'ña put child abuse pat neglect, fisikât pat prubleman psychological/psychiatric siha pat criminal convictions nai siña inafekta pat u interfere yan i inadahin famagu'un siha.**

b. **Mapribeniyi kinensienti para u chek i rekot child abuse yan criminal history record check. I child care provider ti debi na u gai iyu criminal history ni mapega na i famagu'un man-at-risk; esti siha sâsânão lão ti mindi para u:**

- i. **Violent felonies ni i indibiyuât ha aminâsa para u cause, u hannan para u cause pat u siri'osu na'chitnudan tailayi para u;**
- ii. **Sexually violent offenses kumu madifina ginin i lain CNMI pat ottru ni pumarehu na offenses gi ottru jurisdictions;**

- iii. Criminal sex offense against i minor kumu madifina ginin i lain CNMI pat pumarehu na offenses gi ottru na jurisdictions;
 - iv. Child abuse pat neglect kumu madifina ginin i lain CNMI pat pumarehu na offenses gi ottru na jurisdictions;
 - v. Violations gi CNMI Minor Children Firearms Control na Åktu pat pumarehu na offenses gi ottru na jurisdictions;
 - vi. Distribusion i control substance gi tãotão gi papa' 18 kumu madifina ginin i lain CNMI pat pumarehu na offenses gi ottru jurisdictions; yan
 - vii. Todu ottru na historian kriminãt siha para u ma'ebalua sigun gi naturãt yan severity gi sinisedi; i aidentifikasion i biktima; i inanãkku' i tiempu desdi i sinisedi; maseha hãfa na espisifiku na pardon i aksion kriminãt ni eksisti; yan espisifiku na ãnimu siha i indibiyuãt ha fa'tinas para rehabilitation.
- c. Tãya' tuberculosis kumu ma'indika gi tes i lasas pat i chest x-ray ni makumplidu gi halum i ma'pus bentikuãttru(24) mesis na tiempu.
 - d. Gai fasilidãt inadahun pãtgun pat guma' ni manã'yi smoke detector, unobstructed emergency exists, yan plãnun emergency exit.
 - e. Debi na atendi training yan aktibidãt technical assistance siha kumu kundision risibun fondu siha ni para u enhance i iyo-ña personal growth yan professional development anai siña ha adilãnta i kualidãt i sitbision inadahun pãtgun siha. Ifektibu ti Mãyu 1, 2009, todusitbision child care providers debi na fanpattisipão gi putlomenus benti(20) oras na training yan technical assistance kumu ma'aprueba ginin i Prugrãman Inadahin Pãtgun. Esti siña sãonão i workshops, seminars, conference, etc. gi hinemlu' yan sinãfu', nutrition, first aid, child abuse yan detection, yan caring para i famagu'un ni special needs kumu masiñala yan ma'aprueba ginin i Prugrãman Inadahin Pãtgun.

- f. Todu providers sãsonão miembrun familia siha ni mañasaga gi halum i gima' i provider ni disi'otchu(18) añus yan la'amku' debi na u marikonosi kontra i Sex Offenders Registry yan Áktun Nutifikasion(SORNA) yan i Dipattamentun Sinãfu' Publiku(DPS). Yanggin siakãsu na guaha miembrun familia sumãsaga gi halum gumã' i prospective provider ni ma'aidentifika kumu sãonão gi registry, na madisaprueba i aplikasion i provider.
- g. Todu providers debi na u fanmachochochu' i tilifon gi halum i building
- e. Child care providers ti debi na gaigi gi sigienti:
 - 1. Mañaina, biological pat ligãt;
 - 2. Step-parent ni sumãsaga gi halum i gima';
 - 3. Legal guardians;
 - 4. Providers ni ti ha kumpli i dinimãnda ni territory regulatory siha;
 - 5. Indibiyuãt siha ni gaigi gi papa' disi'otchu(18) añus; yan
 - 6. Ottru indibiyuãt siha ni madetitmina ginin i ahensian manlisensia yan/pat i Prugrãman Inadahin Pãtgun para u pose at risk para i hinemlu' yan sinãfu' i patgun.
- f. I Prugrãman i Inadahin Pãtgun debi:
 - 1. Para u ma'aprueba na i famagu'un yan i mañaina makumpli i dinimãndan kualifikasion kumu madiskribi gi esti na regulasion siha;
 - 2. Para u madetitmina na i provider ma'atyik ginin i saina ni propiu ha tattitiyi i sigienti na regulasion i ahensian manlisensia yan i Prugrãman Inadahin Pãtgun; yan
 - 3. Para u maribisa i kualifikasion gi menus ki kada sais(6) mesis.

§ 55-50-205

Detitminasion i suetdu ni makunsidera gi kualifikasion

- (a) I tutãt i suetdu gi mes para u ma'usa gi madetitminan i kualifikasion
- (b) I tutãt i suetdu gi mes kumeke'ilekña na non-excluded monthly sums gi

gi suetdu ni marisibi ginin i ottru manera siha tãtkumu lão ti minindi gi:

1. "Gross income" kumeke'ilekña maseha hãfa na benifisiu gi cash ni marisibi ginin i indibiyuãt kumu risuttan i prisenti pat gi ma'pus na hutnaleru pat sitbisiu siha (ãntis di mana'suha), aktibidãt bisnis siha, intires ni minagãhit pat personal property pat kumu i kuntribusion ginin i petsona siha, otganisation, ahensia siha tãtkumu :

A. Suetdu siha yan

B. Åpas

§ 55-50-210

Ti sãsãonão i suetdun mes

I sigienti na klãsin suetdu ni marisibi hãlum maseha hãfa na mes debi na ti u manasãonão ginin i kunsiderasion gi detitminan i suetdu gi kualifikasion para i apas i inadahin pãtgun siha;

- (a) Salãppi' ni marisibi ginin i binendin propiedãt tãtkumu i stocks, bonds, guma', pat kareta solu i petsona humãlum gi bisnis mambendin propiedãt, yanggin siakãsu, i net proceeds para u matufung kumu suetdun self employed.
- (b) Linaknus salãppi' gi dinipusitan bãngku;
- (c) Dibi siha;
- (d) Rigãlu siha, sãsãonão in-kind na rigãlu siha tãtkumu free room and board, yaggin i rigãlu ti fotman i compensation in lieu i apas siha pat suetdu;
- (e) Salãppi siha ni marisibi gi fotman i nonrecurring lump sum na åpas sãsãonão, lão ti minidi para, i sigienti:

1. Income tax refunds, rebates, credits;
2. Retroactive lump sum social security, SSI, pat unemployment compensation na benifisiu siha;
3. Retroactive annual adjustment na åpas siha gi veteran administration's (VA) disability pensions;
4. Lump sum inheritance pat åpas insurance siha;

- (f) Refunds of security deposits gi atkilon propiedât pat utilities;
- (g) Earnings gi minor na famagu'un ni manmiembrun i gima' yan istudiânti siha putlomenus half-time debi na ma'-excluded maskiseha gi durântin i temporary interruptions gi attendance i iskuela sigun gi semester pat i vacation breaks, ni mapribeniyi i minors' enrollment ni para u resume i sigienti na break;
- (h) Ginanan Kapitât siha
- (i) Dibi siha, grants, yan scholarships ni mahentan yan ma'usa gi papa' i kundision siha ni ha prohibi i ma'usa para i presentin na gâstun lina'la' siha;
- (j) Maseha hâfa na grant pat dibi para i undergraduate na istudiânti para i hinangain idukasion mafa'tinas para ma-insured gi papa' i prugrâma ni ma'-administered ginin i United States Secretary of Education;
- (k) Home produce ma-utilized para i consumption i gima';
- (l) I value i coupon allotment gi papa' i Âktun i Food Stamp gi 1977, kumu ma'amenda;
- (m) I value i USDA ma-donate pat surplus nengkannu' siha;
- (n) I value i Supplemental food assistance gi papa' i Âktun i Child Nutrition gi 1996 (42 U. S. C. § 1771-1789) yan i prugrâman sitbision ispisiât na nengkannu' para i famagu'un gi papa' i Âktun i National School Lunch, kuma ma'amenda;
- (o) Benifisiu siha ni marisibi ginin i prugrâman special supplemental food para i famalão'an, manneni, yan famagu'un siha (WIC) (Pub. L. No. 92-443);
- (p) Allowances yan âpas siha para i pattisipântin i prugrâma siha, ottru ki on-the-job training, gi papa' i Âktun Work Investment(WIA) gi 1998 (20 U. S. C. § 9201);
- (q) I earned income i indibiyuât siha mampattisipâpâo gi prugrâman on-the-job training gi papa' i Âktun i Job Training Partnership (JTPA) gi 1982 (25 U. S. C. § 640d – 640d-28) ni manggaigi gi entalu' i disí'otchu(18) yan disinuebi(19) na idât yan gi papa' i parental control gi ottru na miembrun familia;

- (r) Earned income tax credit (EITC) payments ni marisibi maskiseha kumu lump sum pat recurring payments gi papa' i seksion 3507 gi Kodigun i Internal Revenue gi 1986;
- (s) Inasistin fainansiât mapribeniya ginin i program funded in whole pat pâtti gi papa' i titulu IV gi Âktun Higher Education gi sigun i Pub. L. No. 99-498
- (t) Âpas siha pat allowances gi papa' i maseha hâfa na federât pat local laws pat i hinangain i energy assistance;
- (u) Assistance payments ni marisibi kumu risutta gi diniklâran federal major disaster pat emergency na fotma i federal emergency management agency(FEMA), yan ottru comparable disaster assistance ni mapribeniya ginin maseha mânu na state pat local agency, yan i otganisasion inasistin disaster.
- (v) Âpas siha ginin i Agent Orange Settlement Fund pat maseha ottru na fondu ni ma'istapblisa ni kuneksion i settling liability claims concerning chemical Agent Orange (Pub. L. No. 101-201);
- (w) Reimbursements ginin i Âktun i Uniform Relocation Assistance yan i Real Property Acquisition Policies gi 1970 (42 U.S.C. § 4636);
- (x) Âpas ni marisibi gi papa' i Âktun i Radiation Exposure Compensation gi (Pub. L. No. 101-426) ni para u apâsi i indibiyuât siha para i manchitnudan pat finatai na risutta ginin i exposure to radiation ginin i nuclear testing pat uranium mining;
- (y) Âpas siha para todû indibiyuât mampattisipâpâo gi halum i Prugrâman Sitbision Emple'âo Kumunidât Manâmku' (SCSEP) ni mafondu gi papa' i titulu V gi Âktun Older American gi 1965 (Pub. L. No. 100-175);
- (z) Âpas para i mambuluntâriu siha manmâttu ginin i pattisipâon buluntâriu siha gi halum i sigienti siha na prugrâma ni ma'âturisa ginin i Âktun i Domestic Service gi 1973 (42 U.S.C. §§ 5011, 4951-4958);
 1. Prugrâman foster parents;
 2. Prugrâman Senior Companion; yan
 3. Volunteers in service to American (VISTA) yan i prugrâman AmeriCorps.
- (aa) Military re-enlistment bonus;

- (bb) Maseha hãfa ottru na âpas mafa'tinas sigun i territory yan lain federât siha atyu na magâghit i apas siha na ginin manmatufung kumu suetdu.

§ 55-50-215

Trâtamentu gi Suetdu

- (a) Todu non-excluded na suetdu ni guaha para i familia gi halum i sigienti na mes debi na u makunsidera.
- (b) Dtitminasion i kualifikasion ma'atan gi istâon i suetdu ya debi na u sinipotta ni dukumentasion .
- (c) Ti kumumpli para u mapribeniyi ni nisisâriu na imfotmasion para u na'klâru i kantidâ pat source i suetdu debi na ti u kualifikâo i familia.

Pâtti 300

Âpas Inadahin Pâtgun

§ 55-50-301

Manera ni makatkula i apas childcare

- (a) I familia debi na u mapribeniyi verification i child care provider yan i prugrâman i child care.
- (b) I Prugrâman Inadahin Pâtgun para u katkula i gâstun i monthly projected gi care sigun gi:
1. Manisisita para i child care;
 2. KLasin care ni mapribeniyi;
 3. I idât i patgun
 4. Kâo i inadhahi interu i diha pat partial i diha gi sitbisiun inadahi;
 5. I attendance i patgun
 6. I attendance i che'chu' i saina;
 7. I parent's share gi gâstun i inadahin pâtgun gi sigun yan i Sliding Fee Scale kumu mapega mo'na gi halum i prisenti na state plan.
- (c) I projected child care na kosten âpas debi na u makatkula ni:
1. Tinifung i numirun emple'âo, idukasion, pat cho'chu', pat vocational pat employment training ni ora siha para u hâlum i saina para i mes;
 2. Ma'akumpâpara i employment i saina, idukasion pat cho'chu', pat vocational pat employment training hours sâsâonâo i oran

commuting yan i nisisidât i ora para i child care yan

3. Ma'u'usa i presentî na rate table ni para u ma'aidentifika i klâsin inadahin pâtgun para i kada kualifikâo na pâtgun yan i suetdun i apas para atyu na klâsin inadahin pâtgun.
 4. I kantidât ni para u ma'apâsi i inadahin pâtgun gi mes gi kualifikâo debi na i apas inadahin pâtgun na gi child care rate table kumu i referenced gi attachment #1, mana'suha i kantidân co-payment pat kumu ma'aidentifika gi attachment #3.
- (d) I kualifikâon para i child care ni ma-subsidized na âpas debi na u masuspendi para maseha hâfa na mes i tutât monthly income exceeds i income criteria para i mineddung i familia.

§ 55-50-305

Âpas Inadahin Pâtgun Siha

- (a) I rate i apas debi na u ma'istapblisa ni ginin i presentî na State Plan.
- (b) I apas siha para Inadahin Pâtgun debi na gâstu ni ma-reimbursed guatu gi para i child care provider.
- (c) I co-payment i saina debi na u ma'istapblisa ginin i presentî na Sliding Fee Scale kumu mapega mo'na gi presentî na State Plan.
- (d) Yanggin ma katkula i kantidân reimbursement, i Prugrâman Inadahin Pâtgun debi na u istapblisa i risonâpbli na rilasion gi entalu' i nisisidât i part-time pat full-time care yan i kundision siha ni para i dinimândan i inadahin pâtgun.
- (e) I Prugrâman Inadahin Pâtgun debi na u laknus i Payment Invoice yan i attendance form para i saina yan i provider para u fitma yan u na'hâlum para i reimbursable payment para i sitbision inadahin pâtgun ni ma-rendered gi ma'pus na mes. I attendance form debi na u annuk i numirun i oras siha i patgun ni gaigi gi inadahin sitbision i provider. I ti kinimpli ni para u mana'hâlum i kumplidu yan mafitma na payment invoice yan/pat i attendance form siempri tâya'âpas.
- (f) I mana'kumplidu i mafitma na payment invoice yan/pat i attendance form debi na u marisibi ginin i Prugrâman Inadahin Pâtgun gi halum i primet tres dihas na ha'ânin cho'chu' gi mes. I invoices marisibi dispues i (3rd) na ha'ânin cho'chu'

gi mes ni para u makunsidera na atrasão yan ti u ma-processed estaki i sigienti mes.

(g) I familia debi na u apâsi palu gi gâstun i child care.

(h) Umifektibu gi Oktubri 1, 2009, todû mañaina debi na u ma'apâsi i co-payments direktamienti guatu gi CNMI Treasury.

(i) I familia debi na u risponsâpbli gi maseha hâfa na gâstu siha gi child care ni inipus i maximum child care rates kumu mapega mo'na gi prisenti na plânun CNMI.

Pâtti 400 Ottru Dinimânda Siha

§ 55-50-401 Rinipot Tinilaika Siha

I saina ni recipient i subsidized child care services debi na u risponsâpbli para u ripot pâpa' gi tinigi' gi halum i prescribed na fotma para i Purgrâman Inadahin Pâtgun gi halum i dies(10) dihas gi calendar days gi sinisesedi gi hâfa na tinilaika:

- (a) Monthly gross income yan i source of the income;
- (b) Address, sâsânão:
 - 1. Lugât i residencia;
 - 2. Mailing address; yan
 - 3. Contact number
- (c) Mineddung i miembrun familia
- (d) Marital status;
- (e) Providers ni ginin i saina ni manrisesibi sitbision inadahn pâtgûn siha;
- (f) Sikumtânsia ni siña inafekta i kualifikâo na recipient para u kuntuha i sitbisiu siha, sâsânão , lão ti minidi para;
 - 1. Tinilaika gi ora siha gi childcare madimânda yan i gâstun gi child care;
 - 2. Tinilaika gi oran emple'ão, prugrâman educational, pat cho'chu', vocational pat employment training;

3. Inantisipa i tinilaika siha gi halum i sichuasion indibiyuât ni siña inafekta i kualifikåon indibiyuât siha para u makuntinuha i inasistin inadahn pátgun;

g. Attendance: I saina debi na u ripot mås ki dos(2)na fátta gi halum i mes.

§ 55-50-405 Re-determination of eligibility

- (a) I Prugráman i Inadahin Pátgun debi na u re-determine i suetdu yan i kualifikåon i prugráma para u makuntinuha i apas i inadahn pátgun siha;
- (1) Yanggin i mahentan imfotmasion ni ma'antisipa i tinilaika siha gi halum i sichuasion i indibiyuât pat i familia;
 - (2) Insigidas, ti u inipus trenta(30) dihas, dispues di marisibi i imfotmasion ni tinilaika i guaha na occurred gi halum i sikumtånsian i indibiyuât pat familia ni siña i risutta ti kumualifikåo
 - (3) Yanggin i invoice i apas para i sitbisiu siha macho'gui gi halum sisenta(60) dihas ni ti mana'hålum guatu ti Prugráman Inadahin Pátgun; yan
 - (4) Låo ti sessu ki kada sais(6) mesis ginin i mes madetitminan kualifikåo.
- (b) Re-determination gi kualifikåo debi na u mafa'tinas gi parehu na manera kumu i dispusion i aplikasion såsånåo i mafitma yan mafetcha i fotma ni ma'otdin ginin i Prugráman Inadahin Pátgun.
- (c) I inadahn pátgun debi na u mana'fåkpu' para i recipients yanggin ti mana'kumplidu i process i re-determination gi kualifikåo, ni sånåo i mandatory orientation.

Påtti 500 Adverse Actions

§ 55-50-501 Denial, Suspension pat termination i inadahn pátgun.

I apas i inadahn pátgun debi na u mapuni, masuspendi, pat mana'påra yanggin:

- (a) I saina ni ti ha na'hålum i mafitma na risibun åpas; pat

- (b) I risibun i apas ni ma'otdin ginin i Prugrâman Inadahin Pâtgun ni ti mafitma yan mafetcha; pat**
- (c) I patgun ni esta masodda' na ti kualifikâo gi dinimânda siha; pat**
- (d) I saina ni esta masodda' na ti kualifikâo gi dinimânda siha; pat**
- (e) I provider ni esta masodda' na ti kualifikâo gi dinimândan lisensia siha, pat**
- (f) I kundision finene'na presentî gi halum sichuasion familia matulaika yan i inadahin pâtgun esta ti manisisita pat hâfa na dinimândan lista/registrasion siha para u ma-exempt care**
- (g) Yanggin i provider i child care esta ti masodda' i licensing yan/pat i dinimândan i subsidy kumu aplikâppli**
- (h) I saina(siha) bumuluntâriu mamaisin gi tinigi' na u mana'pâra i sitbision inadahin pâtgun siha; pat**
- (i) I saina(siha) yan i inadahin pâtgun esta ti siña ma'usa i child care pat**
- (j) I saina(siha) ti siña masodda; pat**
- (k) I familia ma-fail para u pribeniya i dinimândan verification para i re-determination pat para u supotta i tinilaikan i ripot; pat**

- (l) Yanggin i recipients ti makumpli i process i determination pat i kualifikasion; pat
- (m) Yanggin i Prugrâman Inadahin Pâtgun ha dititmina na guaha insufficient funds para u maintain todû i famagu'un ni manmanrisisibi care. Priorities para i kualifikasion para u madititmina sigun gi seksiona 55-50-105 gi esti na regulasion siha.
- (n) Yanggin i saina ti ha apâsi i kontribusion-ña para i gâstu gi inadahin pâtgun gi minimum percentage fee (co-payment).

§ 55-50-505 Nutisian i adverse action

- (a) Ântis di u guaha aksion ni para u ribâha, deny, suspendi, pat u ma-terminate hâfa na sitbision childcare ni ma-specified guini na regulasion siha, i Prugrâman Inadahin Pâtgun debi na u pribeniyi i saina ni i timely yan adequate na nutisia ântis di u machuli' i adverse action.
- (b) I nutisian i adverse action debi na u makunsidera gi prisenti yanggin i Prugrâman Inadahin Pâtgun ha pribeniyi nutisia putlomenus dies(10)dihâs gi kalendâriu ântis di para u ifektibu i fetchan i aksion.
- (c) Gi minagâhit ni para u sufisienti, i nutisia debi na u kunsisti i sigienti na imfotmasion:
 1. I maproponi na aksion yan rason para i maproponi na aksion yan
 2. I sitasion para i Prugrâman Inadahin Pâtgun na areklamentu siha sinipopotta i maproponi na aksion.
 3. I na'an yan i numirun tilifon i petsona para contact para mâs imfotmasion.
 4. I familia manggai diretchu para u ma'apela i disision i Prugrâman Inadahin Pâtgun guatu gi Sekretâriun i Dipattamentun Kumunidât yan Kuttura.

§ 55-50-510 Administrative Appeal Requests

- (a) I saina siña mamega finaisin tinigi' para inapela yanggin ti satisfetchu i familia ni Prugrâman Inadahin Pâtgun adverse action of denying, reducing,

EMPLOYEE'S NAME: Social Worker/Advocate
TITLE: Assistant Attorney General
EMPLOYEE NUMBER:
CONTRACT NUMBER:
BIRTHDATE:
ADDRESS:

I. CONTRACT AND SALARY:

(A) EFFECTIVE DATE: 01/01/12
 (B) ENDING DATE: 12/31/12
 (C) PAY PERIODS (PP): 26.1
 (D) BASE SALARY P/A: \$20,500.00
 (E) BI-WEEKLY SALARY: \$788.46
 (F) HOURLY RATE: \$9.86

II. PERSONNEL BENEFITS:

(A) GROUP LIFE INSURANCE CONTRIBUTION:

Calculation:

(Annual Salary (Rounded up to nearest 1000) x 2 / 1000 x .21 x #PP = Contribution)

(B) RETIREMENT CONTRIBUTION:

(Indicate Plan by Marking x in Box)

- (1) Defined Benefit Plan (DB)
- (2) Defined Contribution Plan (DCP)

Rate

37.3909%	x
4.00%	

Calculation:

(Annual Salary x Retirement Rate / 26 x # PP = Contribution)

(C) MEDICARE CONTRIBUTION:

Calculation:

(Annual Salary x .0145 / 26 x # PP = Contribution)

(D) HEALTH INSURANCE CONTRIBUTION:

(Indicate Plan by Marking x in Box)

- (1) Single
- (2) Couple **NOT** including Domestic Part
- (3) Couple including Domestic Partner
- (4) Family **NOT** including Domestic Part
- (5) Family including Domestic Partner

Rate PP

\$85.87	
\$176.02	
\$85.87	
\$274.77	x
\$188.90	

(E) HOUSING ALLOWANCE:

Rate Mo.

Mos

Calculation:

\$0.00 0

(Monthly Amount x #Mos = Allowance)

TOTAL PERSONNEL BENEFITS

III. SALARY

Calculation:

*(Annual Salary / 26 * #PP = Wages)*

TOTAL OBLIGATION OF THIS CONTRACT (Salary & Benefits)

\$321.03

\$7,694.62
\$0.00

\$298.39

\$0.00
\$0.00
\$0
\$7,171.50
\$0

0

\$15,485.54

\$20,578.85

~~\$36,064.38~~

EMPLOYEE'S NAME: Social Worker/Advocate
TITLE: Assistant Attorney General
EMPLOYEE NUMBER:
CONTRACT NUMBER:
BIRTHDATE:
ADDRESS:

I. CONTRACT AND SALARY:

(A) EFFECTIVE DATE: 01/01/12
 (B) ENDING DATE: 12/31/12
 (C) PAY PERIODS (PP): 26.1
 (D) BASE SALARY P/A: \$20,500.00
 (E) BI-WEEKLY SALARY: \$788.46
 (F) HOURLY RATE: \$9.86

II. PERSONNEL BENEFITS:

(A) GROUP LIFE INSURANCE CONTRIBUTION:
Calculation:
 (Annual Salary (Rounded up to nearest 1000) x 2 / 1000 x .21 x #PP = Contribution)

(B) RETIREMENT CONTRIBUTION:
(Indicate Plan by Marking x in Box)

<u>Rate</u>	
(1) Defined Benefit Plan (DB) 37.3909%	<input checked="" type="checkbox"/>
(2) Defined Contribution Plan (DCP) 4.00%	<input type="checkbox"/>

Calculation:
 (Annual Salary x Retirement Rate / 26 x # PP = Contribution)

(C) MEDICARE CONTRIBUTION:
Calculation:
 (Annual Salary x .0145 / 26 x # PP = Contribution)

(D) HEALTH INSURANCE CONTRIBUTION:
(Indicate Plan by Marking x in Box)

<u>Rate PP</u>	
(1) Single \$85.87	<input type="checkbox"/>
(2) Couple NOT including Domestic Part \$176.02	<input type="checkbox"/>
(3) Couple including Domestic Partner \$85.87	<input type="checkbox"/>
(4) Family NOT including Domestic Part \$274.77	<input checked="" type="checkbox"/>
(5) Family including Domestic Partner \$188.90	<input type="checkbox"/>

(E) HOUSING ALLOWANCE:

<u>Rate Mo.</u>	<u>Mos</u>
\$0.00	0

Calculation:
 (Monthly Amount x #Mos = Allowance)

TOTAL PERSONNEL BENEFITS

III. SALARY

Calculation:
 (Annual Salary / 26 * #PP = Wages)

TOTAL OBLIGATION OF THIS CONTRACT (Salary & Benefits)

	26.1		
	20,500	25500	
	31758		
\$321.03	12.34731		
	12.34731		
\$7,694.62	788.4615	0.3677	
\$0.00	41000	4178.846	
		459.6731	
\$298.39	150000	0.11	
\$0.00	50000		
\$0.00	1923.077		
\$0	73.9645		
\$7,171.50	13461.54		1379
\$0	517.7515		1379
	1480.769		1088
			192
0	12.0		
\$15,485.54			
\$20,578.85			
\$36,064.38			

terminating, suspending, yan assistance. I familia debi na u gai opottunidât para u:

- (1) Eksamina i rekot i kâosa parehu kumu todû i dokumentu siha yan i rekot siha ni para u ma'usa gi appeal hearing gi risonâpbli na tiempu ântís di fetchan hinekkunguk kumu parehu gi durântin i hinekkunguk;
 - (2) Prisentâ i kâosa guiya ha' na maisa pat yan aid i legal counsel;
 - (3) Na'fattu tistigu siha, kuntuodu yan intetpiti yanggin ti fifinu' English;
 - (4) Istapblesi todû pettanesi na fâktu siha yan sikumtânsia siha;
 - (5) Inatbânsa atgumentu siha ni asientâdu para i manera ni mahunguk sin undue interference; yan
 - (6) Kuestion pat inaprueba latchi gi hâfa na testimoñu pat ebidensia, yan para u mafaisin yan cross-examine hâyi na testigu.
- (b) I apela ha faisin na debi i tinigi' u manâ'i guatu gi Ufisinan i Secritâriun Dipattamentun Kumunidât yan Kuttura gi halum i dies(10) dihas na tiempu gi fetchan i nutisia ni ha imfotma i familia put i disision i prugrâman inadahin pâtgun ni manâ'i guatu i familia yan debi na u riferi gi sigienti:
- (1) I finaisin ni para i administrative appeal.
 - (2) I ispesifiku na aksion ni ma'aidentifika gi halum i nutisia ni ma'apela; yan
 - (3) Kâo para u makuntuha i benifisiu siha gi prisentâ na level ni manmafaisin ni kinempredin i familia ni para u madimânda para u apâsi todû i tutât i balin i benifisiu siha(ni marisibi ni pending decision) yanggin i disision i DCCA ha mantieni.
- (c) Yanggin i finaisin ti mapo'lu gi halum i dies(10)diha na tiempu gi fetchan i nutisia ni mapribeniyi para i familia, i finaisin debi na u ma-denied yan i Ufisinan i Abugâdu Henerât debi na u pribeniyi nutisia put i denial para i familia.
- (d) I Abugâdu Henerât pat i designee debi na u preside over a hearing gi halum trenta(30) dihas propiu gi finaisin inapela.
1. I hinekkunguk debi na informal anai gaigi i rektu na areklu siha tât kumu i exclusion i hearsay evidence ti inaplika. Lâo i ebidensia ni mapresenta debi na aplikâo.
 2. I familia yan i Prugrâman Inadahin Pâtgun debi na u gai opottunidât

para u presenta i ebidensia, sâsâonão i testimoñon tistigu yan i dokumentu siha. Kada pattida debi na u gai diretchu gi cross-examination.

3. I hinekkunguk debi na u audio-recorded.
4. I Abugâdu Henerât pat i designee debi na u laknus disision tinigi' para i Prugrâman Inadahin Pâtgun yan i familia gi halum i trenta(30) dihas dispues di i hinekkunguk.

(e) Yanggin siakâsu na i disision inapela ma-rendered in favor of i familia, i benefisiu siha debi na u mana'na'lu kumu apropositu.

§ 55-50-515

Overpayment yan recoupment

(a) I kumumpli para u mapribeniyi i Prugrâman Inadahin Pâtgun nutisian tinilaika gi sikumtânsia siha siña i risutta gi overpayment. I overpayment siña masusedi yanggin i Child Care Provider ha risibi âpas siha ni ti entitled, sâsâonão lão ti minidi para:

1. Administrative errors, tât kumu i saina ti matâsa ni apropositu i kantidân i apas.
2. Parent errors, tât kumu ti ha intensiona i linatchi siha gi risibun i apas siha or fraud; yan
3. Provider errors, tât kumu ti ha imfotma insigidas i finattan i patgun siha; pat fraud.

(b) I overpayment mafa'tinas para i provider ya debi na u ma-recovered ginin;

1. I reduction i amount payable para i provider gi halum i u matattiyi na mes siha estaki interu i kantidân overpayment ma-recovered. I saina risponsâpbli ni difirensia yan debi na u apâsi i difirensia guatu gi provider.
2. I repayment gi kabâlis pat pâtti, ginin i provider parai Prugrâman Inadahin Pâtgun;

(c) I mañaina manmakunsidera para i recovery gi overpayment ya debi na u mapribeniyi nutisian tinigi' ginin Prugrâman Inadahin Pâtgun ni ha yâyama:

1. Rason siha, fetcha siha, yan i kantidân i overpayment
2. I maproponi na method ginin i overpayment debi na u ma-recovered; yan

3. I diretchun i saina para u famaisin yan i administrative appeal yanggin ti kuntentu i indibiyuât ni Prugrâman Inadahin Pâtgun ni maproponi na aksion.
- (d) Yanggin guaha parehu yan i overpayment yan i underpayment para i saina, i i overpayment yan i underpayment debi na u ma-offset unu kontra i otrru ni makurihi na apas.
- (e) I overpayment para i saina siña ma-recovered ginin i familia ni ma-overpaid, ginin i indibiyuât siha ni manmiembru siha gi familia yanggin ma-overpaid, pat ginin i familia ni mañãonão i miembru siha gi ma'pus na overpaid gi familia.
- (f) Yanggin recouping i child care overpayments, i overpayment siña ma-recovered ginin i benifisiun i inadahin pâtgun ha ni mapribeniyi i saina para u kuntuha rumisibi i benifisiu siha.
- (g) I recovery of child care overpayments para i mañaina ni hagas manrisibi benifisiu siha debi na u ma-referred guatu gi Prugrâman Inadahin Pâtgun gi ufisinan inestigasion para i collection action.
- (h) Yanggin i saina ni para i collection action ni ma-initiated ti ha fa'tinas i apas para maseha hâfa na mes gi halum i kalendâriun sâkkan tax, i Prugrâman Inadahin Pâtgun siña mariferi i dibi siha ni inipus bentisingku(\$25.00) pesus para i comptroller gi State para tax set off.
- (i) Yanggin i DCCA Prugrâman Inadahin Pâtgun ha nã'i tatti i provider ni ginin i ma'apâpasi tatti ni underpaid amount.

§ 55-50-520

Termination Para i Insufficient Funds

- (a) I Prugrâman Inadahin Pâtgun siña ha suspendi pat terminate i benifisiu siha, ribâha i benifisiu siha, pat refuse para u akseptu nuebu na aplikasion siha para mettun pat todû i classes i beneficiaries kumu mapega mo'na gi Seksiona 1006, i Prugrâman Inadahin Pâtgun ha detitmina, gi iyon-ña discretion, ni insufficient funds para u guaha para u apâsi i sitbisiun inadahin pâtgun siha gi presentî na kantidã asta i uttimun i fiscal year.

- (b) Para u maneha i budget ginin masensuran kada mes na gâstu siha, yan ebalulua kâo i cumulative expenditures gi kada utttimun mes mumenus ki equal to the number gi mes siha ni esta expired gi halum i fiscal year times 1/12 gi budget appropriation para i apas i inadahin pâtgun na âpas siha.
- (c) Yanggin i Prugrâman Inadahin Pâtgun ha detitmina na i budget appropriation gai pat ti âpmam para u upus, nutisia siha gi adverse action siña malaknus para u midi i numirun famagu'un ni manrisisibi subsidies gi hâfa na mes. Esti na detitminasion interamenti discretion i Prugrâman Inadahin Pâtgun.
- (d) Case termination, suspension pat rinibâhan benifisiu siha, pat marinunsia para u machuli' i aplikasion para u ma-prioritized kumu mapega mo'na gi halum i seksiona 60-10-105.

Commonwealth of the Northern Mariana Islands
Child Care and Development Fund
Melvin L.O. Faisao

Child Care and Development Fund Administrator
Department of Community and Cultural Affairs
Caller Box 10007 Building No. 1347
Saipan, MP 96950

Tel. 664-2575 Fax: 664-2547

**ARONGORONG REEL ALLÉGH ME ATIWLIGH
KKA REBWE AMENDÁLI REEL ALLÉGH ME ATIWLIGH KKA REEL CHILD
CARE ME DEVELOPMENT FUND**

MÁNGEMÁNGIL MWÓGHUT YEEL BWE EBWE ADAPTÁALI POMWOL ALLÉGH ME ATIWLIGH KKAAL:

Commonwealth of the Northern Marianas Islands, DCCA Child Care me Development Fund ebwe adaptáali me alléghúló atiwlich kka e appasch ngali Proposed Regulations, sáangi mwóghutughutul Administrative Procedure Act, 1 CMC§ 9104(a) Atiwlich kkaal ebwe bwunguló 10 ráll mwiril compliance reel 1 CMC §§ 9102 abd 9104 (a)ngáre (b). (1 CMC § 9105(b))

BWÁÁNGIL:

Dipatementool Community me Cultural Affairs ebwughi yaal lemelem mereel Legislature bwe ebwe adaptáali allégh me atiwlich kka aal administration me apeschekkúllúl bwung kka e lemeli mwóghutughutul dipatamento 1 CMC §§ 2354.

KKAPASAL ME AWEWEEL:

Allégh me Atiwlich kkaal e ngalley attiwlichil alongal Child Care me Development Fund service providers.

KKAPASAL ME ÓUTOL: Allegh me atiwlich kkal ebwe:

1. Liiwel ngáre sóbwosóbwol aweewe
 - a. Group Home Child Care Providers, ebwe atotoolong “ essóbw aluuw sáangi 12
 - b. In Home Care Provider ebwe ssiwel ngeli” inaanwo iyo aramas ye e leghelegh llóll immwal ate we
 - c. Ebwe appaschlong meeta faal job search, faal milleel nge mwóghutughut ye e abwáari bwe aramas we ekke ghut aal angaang, job search activities nge aa toolong (nge saabw ikka schagh) ebwe atakkaló applications ii schagh, atakka on-line computer applications me employment agencies me ngare community agencies, iye reghal ayoora interview, registration mellól CNMI Labor Office, me faffay llól tilifoon (essóbw ghitighiititiw mmwal 10 llól eew sumwóola) reel tappal angaang kka eyoor openings me employers kka emmwel schagh rebwe umwuumw.
2. Mwóghutughut kka Child Care Service Providers rebwe féerú reel rebwe mmwelil aturisaay abwóssul child care.
 - a. Reel center ye e lisensiya, group home, me family child care providers.
 - b. Reer license-exempt family home providers, e bwal toolong-in home providers.

- c. Alongeer Providers rebwe amwuriir mellól Sex Offenders Registry me Notification Act(SORNA)
- d. Rebwe ayoora tilifoon(land line).

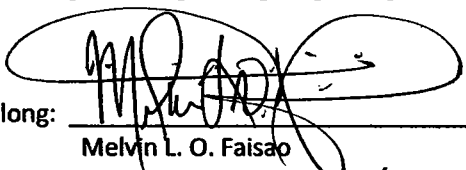
AFAL REEL AMWELIL ME ARONGOWOWUL:

Pomwol allégh kkaal ebwe appasch llong lól Commonwealth Register llól section we e ira proposed me newly adopted regulations (1 CMC § 9104 (a)(2)) me ebwe bwal appasch fetal l lól bwuley kka elo civic center me bwal llól bwulasiyoo kka llól senatorial district, reel kkasal English , Remeraalis me Refaluwasch.(1 CMC 9104 (a)(1)).

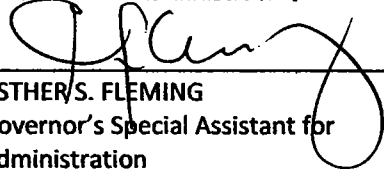
ATOTOOLONGOL MWALIILI:

Afanga ngáre bwughiló yóómw mángemáng reel Melvin L.O. Faisao, DCCA Secretary., Attn: Updated CCDF Rules and Regulations reel address yeel ngáre fax me email address, reel subject line "Updated CCDF Rules and Regulations". Isiisilongol mángemáng nge ebwe llól 30 rálli sáangi aal toowow arongorong yeel. Isáliilong yóómw data, views, ngare angiingi. (1 CMC 9104 (a) (2))

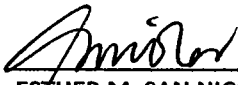
Pomwol allégh kkaa nge e angaanga sáangi DCCA Secretary wóól Settembre 30, 2011.

Isáliiyallong: 
 Melvin L. O. Faisao
 DCCA CCDF Administrator /Secretary

10/12/2011
 Ráll

Aramas ye e 
 Bwughi: ESTHER S. FLEMING
 Governor's Special Assistant for Administration

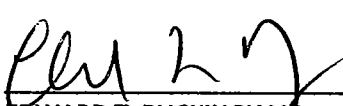
10/19/11
 Ráll

File me 
 Rekoodliiyal : ESTHER M. SAN NICOLAS
 Commonwealth Register

10-25-2011
 Ráll

Sengi 1 CMC § 2153(e) Allégh kkaal lléghló sáangi AG bwe e fil reel fféerúl me 1CMC § 9104(a)(3)(A mwir sáangi AG)Pomwol allégh kka a appaschlong, a takkal amwuri fiischiy, me angúúngú ló fféerul me legal sufficiency sáangi CNMI Attorney General me ebwele akkatewoow, 1 CMC § 2153(f)(Arongowowul allegh me atiwligh kkaal)

Rááilil iye 18 October, 2011


 EDWARD T. BUCKINGHAM
 Attorney General

**LEGHELEGHIIR OLIGHÁT ME DEVELOPMENT FUND
ALLÉGH ME ATIWLIGH**

MILIKKA AUTOL

§ 55-50-001 Bwúlúl

Bwúlúl Alléghúl Administrative kkaal nge ebwe ayoora apayú ngare aiti igha rebwe mángiyy fischiiy iyo kka emmwel rebwe toolong, llapal benefits, me mwóghutughutul abwóssul child care ngáli ate ye elo llól progrómaal child care igha ebwe attabweey fischiiy allégh kka e lemelem reel adminstration me ayoora Child Care me Development Fund block grant igha re ngalleey bwángil sáangi peighil Omnibus Reconciliation Act of 1990. Pub. L. No. 101-58, Tálil 5082 me igha e lliiwel mereel PRWORA, Alléghúl Toulap 104-193 Tálil 9598

§ 55-50-005 Meeta Faal

- (a) “Activity” faal milleel nge angaang, tool gakko, ghuttul angaang ngare treeningil angaang, vocational me ngare treeningil angaang.
- (b) “After School Care” faal milleel nge progrómaal legheleghiir olighát ye re ayoora sárel gakko llól ráálil laal, ráágh laal ngáliir ate kka re enroll llól public me ngare private elementary schools.
- (c) “Application” faal milleel nge tingór ye e ischitiw bwe eschay e apply faal ital aal familliya bwe rebwe tuutá llól alillisil child care llól form ye e toowow mereel Child Care Program (Progrómaal Legheleghiir Olighát. Llól application nge ekke tingór ghal fitoow llapal selaapi ghal abwóssuur schóól llól iimw, fitimal llól familliya me rághiir, status-ul angaang me gakko ngare treening me ngare combination reer ilisaam kka applicant ngare applicants nge e fil bwe ebwe yoor milikka ebwe appasch ngáli application bwe ebwe abwááril, llapal abwóssur familliya, gakko, me status-ul trreeningil angaang, me aléghélégh, nge e ghal sów birth certificates ngare passports, reel rághil me citizenship-il applicant we.
- (d) “Before-School Care” faal milleel nge progrómaal legheleghiir olighát ye re ayoora mmwal igha ebwe ghal bweletá gakko llól ráágh laal ngáliir ate kka re enrolled llól public me ngare private elementary school.

(e) “Budget Month” faal milleel nge maram la Child Care Program ebwe yááyá child care payment form bwe ebwe kadkulaay reimbursable payment (abwóssuuw sefááliiy) llól maram laal.

(f) “Center-Based Child Care Provider” faal milleel nge schóól leghelegh ye e liseniya me ngare re ngalleey bwángil ebwe ebwe ayooora alillisil legheleghiir olighát nge esóbw pár sáangi ruweigh me faawu (24) oora ngáli ghal eschay olighát mellól non-residential setting.

(g) “Child (Olighát)” faal milleel nge inaamwo iyo aramas ye esáál seigh me eluuw rághil.

(h) “Child Care” faal milleel nge mwóghutughut kka igha schóól legheleghiir olighát e angúúngú bwe ebwe lo ngáli bwe mmwel bwe ebwe afáalliyy ate we, aghatchú, me areepiya, sáangi igha rese lo ilisamal, inaamwo atol fa mellól ruweigh me faawu (24) oora.

(i) “Child Care Program” faal milleel nge Bwulasiyool Community and Cultural Affairs mellól CNMI nge ebwe ayooora me lemeli Child Care Development Fund (CCDF) mwóghutughutul me ayooora alillis nge ebwe attabweey alléghúl federóód.

(j) “Child Care Provider” faal milleel nge inaamwo iyo aramas ye 18 rághil ngare tuufeyiló, ngare agency, ngare mwiisch me layúr schóól angaang kka rekke ayooora alillis, supervision, me guidance ngáliir olighát úmwéyiló schagh igha rese lo ilisamal ate we. Schóó kka reghal ayooora Child Care, nge rebwe liseniya mereel Child Care Licensing Program mellól Bwulasiyool Community and Cultural Affairs bwe rebwe ayooora ngare legheleghiir olighát, nge schéschéél re exempt reel liseniya me registration mereel progrómaal liseniya we schagh.

(k) “Child Care Services (Alillisil Legheleghiir Olighát)” faal milleel nge leghelegh ye re ayooora ngáli ate ye e eligible mereel child provider ye e eligible.

(l) “Educational Program” faal milleel nge education program ye e curriculum base nge eyoor sangi gakko, agency me ngare business reel development-il skills me ngare academic study ye e fil reel eew tappal angaang.

(m) “Employed (Ekke Angaang)” faal milleel nge ilisaam ngare schóól leghelegh ekke angaang bwe rebwe abwóssuuw inaamwo igha eliigh (30) oora llól eew sumwóola.

(n) “English as a Second Language” (ESL) faal milleel nge tappal we igha ate we we ngare ilisaam (amwuri meeta faal “parent” rese ghi ghatch reel kkasal English.

(o) “Family Care Provider” faal milleel nge iyo ye e ayoora child care services ngáliir limmal (5) ngare páreló nge ebwe legheleghiir ghitghititiw mmwal ruweigh me faawu (24) oora ghal eráll nge eschay olighát igha ii schagh caregiver.

(p) “Family” faal milleel nge eschay ngare páreló me layúr ate kka reghi schiwel olighát, ngare eyoor, re yááschó reel tcha, schótchóóliimw, adoption me ngare judicial decree, nge relo fengáll llól iimw. Aramas kka raa tuufey nge yááschó nge saabw mal schóóliimw me ngare rese yááschó nge rekke lo fengáll llól iimw nge rebwe konsideraay bwe bwal eew familiya nge re úumwéyiló.

(q) “Federal Poverty Index (FPI) Guidelines” faal milleel nge official Federal statistical definition reel mal affaiyé iye e ghal toowow ghal llól ráagh mellól Federal Registry sáangi Secretary of the Child Care Program of the Health and Human Services faal bwángil 42 U.S.C. 8621, OBRA llól ráagh we 1981. Re amescherághiiló mereel U.S. Census Bureau poverty threshold, iye re ghal isáliiwow reel administrative purposes.

(r) “Full-Time Care” faal milleel nge legheleghiir olighát 30 oora ngare páreló llól eew sumwóola. Milleel nge ese ghi ngáli before-school care, after-school care, me intercession care.

(s) “Gross Income” faal milleel nge llapal selaapi nge cash iye eschay aramas e risibi mwirimwiril aal angaang, ngare alillis, mwóghutul bisnis, interest reel schéschéél ngare personal property ngare ttubw (contribution) sáangiir aramas, mwiisch, me ngare alillis.

(t) “Group Home Child Care Provider” faal milleel nge ruuschay ngare páreló aramas kka re ayoora legheleghiir olighát ngáliir 5 ngare páreló olighát, nge essóbw aluuw sáangi 12, nge ebwe ghitighititiw mmwal 24 oora eráll ghal eschay olighát, llól private residence nge saabw imwal ate we.

(u) “Guardian” faal milleel nge aramas ye kotti e fili bwe Legal Guardian ngáli aramas ye e schiwel olighát.

(v) “In Home Care Provider” faal milleel nge inaamwo iyo aramas ye e leghelegh llól imwal ate we.

(w) “Intercession Care” faal milleel leghelegh ye reghal ayoora ngare eghal break gakko ngáliir ate kka re enroll llól public ngare private elementary school, nge e bwal toolong summer care, me holidays.

(x)“Job Search” faal milleel nge mwóghutughut ye e abwáari bwe aramas we ekke ghut aal angaang. job search activities nge e toolong (nge saabw ikka schagh) ebwe atakkaaló applications ii schagh, atakka on-line computer applications me employment agencies me ngare community agencies, iye reghal ayoora interview, registration mellól CNMI Labor Office, me faffay llól tilifoon (essóbw ghitghitiitiw mmwal 10 llól eew sumwóola) reel tappal angaang kka eyoor openings me employers kka emmwel schagh rebwe umwuumw.

(y)“Job Training, Vocational ngare Employment Training” faal milleel nge training ye re organize-li (e bwal toolong community college me university education) iye institution e ayoora, agency ngare bisnis bwelle ebwe develop-li aal angaang.

(z)“License-Exempt Care” faal milleel nge leghelegh nge eghusutiw mmwal limmal olighát nge e exempt bwe ebwe liseniya reel Alléghúl CNMI me current state plan nge e register mereel Child Care Program.

(aa)“Licensing Agency” faal milleel nge dipatamento ye elo llól CNMI Government iye e ghal aprebaay ngare asefáaliy child care licensing reel rebwe atabweey ailéwal alléghúl CNMI me alléghúl Day Care, iye Department of Community and Cultural Affairs (DCCA).

(bb)“Parent (Ilisaam)” faal milleel nge iye e layliitiw, foster, ngare adoptive parent, guardian, aramas kka relo bwe iir ilisaam sibwe ira step-parent, ngare yááschó igha re yááschó reel tchaar, schótchóoliimw, ngare adoption, nge e schéschéél responsible reel ebwe afálliy, education me financial support ngáli ate we. Affil yeel nge ebwe ghatch schagh ngare ilisaam rese lo llól imweer nge elo ngáliir schagh bwe rebwe afálliy ate we, agakkooy, me alisi reel selaapi. Nge reel split custody, nge ilisaam we elo reel nge e lap sangi 50% atol. Reel ngare iir me ruuschay ilisaam rebwe isáli ate we nge e ghal weewe llapal láláayil aar isáli, nge iir me ruuschay rebwe joint qualified reel program yeel.

(cc)“Part-Time Care” faal milleel nge leghelegh ye e ghitighitiitiw mmwal 30 oora llól eew sumwóola.Ese bwal toolong before-school, after-school care me intercession care.

(dd) "Payment Month (Maramal Abwóss) faal milleel maram la llól rágh la Child Care Program ebwe isáliiwow abwóssul legheleghil olighát.

(ee) "Physician (Dokto)" faal milleel nge aramas ye e lisensiya bwe ebwe safey.

(ff) "Register" faal milleel nge olighát, ilisaam, iil ngare saam, me schóól alillis kka re register sáangi DCCA Child Care Program nge eyoor ghatchúl sáangi DCCA Child Care Program.

(gg) "Relative (Yááschó)" faal milleel nge re yááschó reel tchaar, schóól llól iimw me ngare adoption.

(hh) "Relative Care faal milleel nge legheleghil olighát ye aar great-parents, great-grandparents, great aunts, 1st me 2nd cousins, tiyaar me tiyoor, me bwiir kka e úu mwéyiló imweer nge aa seigh me waluuw rághiiir Yááschó kka re legheleghir olighát kka nge re pár sáangiir limmal nge rebwe lisensiya.

(ii) "Sliding Fee Scale faal milleel nge ailetil gasto meleyir familliya reel llapal abwóss me fitimal llól iimw reel rebwe atabweey autol 45 CFR Sub-part 98.42.

(jj) "School Age (Rághiiir bwe rebwe gakko)" faal milleel nge fitoow rághir olighát kka relo elementary me junior high school nge elo rághiiir faal 13 ráágh..

(kk) "Special Needs Child" faal milleel nge ate ye ese bwáng me ngare ese ghów má ngemángil bwe ii schagh ebwe ammwala igha schóól e mwet sáangi psychologist-il health care Provider, me ngare Public School System nge e certified.

(ll) "State Plan faal milleel nge dokumento ye e official nge re féérú nge aa mwet ngáli federal government sáangi Child Care Program bwe e affataawow lemelemil child care services mellól CNMI faal Child Care me Development Fund.

(mm) "Very Low Income (Eghi Sóssól Abwós)" faal milleel nge abwóss ye e ghitighiititiw faal 85% reel State Median Income Guideline.

§ 55-5-010

Confidentiality (Ese Mmwel Rebwe Apasa)

Abwóssuur familliya, reekodul angaang me akkááw family me child record me data-al maram ye re afanga ngáli federal government reer familliya kka rekke ngalleer subsidize child care services nge ese mmwel rebwe apasa me rebwe isóllong llól locked data files. (Milleel nge e ghil ngáli iir me ruwoow, computerize me paper files)

§ 55-50-015 Geographical Location (Bwuley Ye Elo Iye)

Alongal child care re ayoora ngáliir schóó kka re eligible mellól CNMI-wide basis.

§ 55-50-020 Scope (Mwóghutughutul

Child care services nge ebwe ghatch aal setting, nge ebwe toolong milikka:

(a) Supervision bwe ebwe alúghúlúghúúw bwe ate we essóbw filiwós, comfort, me ghatch ilighil.

(b) Personal care igha e fil ngáli rághil ate we me developmental maturity..

(c) Educational me aktibidat-ul ur ye reghuleey bwe en fil ngáli rághil ate we, developmental stage, tool aal degree reel physical me mental ability.

(d) Alillisil Health me nutritional iye emmwel ebwe toolong mwungool leesor, láálewas, lefááf, me snacks, abwugnubwungul health and nutrition ngáli ate we, me bwal ilisaam me ngare ilisaam kka rekke monitor-li health problems; meigha e fil, rebwe arrange-li bwe ebwe yoor medical me ngare psychological screening me consultation..

Peighil 100- Application Reel Child Care Program

§ 55-50-101 Mwóghutughutul Application

(a) Tingór reel child care services nge ebwe atotoolong nge rebwe ischiitiw llól form la aitiyal Child Care Program.

(b) Reel form we nge rebwe makeweight ráágh maram me ráll nge raa ischiitiw iteer faal penalty of perjury nge rese mis, bwe alongal infodmasiyoon kkewe e atotoolong bwe Child Care Program e tingór igha rebwe eligible reel child care services, igha e ischilong llól form nge e wel alongal.

(c) Form we nge ilisaam ebwe mákkeitiw ital. Applicants nge e fil bwe rebwe bwal atotoolong dokumento kka (nge saabw ikka schagh employment verification ila e iráátiw fitoow oora ekke angaang, abwóssul eew oora, paycheck stubs nge ebwe lo ital business, fitoow oora e angaang abwóssul ghal eew oora, birth

certificate, tool aal gakko me ngare dokumentool training, 1040 tax return, notarize affidavit reel igha rekke lo iye. Employment contract ngare e applicable) bwe ebwe allea. Elo ngáliir applicants bwe rebwe atolongooy alongal dokumento kka e fil bwe verification.

(d) Applicants rebwe atoolong verification reel gastool tappal child care la re fili me ngare re ayoora ngáliir.

(e) Rállil application we nge rebwe date-li form we fengál me alongal supporting documents nge Child Care Program ebwe risibil.

(f) Rállil eligibility nge Child Care Program mille ebwe apasaawow ngare schagh alongal required documents e atoolong me verified me Child Care Program aa mángiyy bwe e eligible familliya we reel subsidize care.

(g) Ngáliir applicants kka re mángiyy bwe re eligible, nge abwóssul child care subsidize ila rebwe mángiyy ileeta ebwe toowow nge essóbw aluw sáangi 30 ráll sáangi igha e eyoor invoice of payment mereel service provider, ila eschay me leyir ilisaam ebwe sign-li. Child Care Services nge emmwel schagh ebwe assefáál ngare applicant we ese atabweey alongal mwóghutughutul application/ mángemángil eligibility, nge ebwal toolong nge saabw ikka schagh verification, me ngare e bwughi sefáliiy application me ngare ese eligible.

§ 55-50-105 Priority Application (Application Kka Rebwe Aghommwal

Milikka faal nge iyeel mille rebwe atabweey reel iyo kka priority reel olighát kka re eligible.

(a) Familliya kka eghi sóssól abwóssuur.

(b) Familliya eyoor layúr ate kka special needs.

(c) Familliya kka esóór imweer nge eyoor layúr.

§ 55-50-110 Notice of Application Disposition (Arongorng Reel Kkapasal Application We).

(a) Child Care Program nge ebwe arongaar applicants reel aar eligibility seigh me limiráll (15) mwuril igha re atolongooy applications nge e complete me alongal required documents e appasch.

(b) Applicants kka re mángiiy bwe rese eligible nge rebwe ischiy ngáliir arongorong ye elo kkapasal meeta mwóghut ye re fééru, bwúlúl fféer we, allégh kka e alisi fféer we me wel bwe rebwe appeal-li action we mereel Child Care Program administrative appeal procedure kka aa established.

Peigh 200 - Eligibility

§ 55-50-201 Eligibility Requirement reel Child Care Services.

Dipendi reel yoorol fundo, nge ate kka re qualify reel child care payments nge rebwe meet-li requirements kkaal:

(a) Lo reel iil ngare saam ye ekke angaang, tabweey eew job training ngare eew educational program nge abwóssul elo llól mille CNMI gross income nge ese aluúwló Federal Poverty Income Guideline (FPIG) reel fitimal llól familliya iye eweewe llapal; me

(b) Essóbw ghoppáal 13 rághil; me

(c) Alongeer ilisaam nge emmwel schagh rebwe eligible faal sub-chapter yeel ngare re meet-li conditions kkal

1. Abwóssul eew maram nge essóbw aluúwló Federal Poverty Income Guideline (FPHG) reel familliya kka eweewe llapal; me

2. Residency (Bwuley ye relo iye): Familliya we rebwe lo CNMI nge re mángiiy bwe rebwe lootiw CNMI ngare leliyeer lóffósch. Dokumento kka emmwel ebwe bweibwogh me isiisilong nge saabw ikka schagh, resibool abwóssul dengkki me schaal, abwóssul adkkilaal iimw/mortgage receipts me bwal akkáaw.

3. Citizenship: Citizenship me immigration status-ul ate we schagh, ii mille primary beneficiary reel alillisil child care mille e fil reel mwóghutul ngare e eligible. Ate we nge ebwe U.S. Citizen ngare aramasal lúghúl; ye e qualified, igha rebwe faal mille Personal responsibility Work opportunity Act (PRWORA), bwe rebwe eligible reel child care assistance. Dokumento kka rebwe akseptay nge saabw ikka schagh, birth certificate me ngare passport.

4. Ekke angaang 30 oora eew sumwóola me ngare ebwele bweletá aal angaang llól 2 sumwóola; ngare;

5.E nisisitaay child care llól 30 ráálil eew maram ngare e aséésé me angaang, nge employment e ppwal bwel sefááltá llól eliigh ráálil; ngare

6. Job Search (Ghuttul Angaang): E tipáli child care 30 ráll igha e asééséló me angaang nge ekki schiwel bwal kke ghutt fetál schagh aal angaang.
7. Re enrolled llól eew job training me educational program (inaamwo igha 30 oora llól eew sumwóola) me ngare ekki tabweey eew educational program nge full time basis (12 oora llól eew semester mellól college me limoow classes eráll ngáli PSS: ngare
8. Ngáliir ilisaam kka relo llól aighúúghúl semester reel eew program ye e ghitighiititiw mmwal 12 credits me rebwe graduate, nge rebwe konsideraar bwe re full-time llól final semester laal ngare schéschéél rekke bwughi alongal credits kka e fil bwe rebwele graduate.
9. Ilisaam nge re ruuschay fengáll llól iimw eschay e preeba bwe ekki (angaang, tabweey eew job training me ngare educational program) nge ila eschay re mángiiy bwe ese bwáng lo bwe aa suimwaay (disability) nge ese mmnwel bwe ebwe afáliir layúr Reel tap yeel, nge ebwe yoor alúghúlúgh bwe ese bwáng me ese mmwelil ebwe afáliir layúr sáangi dokto, psychologist, psychiatrist, me ngare territory licensed care provider. Ripood ye re ischiiy nge rebwe lool me amwuri sefááliiy ghal alongal ruwoow maram, nge ebwe valid ngare eschay meleyir ilisaam ekki tabweey eew tappal activity.

10. Eligibility nge rebwe ayooora sefáliiy nge essóbw ghal aluuwló oloow maram.

11. Deebi rebwe tabweey eew mandatory orientation.

(d) Child care providers nge rebwe meet-li mwóghutughut kkaal reel rebwe mmweli atturisaay abwóssul child care.

(a) Reel center ye e liseniya, group home, me family child care providers nge

Rebwe:

i.Nge 18 rághil ngare tuufeyiló;

ii.Rebwe mmwel reel llapal unlimited access ngáliir layúr llól normal hours igha re operate me ngare olighát kkewe relo faal aar leghelegh schóó kka providers.

iii.Atakkaaló application packet (me re renew-li ghal llól eew ráágh) me atolongool dokumento kka:

1. W-9
2. Lisensiyaal bisnis ye e ffé.
3. Child Care Licensing Certificate.
4. Abwóssul Center.
5. Alléghúl Center we/Aar ilisaam Handbook iye e toolong milikka afalayaal DCCA's CCP.

- a. Admission me Enrollment
- b. Supervision (Legheleghiir olighát)
- c. Plónóól fattabw, Drills me Tittilóól
- d. Sanitation me alimilim
- e. Itil mayúr
- f. Ammwelil mwungo, Ammwungo me Nutrition
- g. Aal staff schedule me supervision
- h. Alléghúl Suubwa
- i. Plónool Legheleghil leebwong (igha me ngare e fil)

6. Certificate-il First Aid/CPR

iv .Atolongooy mesammwal me inspection-ul alongal ráágh igha re aprebaay.

v.Ebwe meet-li mille ebwe llapal nge 35 square footage mellól iimw igha ate kkewe rebwe akkabwung meiyé.

vi.Ebwe meet-li mille llapal nge ebwe 33% mellól facility we reel 75 square footage me lúghúl igha olighát rebwe ukkur fetál iye.

vii. Ebwe aweteweti bwe DCCA Child Care Program Staff rebwe ghal ló amwaamw eweewe schagh re arongaar me rese aromgaar.

b. Reer license-exempt family home providers, e bwal toolong in-homeproviders.

i . Ebwe 18 rághil ngare tuufeyiló

ii. Afford aar ilisaam unlimited access reel layúrr, e bwal toolong reekodul layúr kka re ischiitiw, llól atol angaang igha providers kkewe re alillis me igha olighát relo llól payúr providers.

iii. Atakaaló application packet (me rebwe renew-li ghal llól eew ráágh) me atolongol dokumento kka

1. W-9

2. Abwóss ye rebwe charge-liir ilisaam

3. Lisensiyaal bisnis ye e fféetá

4. Police Clearance

5. Health Certificate

6. Certificate-il First Aid/CPR

iv. Atalongooy mesammwal me annual inspection igha re aprebaay.

v. Rebwe aweteweti aar DCCA Child Care Program Staff ló amwaamw eweewe schagh re arongaar ngare saabw.

vi. Atakkaaló Self-Certification Checklist igha e mwetto mereel DCCA CCP

(c) Alongeer tappeer providers nge:

a. Essóbw yoor aar history reel child abuse me neglect, probleema reel physical ngare psychological/psychiatric me ngare criminal record convictions ila eghi mmwel schagh bwe ebwe annawaaló aar legheleghiir olighá

b. Angúungú reel ngare rebwe amwuri aal reekod reel criminal history check. Aramas ye child care provider nge essóbw yoor aal criminal history ye ebwe ammasagh ngáliir olighát; nge ebwe ebwe toolong milikka nge saabw ikkaal schagh:

i Violent felonies kka aramas we e ammasagh, me aghala bwe ebwe ammasagh reel ebwe annawa ilighiir aramas.

- ii. Rúghúfféer (Sexually violent offenses) kka e itiwow sáangi alléghúl CNMI me ngare bwal akkááw tappal e weewe ngáli me akkááw bwuley;

- iii. Rúghúfféer ngáliir ate kka reghi olighát (Criminal sex offense) igha e itiwow sáangi alléghúl CNMI me akkááw tappal me akkááw bwuley;

- iv. Child abuse ngare neglect igha e itiwow sáangi alléghúl CNMI me akkááw tappal me akkááw bwuley;

- v. Violations mellól CNMI ngáliir ate kka reghi olighát reel Minor Children Firearms Control Act me bwal akkááw weewel me akkááw bwuley;

- vi. Isiisiwowul controlled substance ngáliir aramas kka faal 18 ráágh igha e itiwow sáangi alléghúl CNMI ngare bwal weewel me akkááw bwuley; me

- vii. Alongal criminal history nge rebwe aweweey reel mngawal tappal fféer we; abwáári victim we; lálááyil sáangi igha eyoortá fféer we; ngare eyoor specific pattern reel criminal behavior; me specific efforts reel aramas we rehabilitation.

- c. Ese sumwaayúl tuberculosis igha re ttowa reel skin test me ngare x-ray ye e takkaló mwuril 24 oora;

- d. Eyoor child care facility ngare iimw ye eyoor smoke detector, me emergency exit kka ese tippiló, me plónool fattabw (emergency exit plan).

- e. Ebwe fiti trainging me technical assistance activities reel igha rebwe ghi ghatchló reel pesonal growth, professional development bwe ebwe lapló quality-il child care services. Bweletá Móózo 1, 2009 nge alongeer child care providers nge e fil bwe rebwe tabweey inamwo igha 20 oora reel training me technical assistance ye e apreba sáangi Child Care Program. Milikkaal nge emmwel schagh workshops, seminars, conference me bwal akkááw weewel, reel health, safety, nutrition, first aid, child abuse me detection, me ammweliir olighát kka eyoor aar special needs igha e apreba sáangi Child Care Program.

f. Alongeer providers rebwal toolong schóól llól iimw ye relo llól imwal providers kkewe nge 18 rághiiir ngare tuufeyiló nge rebwe amwuriir mellól Sex Offenders Registry me Notification Act. (SORNA) mellól Department of Public Safety (DPS).Ngare eyoor schóól iimw we eyoor health care provider iye re schuungi bwe elo llól registry we, nge rebwe disapprove-li aal provider we application.

(g.) Alongeer providers nge ebwe yoor aar tilifoon (land line) ye e appasch mellól iimw we.

(e) Child Care providers nge ressóbw lo llól milikka e táletiw:

1. Ilisaam, biological ngare legal;
2. Step-parent nge ekke lo llól iimw we;
3. Legal guardians;
4. Providers kka rese attabweey territory regulatory requirements.
5. Aramas kka esáál ghów mwo 18 rághii; me
6. Akkááschay aramas kka agency me ngare Child Care Program re mángiiy bwe re amdash reel malaweer me ghatchúúr olighát.

(f) Child Care Program nge ebwe:

1. Ebwe alleta ngare olighát me ilisaam re meet-li eligibility requirements igha e toowow mereel allégh kkaal;
2. Mángiiy fischiy bwe provider ye filiyeer ilisaam nge e fil me e attabweey allégh kka sáangi licensing agency me Child Care Program; me
3. Amwuri fischiy eligibility nge essóbw ssógh sáangi ghal llól oloow (6) maram.

§55-50-205 Abwóss ye re konsideraay reel igha rebwe aweweey eligibility

- (a) Llapal abwóssul eew maram (monthly gross income) bwe rebwe ghuleey aal eligibility
- (b) Faal mille Monthly gross income nge non-excluded monthly sums reel abwóss kka rekke bwughi sibwe ira mereel nge saabw ikka schagh:
 1. “Gross Income” faal milleel nge bawóss kka eschay aramas e risibiiy reel aal angaang me ngare alillis ighiwe ngare ighila (mmwal rebwe asúúwló akkááw), reel bisnis activities, interest reel falúw me

schowar me ngare liffang mereer aramas, mwiisch, me ngare assistance agencies sibwe ira ngare:

A. Wages me

B. Salary

§ 55-50-210 Excluded Monthly Income

Tappal abwóss kka e táletiw nge re risibiiy inaamwo maram fa nge ressóbw atolongooy reel rebwe mángiiy income eligibilty reel abwóssul child care.

(a) Salaapi kka re risibiiy sáangi akkamélóól falúw ngare stocks me bonds, iimw, ngare ghareeta, ighile schagh aramas we elo llól bisnisil akkamélóól falúw/schowar, nge ebwe páápá ngare self employed income;

(b) Withdrawals mellól bank deposits;

(c) Loans;

d) Liffang, nge e bwal toolong in-kind sibwe ira bwe room and board, ngare liffang we ese lo bwe abwóssul aramas we.

(e) Salaapi kka re risibiiy sibwe ira ngare lump sum nge e bwal toolong nge saabw ikka schagh;

1. Income tax refunds, rebates, credits;

2. Retroactive lump sum social security, SSI, ngare unemployment compensation benefits;

3. Retroactive annual adjustment payments sáangi veteran administration(VA) disability pensions;

4. Lump sum inheritance ngare abwóssul insurance

(f) Refunds reel security deposits reel falúw kka re adkilaay ngare dengkki me schaal;

(g) Abwóssuur ate kka re minor nge relo llól iimw we nge rekke gakko inaamwo igha half-time nge essóbw toolong inaamwo igha bwal igha e ghal úúló mwo bwe semester ngare vacation breaks, nge rebwe bwal téé sefáálong ngare aa takkaló break;

(h) Capital gains.

- (i) Lonas, grants, me scholarships kka reló llól nge base reel mwóghutughut kka ese mmwel yáyáál current living expenses;
- (j) Inaamwo grant fa me ngare loan ngáliir inammwo iyo kka undergraduate students reel gakko kka eyoor me insured faal inaamwo program fa ye elo faal lemeliyal United States Secretary of Education;
- (k) Home produce kka re yááli llól iimw;
- (l) Fischal ngare llapal coupon reel Food Stamp Act of 1977, igha e lliiwel;
- (m) Fischal USDA kka e donated ngare mwungo kka surplus;
- (n) Fischal supplemental food assistance faal Child Nutrition Act of 1966 (42 U.S.C. § 1771-1789) me special food service pogram ngáliir olighát kka relo faal National School Lunch Act, igha e lliiwel;
- (o) Benefits kka re bweibwogh sáangi special supplemental food program ngáliir schóóbwut, ghóghó me olighát (WIC) (Alléghúl Toulap No. 92-443);
- (p) Abwóss me allowance kka re ngalleer schóó kka rebwe tuutá llól progream, úúmwey sáangi on-the-job-training, faal Work Investment Act (WIA) of 1998 (20 U.S.C. § 9201);
- (q) Abwóssul aramas we igha e tuutá llól eew on-the-job training program faal Job Training Partnership Act (JTPA) of 1998 (25 U.S.C. § 640d-640d-28) ikka leepetal 18 me 19 rághiir nge relo reer ilisaamkka saabw schóól llól imweer;
- (r) Earned incom tax credit (EITC) abwóss kka re bwughi ngare lump sum ngare recurring payments faal tánil ye 3507 mellól Internal Revenue Code of 1986;
- (s) Financial Assistance ye eyoor sáangi progróoma ye efundooli alongal ngare eghus faal title IV mellól Higher Education Act reel ebwe attabweey alléghúl Toulap ye No. 99-498
- (t) Finacial Assistance ngare allowance kka elo faal inmaamwo federal ngare local laws bwúlúl energy assistance;
- (u) Abwóss kka re bwughi mwirimwiril declared federal major disaster ngare emergencyn form he federal emergency management agency (FEMA), me bwal akkááw tappal disaster ye eyoor sáangi state ngare local government agency, me disaster

assistance organizations;

- v) Abwós kka ghal sáangi Agent Orange Settlement Fund.mengare inamwo bwal akkáaw fundo e ghil ngáli settling liability claims reel chemical Agent Orange (Public Law No. 101-201);
- (w) Reimbursement kka e mwetto mereel Uniform Relocation Assistance me Real Property Acquisition Policies Act of 1970 (42 U.S. C. ¶ 4636);
- x) Abwóss kka re bwughi mefaal Radiation Exposure Compensation Act (public Law No. 101-426) bwe abwóssuur aramas kka re fili wós ngare má mwirimwiril exposure to radiation reel nuclear testing ngare uranium mining;
- (y) Abwós ngáliir aramas kka re tuutá reel Senior Community Service Employment Program (SCSEP) ye e fundo faal title V mereel Older American Ac of 1965 (Public Law No. 100-175);
- (z) Abwóssuur volunteers reel volunteers's participation reel programs kka re aturisaay sáangi Domestic Volunteer Service Act of 1973 (42 U.S.C.§§ 5011,4951-4958);
 - 1. Foster grandparent program
 - 2. Senior companion program; me
 - 3. Volunteer in Service to America (VISTA) me AmeriCorps Program.
- (aa) Military re-enlistment bonus:
- (bb) Akkáaw abwóss kke e atabweey territory me federal laws kka e bwal toolong nge re páangi bwe income.

§ 55-50-215 Treatment of Income (Aweewe Reel Abwóss)

- (a) Alongal non-excluded income kka eyoor ngáliir familliya llól maram nge rebwe konsideraay.
- (b) Mángemáng reel eligibility reel income status nge ebwe yoor supported documentation.

(c) Ngare rese atongol alongal infodmasiyoon reel ebwe alleta llapal abwóss ngare income nge emmwel schaggh rebwe dsiqualiyf familliya we.

Peigh 300- Abwóssul Child Care

§ 55-50-301 Mwóghutughutul igha rebwe compute-li abw'ssul child care

(a) Familliya rebwe ayooraa aalletal reel child care care provider me child care program

(b) Child Care Program nge ebwe compute-li abwóssul eew maram igha re base-li reel

1. E fil bwe ebwe yoor leghelegh;
2. Tappal legheleghe ye rebwe ayooraa;
3. Rághil ate we;
4. Ngare leghelegh we ebwe eráll ngare esóbw ráll.
5. Aal ate we attendance;
6. Aar ilisaam work attendance;
7. Aar ilisaam alillisilong reel child care reel igha rebwe attabweey Sliding Fee Scale igha e toowo mellól state plan

(c) Mille projected child care payment rate igha rebwe kadkulaay reel:

1. Compute-il fitoow aar angaang, gakko, me ngare vocational me employment trainging hours kka relo llól ghal llól maram;
2. Aweweey aar ilisaam angaang, gakko me njgare angaang, ngare vocational ngare employment training hours e bwal toolong aar fáaragh reel oraal nisisdóódul child care me,
3. Yááyá e cuurent rate reel abwóssul leghelegh bwe rebwe identify-li tappal child care ngare ghal eschay ate ye e qualify me payment rate reel ghal tappal child care we.
4. Llapal abwóssul child care ye rebwe abwóssuwow ghal llól eew maram reel eligibility nge ebwe child care rate mellól child care rate table igha e bwááwow mellól attachment #1, nge ebwe asúsúúló llapal abwóssul co-payment igha e itiwow mellól attachment #3.

(d) Ngare re eligible reel child care subsidized payment nge ebwe suspended llól inamwo maram fa reel llapal alongal monthly income ngare e llangló memmwal income criteria reel fitimal ngare llapal familliya we.

§ 55-50-305 Abwóssul Child Care

- (a) Rate-il abwóss nge ebwe yoor sáangi current State Plan.
- (b) Abwóssul Child care nge gasto ye re reimburse-li sefáliiy child care provider we.
- (c) Abwóssur ilisaam fengáll nge ebwe yoortá sáangi mille current Sliding Fee Scale igha e toowow sáangi current State Plan.
- (d) Igha rebwe kadmulaay llapal reimbursement, nge Child Care Program ebwe ayoora me aweweey part-time ngare full-time care me mwóghutughut reel tappal child care ye e fil ngare nisisiita.
- (e) Child Care Program nge ebwe isáliiwow Payment Invoice me listaal attendance ngáliir ilisaam me provider bwe rebwe sign-li nge raa atolongooy bwe rebwe abwóssuww sefáliir reel aar alillis maram la aa mwetlól. Mellól attendance form we nge ebwe abwáári fitoow oora ate we elo reer schóól service provider we. Ngare isáliilong me sign-li payment invoice me ngare attendance form nge emmwel schagh ressóbw abwóssuur.
- (f) Form-ul payment invoice me aatndance form ye raa takkal sign-lil nge schóól Child Care Program rebwe bwughi llól mesammwal elerállil bweletáál angaang llól maram we. Invoice kka re risibi mwuril aelerállil angaang llól maram we nge rebwele isáli bwe aa atarasao nge repwappwal féerú maram la mwiir.
- (g) Familliya we ebwe abwóssuwwow aal ilet reel child care cost.
- (h) Bweletá Oktubre 1, 2009, nge alongeer ilisaam rebwe abwóssuwwow aar co-payments ngáli CNMI Treasury.
- (I) Familliya we nge elo ngáliir reel meeta kka abwóssul child care kka e aluuwlól minimum child rate igha e toowow sáangi current CNMI plan.

Peighil 400 Bwal Akkááw Requirements

§55-50-401 Rebwe Ripoodaalong Milikka E Lliiwel

Ilisaam ye recipient reel subsadized child care services nge ebwe lo ngáli bwe ebwe ripoodaalong nge ebwe ischiitiw llól form ye eyoor sáangi Child Care Program llól aseigh rállil (10 calendar days) sáangi igha eyoortá lliiwel reel:

(a) Monthly Gross Income (Abwóssul eew maram me akkááw abwóss.

(b) Address nge ebwe toolong:

1. Bwuley ye rekke lo iye.
2. Mailing address me
3. Numurool tilifoon ye emmwel rebwe ghal ffaingí llól.

(c) Fitimal ngare llapal familliya we

d) Marital Status

(e) Providers kka ilisaam rekke risibbiy child care services mereer;

(f) Mwóghutughut kka emmwel ebwe afektaay recipient eligibility igha ebwe fóscheey aal alillis, nge e bwal toolong nge saabw ikka schagh;

1. Lliiwel reel llapal oora kka e fil ngáliir olighát me child care cost.
2. Lliiwel reel atol angaang, educational program, ngare angaang, vocational me ngare employment training.
- 3 Lliiwel kka ebwe ghal yoor ngáli aramas we iye emmwel ebwe ghal afektaay aal eligibility igha ebwe fóscheey aal alillis reel child care assistance.

(g) Attendance: Ilisaam rebwe ripoodaalong ngare e lap sáangi ruwwow (2) absences llól eew maram.

§ 55-50-405

Mángemáng Fisch Reel Eligibility

(a) Child Care Program nge ebwe mángiiy fichiiy abwóss me program eligibility reel ebwe fóscheey child care payments.

- 1) Ngare eyoor infodmasiyoon ye re ghuleey reel igha ebwe ghal yoor lliiwel reer aramas kkewe ngare familliya reel mwóghutughut.
- 2) Essóbw aluwló 30 ráll sáangi igha infodmasiyoon kkewe bwe eyoor lliiwel reel aramas we ngare familliya kkewe reel mwóghutughutuur nge emmwel schagh ressóbw eligible lo.
- 3) Ngare payment invoice reel alillis 60 ráll nge ese atoolong reel Child Care Program me;

- 4) Essóbw ghi sesso mmwal oloow maram sáangi maram we re m;angiiy fischiiy eligibility.
- (b) Mángemáng fischil eligibility nge ebwe weewe schagh aar féérú reel dispoition-ul application kkewe re atotoolong igha re sign-li mákkiitiw ráll mellól form we Child Care Program e ayoora.
- (c) Child Care nge ebwe akkayúúló reer aramas kka rese atakkaaló mwóghutul re-determination reel eligibility, iye e bwal toolong mille rebwe tabweey eew mandatory orientation.

**Peigh 500-
§ 55-50-501**

Fféér KkaEse Ghatch

Essóbw Yoor Abwóss, Suspension ngare Akkayúúló child care

Abwóssul child care nge essów yeer, suspended ngare akkayúúló ngare;

- (a) Ilisaam rese atolongooy payment invoice ye aa sign me ngare;
- (b) Rese sign-li ngare mákkiitiw ráll llól payment invoice form we e toowow mereel Child Care Program me ngare;
- (c) Ate we esaa meet-li lo eligibility requirements me ngare;
- (d) Ilisaam resaa meet-li lo eligibility requirements me ngare;
- (e) Provider we esaa meet-li lo eligibility requirements me ngare;
- (f) Aa lliiwel kondisiyoon mellól familliya we esaa nisisiita lo child care me inaamwo lista fa/registration requirements reel exempt care
- (g) Ngare child care provider esaa meet-li lo licensing me ngare subsidy requirements ngare e applicable.
- (h) Ilisaam iir schagh schéschéél re tingór nge re ischiitiw bwe ebwele akkayúúló child care; ngare
- (I) Ilisaam me ate we resaa mmwelil yááyálo child care; ngare
- (j) Rese mmwelil chungiir ilisaam me ngare;
- (k) Familliya we rese atolongol required verification reel re-determination me ngare ebwe alisi lliiwel kkewe eyoor; me ngare

- (l) Igha recipient we ese atakkaaló process-il re-determination me eligibility; me ngare
- (m) Ngare Child Care Program e mángiiy bwe ese ghów fundo reel ebwe fóscheey alongeer ate kka reek legheleghiir. Priorities reel eligibility nge rebwe mángiiy reel rebwe attabweey tánil ye 55-50-105 mellól allégh kkaal.
- (n) Ngare ilisaam rese abwóssuwow aar contribution reel abwóssul child care reel minimum percentage feem (co-payment).

§ 55-50-505

Arongorong Reel Fféér kka Ese Ghatch

- (a) Mmwal igha ebwe yoor mwóghut kka reel reduce, deny, suspend, me ngare akkayúlóól child care service igha ebwe attabweey allégh kkaal, Child Care Program ebwe ayoorá ngáliir ilisaam arongorong nge e ghatch me ghów atol mmwal rebwe féerú mwóghut kka ese ghatch.
- (b) Arongorongol mwóghut kka ese ghatch nge rebwe mángiiy bwe e ghatch me ghów atol arongorong ye rebwe isáliiwow inaaawo igha seigh (10 calendar days) mmwal aal effective date mwóghut we.

(c) Reel ebwe ghatch, nge ebwelo llól arongorong we infodmasiyoon kkaal:

1. Mwóghut ye rekke mangiiy rebwe féerú me meeta bwúlúl mwóghut ye rekke mángiiy me
2. Ifa allégh ye re attabweey mellól alléghúl Child Care Program reel ebwe amamaawa mwóghut we rekke mángiiy.
3. Iit me numurool tilifoon reel aramas we igha rebwe ffaingí reel bwal akkáaw infodmasiyoon.
4. Familliya nge eyoor aar wel bwe rebwe fiiyowáágheli mángemángil Child Care Program ngáli Secretary-il, Departemnt of Community and Cultural Affairs.

§55-50-510

Tingórol Rebwe Fiiyowáágheli Reel Administrative

(a) Inaaawo iyo ilisaam ye e tipáli nge emmwel ebwe file nge ebwe ischitiw aal tingór reel ebwe fiiyowáágheli fféér we ngare familliya we rese afeschi fféér we Child Care Program e féerú reel denying, reducing, terminating suspending me assistance. Familliya we nge ebwe yoor aar opportunity bwe rebwe:

1. Amwuri fischiy case record me alongal dokumento me records kka rebwe yáánil llól appeal hearing llól atol ye e fil

mmwal igha ebwe yoor hearing me bwal llól hearing;

2. Abwáariwow case we iir schagh me ngare eschay legal counsel ebwe alisiir;
3. Umwuumw testiigo, e bwal toolong schóól akkatéél kkepas ngare rese ghukkule kkasal English;
4. Ayoora alongal facts me circumstances kka e ghil ngáli;
5. Ghommwal ayoora angiingi kka e fil ngáli issue we nge essóbw interfere; me
6. Aiyegh ngare refute-li inaamwo testimony fa ngare evidence, me front ngare cross-examin-liir inaamwo schóól aallet kkefa.

(b) Tingórol appeal we nge ischitiw nge raa bwughiiló reel Department of Community and Cultural Affairs Office-il Secretary seigh ráll sáangi igha eyoor ngáliir arongorong reel mángemángil child care program igha re ngalleer familliya nge ebwe lo milikka llól

1. Tingór we nge reel administrative appeal.
2. Fféér we re apasa mellól arongorong we iye re appeal-li; me
3. Ngare sóbwosóbwolóól benefits llólcurrent level nge re tingór mwo nge familliya we re metaf ebwe abwóssuww sefáliiy alongal fischal benefits (kka re risibiiy sigun reel meeta mwirimwiril) ngare re atabweey ngáli mángemángil DCCA.

(c) Ngare rese file-li tingór we llól seigh ráll sáangi igha re ngalleer familliya we arongorong we, nge Office of the Attorney General ebwe deny-li tingór we aar faamilliya we nge ebwe ayoora ngáliir arongorong.

d) Attorney General me ngare iyo ye filiial emmwel ebwe preside reel hearing we 30 ráll igha e fil atol bwe rebwe tingór appeal.

1. Hearing we nge essóbw fudmóód ese weey igha e ghal yoor allégh kka eghi nge essóbw toolong milikka reghal ira hearsay evidence, Nge evidence ye re atolongooy ngeghatch.
2. Familliya we me Child Care Program nge ebwe yoor aar opportunity reel rebwe abwáriwo evidence nge rebweal toolong testiigo me dokumento. E bwal yoor aar wel reel cross-examination.
3. Hearing we nge rebwe audio record-li.
4. Attorney General nge ngare iyo ye filiial rebwe ayoora arongorong ye re ischiitiw reel mángemángiir Child Care Program me familliya we 30 ráll mwirimwiril hearing we.

- (e) Ngare appeal decision e favor-li familliya we, benefits nge ebwe yoor sefaál igha e fil.

§55-50-515

Overpayment me recoupment

(a) Ngare rese aronga Child Care Program reel lliiwel kka eyoor nge ebwe yoor overpayment. Ebwe uoor overpayment ngare Child Care Provider we e risibiiy abwóss kka ese entitle reel, e bwal toolong nge saabw ikka schahg:

1. Rughul administrative, sibwe ira reel ilisaam igha rese charge-li fischal abwóss la ebwe risibiiy;
2. Rughuur ilisaam, sibwe ira reel rugh kka reel payment invoice me ngare fraud; me
3. Rughuur Providers, sibwe ira reel igha rese aronga reel fattaal ate we; ngare fraud.

(b) Overpayment ye re ngalleey provider nge rebwe bwughi sefáliiy reel;

1. Aghitigháatiw abwóssul provider we maram kkela rebwe mwet ngáli milliyaal abwóssló alongal fischal overpayment we. Elo ngáliir ilisaam milla lussul bwe iir rebwe abwóssuuw ngáli provider.
2. Abwóssuw sefáliiy alongal ngare ghal eghus, mereel provider ngáli Child Care Program;

(c) Ilisaam kka emmwel rebwe bwughi sefáliiy overpayment nge rebwe aronga nge ebwe ischitiw sáangi Child Care Program nge ebwe schitiw:

1. Bwúlúl, ráll, me llapal overpayment
2. Fféér ye re mángiiy reel igha rebwe bwughi sefáliiy overpayment; me
3. Aar wel ilisaam reel rebwe tingór administrative appeal ngare aramas we ese angúungú reel aal Child Care Program pomwoli meeta ffféér ye ebwe féérú

d) Ngare eyoor overpayment me underpayment ngáliir ilisaam, nge rebwe offset-lil overpayment ngáli underpayment bwe rebwe awelaaló abwóss we.

(e) Overpayments ngáliir ilisaam nge emmwel rebwe bwughi sefáliiy sáangiir familliya kkewe re overpay-liir, aramas kka relo llól familliya we igha re overpaid, me sáangiir familliya kka rebwal lo llól familliya we re overpay-liir.

(f) Reel recouping child care overpayments, nge emmwe schagh rebwe bwughi sefáálil overpayments kkewe sáangi schagh child care benefits, ngare ilisaam ekki bweibwogh schagh benefits.

(g) Bweibwogh sefáálil child care overpayment ngáliir ilisaam kka rekke bweibwogh benefits nge rebwe ngalleer Child Care Program Investigation office bwe rebwe féerú meeta ye rebwe bwughi sefáliiy.

(h) Ngare eschay ilisaam ye re ayoora ngáli mille collection action ese abwóssowow inaanwo llól maram fa llól ráághil tax, Child Care Program emmwe ebwe refer-li molofit(debts) kka aluuwól ruweigh me lomoow dóóla ngáli comptrolloer-il State reel tax set off.

(I) Ngare DCCA Child Care Program ese ghów aal abwóssuw eschay provider, nge Child Care Program ebwe reimburse-li provider we reel check nge ebwe fischal mille we re underpaid-li.

§ 55520

Akkayúúló Igha Ese Ghów Selaapi (Fundo)

(a) Child Care Program nge emmwel schagh ebwe ayúúwól ngare suspend-li benefits, aghitihgáátiw, me ese mwuschál bwughi application ye e ffé reel tappal classes reel beneficiaries igha e toowow mellól Tálil ye 1006, Child Care Program ebwe mángiiy, reel tipal, bwe insufficient fund nge emmwel ebwe abwóssuw child care reel fischal amwount lóffósch aighúúghúl fiscal year.

(b) Budget nge rebwe manage-li reel rebwe amwuri sefáliiy gastool eew maram, me evaluate-li ngare cumulative expenditures aighúúghúl ianaamwo maram fa nge e ghitighiititw ngare weewe ngáli llapal marama kkela aa expiredló llól fiscal year times 1/12 reel budget appropriation bwe abwóssul child care.

(c) Ngare Child Care Program e mángiiy bwe budget appropriation ese mmwey nge ebwe aluuwól, arongorong reel mwóghut reel fféer kka ese ghatch emmwel ebwe issue bwe ebwe aighúúg llappeer ate kka rekke bweibwogh subsidies llól inaanwo maram fa. Mángemáng yeel nge elo ngáli tipal Child Care Program;

(d) Akkayúúlóól case, suspension ngare reduction reel benefits, ngare rese mwuschál bwughi application nge rebwe prioritize-lil reel rebwe atabweey autol tálil ye 60-10-105.

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

**PUBLIC NOTICE OF PROPOSED AMENDMENT TO DEPARTMENT OF FINANCE
RULES AND REGULATIONS**

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands, Department of Finance, intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to requirements of 1 CMC § 9104(a) of the Administrative Procedure Act. The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The Department of Finance is empowered by statutory authority to adopt required regulations to aid in the implementation of Commonwealth laws. 1 CMC §§ 2557 (authority to adopt required regulations); 9101-9115 (Administrative Procedure Act).

THE SUBJECTS AND ISSUES INVOLVED: These proposed rules and regulations concern implementation of the authority granted to the Customs Service to enforce 6 CMC §§ 2301-2306, which are provisions of Title 6, *Crimes and Criminal Procedure* Division 2, *Contraband Offenses* Chapter 3, *Customs Violations*. Customs officers are granted this authority through 6 CMC § 2150(d). The specific issues involved are the procedures for disposition of property seized as contraband. 6 CMC § 2301.

THE TERMS AND SUBSTANCE: These regulations establish procedural due process available to individuals whose property has been declared as contraband.

TO PROVIDE COMMENTS: Send or deliver your comments to Larissa Larsen, Secretary of Finance, at the above address, with the subject line "Appellate Procedures for Contraband Seizure." 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 _____, 2011.

Submitted by: 
LARRISA LARSON
Secretary of Finance

9/23/11
Date

Received by: 
ESTHER S. FLEMING
Governor's Special Assistant for Administration


10/11/11
Date

Filed and Recorded by: 
ESTHER M SAN NICOLAS
Commonwealth Register

10-11-11
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 11 day of Oct., 2011.


EDWARD 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 70-10 (Customs Service Division)
Subchapter 70-10.1 (Customs Service Regulations)
Part 500 Customs Inspection Procedures
Section 70-10.1-540

Section 70-10.1-540, Confiscation of Merchandise, is amended by deleting this section in its entirety and replacing it with the following language:

70-10.1-540 Confiscation of Merchandise and Destruction of Contraband

(a) Merchandise - Prohibited. Pursuant to 4 CMC § 1411(c) and 6 CMC § 2150, prohibited or restricted merchandise imported into the Commonwealth and found during inspection shall be confiscated by the Service and turned over to an appropriate Commonwealth government agency within a reasonable time for proper disposition.

(b) Merchandise - Nonpayment of Tax. Merchandise on which the tax is not collected shall also be confiscated. Merchandise confiscated by the Service due to nonpayment of tax must be claimed and the tax paid by the owner or consignee within ten days from the date the merchandise was confiscated

(c) Contraband – Merchandise found to be contraband, as defined by 6 CMC § 2301(a), shall be forfeited and destroyed after provision of notice to owner and opportunity to challenge such determination.

(1) Individuals whose property has been declared to be contraband shall be given written notice of such classification and the opportunity to appeal such determination within 30 calendar days of issuance of notice.

(2) If an individual requests a hearing within the time period provided, the Customs Division shall provide a disinterested hearing officer to consider information presented by the owner.

(3) Hearing shall be limited to presentation of information by the owner as to why determination by Customs Division of contraband merchandise is improper.

(4) Upon consideration of information presented, the hearing officer shall make a written determination within 30 calendar days of the hearing. If the hearing office supports a finding that the merchandise is contraband,

the Customs Division shall destroy the merchandise following a ten-day opportunity for appeal to the Secretary of Finance. If the hearing officer determines that the merchandise is not contraband, it shall be returned to the owner upon payment of all applicable excise taxes.

(5) If no appeal is taken from a finding of the hearing officer that the material is contraband, the material shall be destroyed by Customs and the owner shall be liable for all reasonable costs associated with destruction of the merchandise.

(6) During the ten-day period after the decision of the hearing officer and during any period of appeal the Customs Division is prohibited from destroying property unless the Director of Customs makes a written determination that the merchandise presents an imminent health and or safety hazard.

Commonwealth Gi Sangkattan Na Islas Marianas Siha

**Dipattamentun Fainansiât
Larrisa Larson, Sekretâria
Dipattamentun Fainansiât,
P.O. Box 5234
Capitol Hill, Saipan MP 96950
Tel: 664-1100**

NUTISIAN PUBLIKU PUT I MANMAPROPONI NA AMENDASION I AREKLAMENTU YAN REGULASION SIHA PARA I DIPATTAMENTUN FAINANSIÂT

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÂPTA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sangkattan na Islan Marianas siha, i Dipattamentun Fainansiât, ha intensiona para u adâpta kumu petmanenti na regulasion siha ni mañechettun i Manmaproponi na Regulasion siha, sigun gi dinimânda siha gi 1 CMC 9104(a) gi Âktun Administrative Procedures . I Regulasion siha para u ifektibu gi halum dies(10) dihas dispues di adâptasion yan publikasion gi halum i Rehistran Commonwealth (1 CMC § 9105(b))

ÂTURIDÂT: I Dipattamentun Fainansiât fuetsa ginin i âturidât estatua para u adâpta i madimânda na regulasion siha para u inayuda gi halum i implementasion i lain Commonwealth siha. 1 CMC §§ 2557 (âturidât para u adâpta i madimânda na regulasion siha); 9101-9115 (Âktun Administrative Procedure).


I SUHETU NI MASUMÂRIA YAN ASUNTU NI TINEKKA SIHA: Esti i manmaproponi na areklamentu yan regulasion siha gai intires i implementasion gi âturidât ni manâ'i para i Sitbision Customs para u enforce 6 CMC §§ 2301-2306, ni gai probension siha gi Titulu 6, *Crimes yan Criminal Procedure Division 2, Contraband Offenses* Kapitulu 3, *Customs Violations*, Customs officers ni manâ'i ni esti na âturidât kontra i 6 CMC § 2150(d). I propiu na manera siha ni mantinekka i procedural para i dispusision i propiedât machuli' kumu masodda' na contraband. 6 CMC § 2301.

I TEMA YAN I SUSTÂNSIAN I PALÂBRA SIHA: Esti na regulasion siha ha istapblise ya ha na'guaha procedural due process para todû indibiyuât siha ni manggai propiedât ni manmadiklâra kumu contraband.

PARA U MAPRIBENIYI OPIÑON SIHA: Na'hanâgui osino intrega i opiñon-mu guatu gi as Larrisa Larson, Sekretâriân Fainansiât gi sanhilu' na address, yan i râyan suhetu "Appellate Procedures for Contraband Seizure." Todû opiñon debi na u fanhâlum trenta(30) dihas ginin i fetchan i publikasion esti na nutisia. (1 CMC § 9104(a)(2))

Esti i manmaproponi na regulasion siha manma'aprueba ginin i Sekretâria gi _____, 2011

Nina'hâlum as:



LARRISA LARSON
Sekretârian Fainansiât

9/23/11

Fetcha

Rinisibi as:


ESTHER S. FLEMING
Ispisiât Na Ayudânti Para I Atministrasion

10/11/11
Fetcha

Pine'lu yan
Ninota as:


ESTHER M. SAN NICOLAS
Rehistran Commonwealth

10.11.11
Fetcha

Sigun i 1 CMC § 2153(e) (Inapruedan Abugâdu Henerât i regulasion siha na para u macho'gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inapruedan Abugâdu Henerât) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manmaprueda kumu fotma yan sufisienti ligât ginin i CNMI Abugâdu Henerât yan debi na u mapublika, 1 CMC § 2153(f) (publikasion areklamentu yan regulasion siha).

Mafetcha gi diha 11 gi OCT, 2011.


EDWARD BUCKINGHAM
Abugâdu Henerât

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

Titulun Regulasion: Kodigun Administrative i Sangkattan na Islas Marianas
Titulu 70 (Dipattamentun Fainansiát)
Kapitulu 70-10 (Dibision Sitbision Customs)
Subchapter 70-10.1 (Regulasion Sitbision Customs Siha)
Påtti 500 Customs Inspection Procedures
Seksiona 70-10.1-540

Seksiona 70-10.1-540, Machuli' ifektus, ni ma'amenda ginin i mana'suhan esti na seksiona gi interimenti yan tinahgui ni sigienti na linguåhi:

70-10.1-540 Machuli' Ifektus yan Distrosun i Maprohibi

(a) **Ifektus – Maprohibi.** Sigun i 4 CMC § 1411(c) yan i 6 CMC § 2150, maprohibi pat mapribi i ina'hålum ifektus hålum gi Commonwealth yan masodda' gi duråntin rikunosimentu ya debi na u machuli' ginin i Sitbisio yan u mana'hålum guatu gi apropositu gi ahensian gubietnamentun Commonwealth gi halum i risonåpbli na tiempu para i propiu na dispusion.

(b) **Ifektus – Nonpayment i Tax.** I ifektus ni ti ha rikohi i tax debi lokkui' na u machuli'. I ifektus ni machuli' ginin i Sitbisio put nonpayment i tax debi na u ma-claimed yan i tax u inapåsi ni dueñu pat i consignee gi halum i dies(10) dihas ginin i fetchan ifektus ni machuli'.

(c) **Contraband – I ifektus ni masodda' na contraband,** kumu madifina ginin i 6 CMC § 2301(a), debi na u ma-forfeited yan u madistrosa dispues i probensjon i nutisia para i dueñu yan opottunidåt para u kontra i detitminasion.

(1) **Todu indibiyuåt siha ni gai propiedåt ni madiklåra na contraband debi na u manå'i nutisian tinigi' gi klåsin klasifikasion yan i åpottunidåt para u apela i klåsin detitminasion gi halum i trenta(30)dahas gi kalendåriu gi malaknus i nutisia.**

(2) **Yanggin i indibiyuåt manggågåo hinekkunguk gi halum i tiempu ni mapribeniyi, i Dibision Customs debi na pribeniyi i ufisiåt ni tai intires hinekkunguk para u kunsidera i imfotmasjon ni maprisenta ginin i dueñu.**

(3) **I hinekkunguk debi na u mamidi para i presentasion imfotmasjon ginin i dueñu kumu para håfa i detitminasion ginin i Dibision Customs gi contraband ti propiu na ifektus.**

(4) **Sigun i kunsiderasion i imfotmasjon ni maprisenta, i hearing officer debi na u fa'tinas tinigi' detitminasion gi halum i trenta(30)dahas gi kalendåriu gi hinekkunguk. Yanggin i hearing officer ha supotta i sinedda' na i ifektus contraband, i Dibision Customs debi na u distrosa i ifektus gi sigienti dies-dahas na opottunidåt para u apela guatu gi Sekretårian Fainansiåt. Yanggin i hearing officer ha detitmina na i ifektus ti contraband, debi na u mana'la'lu' guatu gi dueñu i apas tod u i applicable excise taxes.**

(5) Yanggin tâya' inapela machuli' ginin i sinedda' i hearing officer na i matiriât contraband, i matiriât debi na u madistrosa ni Customs yan i dueñu na debi na u liable para todû i reasonable costs associated i madistrosan ifektus.

(6) Gi durântin i dies-dahas na tiempu dispues i disision i hearing officer yan durântin hâfa na tiempun inapela i Dibision Customs maprohibi ginin i madistrosan propiedât solu i Direktot i Customs mama'tinas tinigi' detitminasion na ifektus ha presenta imminent health yan pat safety hazard.

Commonwealth of the Northern Marianas Islands
Department of Finance
Larrisa Larson, Secretary
Department of Finance,
P.O. Box 5234
Capital Hill, Saipan MP 96950
Tel. 664-1100

ARONGORONGOL TOULAP REEL POMMWOL SSIWEL REL ALLEGH KKAL LLÓL DEPARTMENT OF FINANCE

MANGEMANGIL MWÓGHUT YEEL BWE EBWE ADAPTALI POMMWOL ALLEGH KKAAL:
Commonwealth of the Northern Mariana Islands, Departementol Finance emwuschel bwe ebwe adoptali allegh kka e appasch ngeli Proposed Regulations sengi allegh 1 CMC §910(a) rel Administrative Procedure Act. Allegh kkal ebwe effective 10 raal mwiril ra adoptali me appaschlong llól Commonwealth Register. (1 CMC § 9105(b))

BWÁÁNGIL:

Departementol Finance sengi statutory authority e ngaley yaal lemelem ebwe adoptali allegh kkal bwe ebwe alilis le fféeru alleghul lay llól Commonwealth. 1CMC §§ 2557(Bwuung le adoptali allegh kkal):9101-9115 (Administrative Procedure Act).

KKAPASAL ME ÓUTOL

Pommwol allegh kkal ebwe awora me ngalley lemelem ngeli Customs Service rel yaar rebwe amamawa 6 CMC §§ 2301-2306, sengi provisions merel Title 6, Crimes and Criminal Procedure Division 2, Contraband Offenses Chapter 3, Customs Violations. Schóól angangal Custom re ngaler lemlem iyel sengi 6 CMC § 2150(d). Specific issues kkal e attolongaay mwoghutughut rel ngare rebwe attaraló pisegh kka re schungi bwe contraband. 6 CMC §2301

KKAPASAL ME AWEEWEL:

Allegh kkal ebwe ayoora procedural due process ngaaliir aramas kka re declaro lli piseghiir bwe contraband.

ISIISILONGOL MWALIILI:

Affanga ngare bwughiló yóómw mengimang rel Larissa Larsen, Secretary-il Finance rel address iye weilang me yaal subject line"Appellate Procedures for Contraband Seizure". 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 _____ 2011

lisaliyallong: 

LARRISA LARSON
Secretary of Finance

9/23/11

Ráál

Mwiir sangi: 

ESTHER S. FLEMING
Sów Alilisi Sów Lemelern

10/11/11

Ráál

Amwel sangi: 

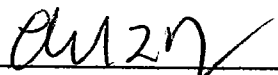
ESTHER M. SAN NICOLAS
Commonwealth Register

10.11.11

Ráál

Sangi 1 CMC § 2153(e) allegh kkaal aa lleghlo mereel AG bwe ebwe akkateewow reel feerul me 1 CMC § 9104(a)(3)(Aa bweibwogh alleghul sangi AG) pomwol allegh kka aa appaschlong aa takkal amwuri fischiy me anuungu lo deerul me legal sufficiency sangi CNMI Soubwungul Allegh lapalap me ebwele akkateewow, 1 CMC § 2153(f)(akkatéél allegh kkaal)

Ráálil iye Oct. 11, 2011.



EDWARD BUCKINGHAM,
Soubwungul Allegh Lapalap

NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE
TITLE 70
DEPARTMENT OF FINANCE REGULATIONS

Ital Allegh: Northern Mariana Islands Administrative Code
Title 70 (Department of Finance)
Chapter 70-10 (Customs Service Division)
Subchapter 70-10.1 (Customs Service Regulations)
Part 500 Customs Inspection Procedures
Section 70-10.1-540

Section 70-10.1-540, Bwughilól pisegh, ra amenda li bwe ebwe akkatowow alongal talil yel nge akkasiwel ngeli mwááilil kkal.

70-10.1-540 Bwughilól pisegh me destruction lil Contraband

- (a) Pisegh- Prohibited. Sengi 4 CMC §1411 (c) and 6 CMC §2150 pisegh mil allugh ikka e tolong llól Commonwealth nge re schuungi igha re kke inspection nge rebwe bwugiló rel Service nge ra ngalley bwulasiyo lól government iye e propio bwe ebwe attaral le lló.
- (b) Pisegh-Ese abwósch Tax. Pisegh kka ese abwos yaal tax nge rebwe bwughiló. Pisegh kka re bwughiló rel Sevice bwe ese abwós yaal tax nge rel rebwe bwughi sefali nge aramas iye yaal ngare consignee ebwe abossuw tax llól seigh ráál sengi ráál we re bwughilo pisegh.
- (c) Contraband: Pisegh kka re schungi bwe contraband, nge e affat rel 6 CMC § 2301(a), bwe rebwe bwughiló nge ra feerey ló. Ngare ra takkal aronga ngeliy mal le yaal
 - (1)Ngare re schungi piseghum bwe contraband rebwe iischi ngalugh arongorong rel classification yeel me 30 ráál sengi arongorong we re ngalegh bwe ubwe appeal.
 - (2)Ngare eschay aramas e tingor bwe ebwe yoor hearing lól tempo we re ngalley , Nge Customs Division ebwe ayoora disinterested hearing officer iye ebwe rághiy information kka merel aramas iye yaal.
 - (3)Hearing ebwe schaagh ngeli rongorongol merel aramas iye yaal rel meta bwulul
 - (4)Ngare ra taak le considerali alongal information kka re abwaritta nge hearing officer lól 30 ráál ebwe iisch yaal mangemang. Ngare hearing office e lóngooy me schungi bwe pisegh nge contraband, Division-il Custom ebwe feerey lló pisegh amwirimwiril seigh ráál rel yaar rebwe yóngali me tingor negli Secretary of Finance. Ngare hearing officer e bwunguló bwe pisegh we nge saabw contraband, ebwe sefal ngeli aramas we yaal ngare a abwósuló alongal excise tax.

(5)Ngare rese appeal-li schuungi yaal hearing officer bwe materiyóód we nge contraband, Custom rebwe feerey lló materiyóód we nge aramas iye yaal ebwe óbwosú alongal méél igha re feerey materiyóód yel.

(6)Llól seigh ráál mwiiril akkatowowol bwungul hearing officer me igha rekke appeal, Customs Division resabw feerey pisegh we ngare schaagh bwe Direkktood-il Custom e iischi mangemangil bwe pisegh we nge ese ghatch me e ammasagh.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Eloy S. Inos
Lieutenant Governor

DIRECTIVE NO. 282

DATE : September 30, 2011
TO : ALL DEPARTMENT AND AGENCIES
FROM : Governor
SUBJECT : WORK HOURS FOR FISCAL YEAR 2012
EFFECTIVE OCTOBER 3, 2011

Please be advised that the Government will continue to observe 16 austerity hours per pay period in Fiscal Year 2012, so as to adhere to the spending level budgeted for each department/agency in Public Law 17-55. However, unlike FY 2011, the 16 austerity hours will be observed every Friday.

During the austerity period, if a legally recognized holiday falls on a Friday, that day will be paid provided the employee has annual leave hours and applies for annual leave. Also during this period, tardiness and excessive abuse of work schedules will not be tolerated. Please take note of the following:

• **Hourly employees:**

- FLSA employment regulations are very specific with regards to time and attendance. For the purpose of this memorandum, I must point out that what is on the time card, unless noted otherwise, is the time worked, if you are overtime-eligible. In this regard, it has come to my attention that it has been common practice for employees to time in before the official office hours. I understand that some may say that the extra time is being volunteered, but this, too, is not allowable as the Commonwealth is prohibited by law from accepting voluntary unpaid services from its employees.

Employees are prohibited from timing in or out outside the official office hours of 7:30 a.m. to 4:30 p.m. If you come in early for work or from lunch, relax and

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 664-2200 /2300 Facsimile: (670) 664-2211/2311

visit with friends until it is time to time in. Time-in at your scheduled work time, take your full hour for lunch, and time-out at 4:30 p.m., or the end of your work schedule. Everyone should be able to time-in or out within a minute or so of the exact time. The lunch period is one hour each day – exactly, or as close as you can come. Lunch hour will not be lengthened or shortened to make up for morning or afternoon time-in variances.

Timekeeping must be strictly enforced. Extra time worked without authorization or unauthorized absence must be viewed as a disciplinary problem. Absence without authority, whether through tardiness, excess sickness, or for other reasons, will be considered leave without pay. This results in a loss of your annual and sick leave for that pay period. You will not be authorized to work extra time to make up for unauthorized absences.

The time on the time card will be calculated exactly each day, hours and minutes, and added up at the end of the weekly pay period.

At the end of the second week, the end of the government pay period, the cumulative total will be calculated and rounded off to the nearest quarter hour (15 minutes). This one round-off will limit the difference between the time paid and the exact amount of time worked in the two-week pay period to less than 8 minutes. If, at the end of the two-week pay period, there is:

- less than 15 minutes of absence, no action will be required and the full period will be paid.
- absence of 15 minutes or more, but less than one hour, annual leave may be used to avoid the loss of leave accrual provided your supervisor approves the leave.
- time worked in excess of the authorized work week, the time will be paid, but may result in disciplinary action if the extra time was not approved.

All employees must pay special attention to avoid both absences and excess work time. *Time missed in the first week of a pay period cannot be made up in the second week without approval. Unauthorized absences will be subject to disciplinary action.* Unless annual leave and sick leave entitlement is lost due to unauthorized and unpaid absence, leave accrual rates will not be affected by the mandated decrease in weekly work hours.

All expected overtime hours must be approved in advance; except in cases of emergency situations will be reviewed on a case-by-case basis.

Salaried – Overtime exempt employees:

As salaried and overtime exempt employees you are expected to work whatever hours are required in order to accomplish your job duties and your portion of the Commonwealth's mission. On many occasions that involves work beyond normal work hours. As you are aware, you do not receive overtime or formal compensatory time-off.

You will not be deducted for minor tardiness or required to take annual leave to make up the time, unless such tardiness has become a frequent occurrence. Secretaries/Directors will address this personally if the situation should occur. I will directly deal with cabinet level members should this occur.

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 664-2200 /2300 Facsimile: (670) 664-2211/2311 :

Any non-work absences in excess of one-hour must be approved by each respective department's Secretary/Director, or in the case of cabinet members, by me or the Lt. Governor.

Thank you for your cooperation and understanding.



BENIGNO R. FITIAL

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 664-2200 /2300 Facsimile: (670) 664-2211/2311