

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



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**COMMONWEALTH REGISTER**

**VOLUME 34  
NUMBER 06**

**JUNE 29, 2012**

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# COMMONWEALTH REGISTER

VOLUME 34  
NUMBER 06

June 29, 2012

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**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
HEALTH CARE PROFESSIONS LICENSING BOARD**

*In the Matter of Tinian Health Center* )  
(Amendment of Practice Agreement for )  
Remote Supervision )

Case No. 2010-04

**TENTH AMENDMENT TO THE BOARD EMERGENCY ORDER #01  
APPROVING PRACTICE AGREEMENT AMENDMENT  
FOR REMOTE SUPERVISION**

**Summary of Amendments**

This amendment to this Order is entered today, May 24, 2012 pursuant to the Board's decision yesterday May 23, 2012, to extend this Order and the Practice Agreement required by this Order, another 90 days effective May 21, 2012. It also immediately authorizes physician assistant Juan B. Pangelinan and any other CNMI licensed physician assistant ("PA"), during the period this Order is in effect, to work at the Tinian Health Center ("THC"), under the supervision of Commonwealth Health Center's ("CHC") physician, Dr. Gregory Kothiemer, and any other CNMI licensed physician who has been granted privileges at CHC ER by the Commonwealth Health Corporation and has been approved by the Board to supervise PAs located at a site other than the same Tinian Health Center. This Order is valid through the end of the day of August 19, 2012.

**Discussion**

The "Health Care Professions Licensing Act of 2007" ("the Health Care Act" or "the Act"), 3 CMC §§ 2201 – 36, P.L. 15-105, requires that a physician assistant ("PA") be licensed by the Health Care Professions Licensing Board ("the Board") and that his/her conduct conform to certain statutory and regulatory standards and specific dictates.

The pre-existing regulations of the predecessor Medical Professions Licensing Board continue in effect, except as amended by the Board:

- (e) Except as otherwise provided herein, the regulations, guidelines, standards, and procedures related to the regulation of the functions and operation of a regulated health care professional and/or profession that are in force when this Act becomes effective, shall continue to apply until amended or repealed by the Board.

3 CMC §§ 2235(e). The Board has amended its regulations in part. 140 NMIAC 50-3 Commonwealth Health Care Professions Licensing Board Regulations. 30 Com Reg. 03, p28388 – 28426. It has not yet amended its PA regulations so the pre-existing regulations apply.

The Board's authority proceeds from the Act and the Administrative Procedure Act. The Act established the Board with complete jurisdiction, power and authority to regulate the health care professions. 3 CMC § 2204(a). The Board's powers include:

- To adopt rules and regulations to enforce the Act. 3 CMC § 2206(b);
- To issue, deny and condition licenses. 3 CMC § 2206 (c) ;
- To conduct disciplinary hearings to suspend or revoke licenses, 3 CMC § 2206 (h);
- To suspend or revoke a license. 3 CMC § 2206(k);
- To act summarily in the face of the likelihood of harm to:
  - i. the public health, safety or welfare; or
  - ii. to the patients of a health care professional who is regulated by this Chapter. 3 CMC § 2206(n).

A PA practicing with a license issued prior to the new Act and its new regulations continues as a licensee until the Board suspends or revokes that license:

For the transition period between the application of the old Medical Practice Act and the new Health Care Professions Licensing Act, specifically until new applicable Regulations are promulgated, each practicing member of each profession over which the Board has jurisdiction shall be deemed practicing with a license until regulations are promulgated for the respective profession and an indicated re-licensing application period has ended, or until the Board acts to suspend, modify, revoke or otherwise affect a license, whichever comes first.

140 NMIAC § 50.3-101-002.

At all times a PA shall have in place a "practice agreement" with a supervising physician. 140 NMIAC § 50.1-1220, 1230(d). Such agreement ordinarily provides the scope of a PA's activities and ensures that the physician will be available for consultation, and will review and co-sign patient records. It also provides that the physician co-signs for prescription of medication and other treatments, except that the PA may not prescribe DEA-controlled substances. 140 NMIAC § 50.1-1235.

The Administrative Procedure Act provides for license hearings, when a notice of a hearing is required, and defers to an agency's specific organic act. 1 CMC §§ 9108 – 10. This Order addresses an emergency situation coming under the specific "immediate and grave danger to the public" provision of the HCPLA, 3 CMC § 2206(n).

#### **Facts**

Dr. Priyantha Wijayagunaratne, the only physician at THC, has submitted his resignation effective December 1, 2010. However, beginning on Friday, November 12, 2010, Dr. Wijayagunaratne will be on sick leave until December 1, 2010. Accordingly, as of Monday, November 15, 2010, THC is without a physician.

THC requested the Board consider an Emergency Order to exempt THC's Mid-Level Provider, PA Juan B. Pangelinan, PA William R. Weiss and any other CNMI licensed physician assistant ("PA"), during the period this Order is in effect, to provide health care at THC through remote supervision. CHC, through Mr. John Tagabuel and Secretary Joseph K. Villagomez, has agreed to provide physician supervision to the physician assistants at THC. Supervision will be provided by the CHC's Emergency Room physician, Dr. Greg Kotheimer and any other CNMI licensed physician approved by the Board to supervise the physician assistant(s), located at a site other than the same Tinian Health Center.

#### **Board Findings and Conclusions**

The Board finds that it would be unfair to the people of Tinian to restrict physician assistants from practicing at THC merely because there is no full-time physician at the Center. This Order provides authority for remote supervision from Saipan. We will not continue the authority provided in this Order indefinitely but we will continue it for a time.

#### **Ruling and Ordering Paragraphs**

The Board having been fully advised in the premises of this matter, for the above-stated reasons, hereby Orders that:

1. Physician assistant Juan B. Pangelinan and any other CNMI licensed physician assistant during the period this Order is in effect, may work at the Tinian Health Center ("THC"), under the supervision of a CNMI licensed physician who has been granted privileges to the CHC ER by the Commonwealth Health Corporation and is located at a site other than the same Tinian Health Center.

A physician who is physically present at THC may only supervise a PA if he or she has entered into a valid practice agreement with that PA.

2. Supervision: Dr. Greg Kotheimer, other ER physicians at CHC, and any other CNMI licensed physician included in the valid Practice Agreement, which shall be approved by the Board, as supervising physicians.
3. The last Practice Agreement signed by Dr. Kotheimer and PA Pangelinan is extended for 90 days effective May 21, 2012 until the end of the day of August 19, 2012.
4. The agreement shall include:
  - a. The supervising physician(s) will provide adequate means for direct communication between themselves and the PA. The direct communication may occur through the use of technology, which may include but is not limited to, two-way radio, telephone, fax machine, modem, or other telecommunication device.
  - b. Daily emails shall be exchanged between the PA and the supervising physician for permitted prescriptions.
  - c. The database of patients on chronic or long-term scheduled medications shall be maintained and updated by the PA. The supervising physician to ensure adherence to the standard of care shall review it monthly.
  - d. Chart notes and prescriptions will be sent to the supervising physician for review and signature, as provided below.
  - e. The supervising physician shall closely monitor chronic pain contracts for adherence.
5. The physician assistants are authorized to prescribe:
  - a. Schedule III-V medications as follows:
    1. The PA is authorized to prescribe Schedule III through V medications as needed but shall be limited to prescribing, administering, and/or dispensing no more than 30-day supply. For refills, the supervising physician must co-sign the prescription and clearly write his DEA number on the prescription form. The supervising physician(s) shall review and sign chart notes within 30 days.
    2. All prescriptions for Schedule III-V medications written by the PA must be documented in the patient's chart and must include the name of the drug, dose, and route of administration, frequency, duration, quantity prescribed and name of supervising physician he consulted.
  - b. Schedule II medications as follows:
    1. In extreme emergency cases (myocardial infarction, motor vehicle trauma, certain fractures, pancreatitis, urethral and ureteral stones) Schedule II medications may be administered immediately, followed by a phone call to the supervising physician as soon as the patient is stable. In all other emergencies, Schedule II medications may not be prescribed, administered, or ordered without a verbal order from the ER physician on duty at CHC. The PA must first discuss the case with the ER physician. If the physician makes a verbal order for a Schedule II

medication it must be appropriately documented in the patient's chart (as described in "B" above).

2. All such prescriptions and chart notes must be presented to the supervising physician(s) within seven (7) days for co-signature. The PA shall be limited to prescribing no more than a 7-day supply and there will be no refills.
- c. All prescriptions will indicate the quantity of the medication being prescribed both numerically and alphabetically (e.g., "10" and "ten").
6. THC is to provide the Board a monthly report of the following:
  - a. Name(s) and date(s) of physician assistant(s) working at THC;
  - b. Name(s) and date(s) of supervising physicians at CHC ER;
  - c. Name(s) and date(s) of supervising physician(s) not from CHC ER whom the Board has expressly authorized under this Order;
  - d. Name(s) and date(s) of supervising physician reviewing chart notes and prescriptions for signature.
7. This Order is valid through the end of the day of August 19, 2012.
8. The Board shall review this matter at its next board meeting. THC management is invited to appear at that meeting or via conference call and update the Board on its efforts at recruiting a supervising physician.
9. A copy of this Order shall be placed in a public area of the Tinian Health Center. The Executive Director, or her designee, is directed to do the following in person or by electronic means:
  - a. Serve this Order on the physician assistant(s);
  - b. Serve this Order on the director of the Tinian Health Center;
  - c. Serve this Order on the CEO of the HealthCare Corporation;
  - d. Serve this Order on the supervising physicians at CHC's ER;
  - e. Serve this Order on the supervising physician(s) not from CHC ER;
  - f. Have this Order published in the next Commonwealth Register; and
  - g. Place this matter on the Board's agenda for ratification at its next board meeting.

A party seeking to appeal this Order is directed to 1 CMC § 9112 (b), which provides for judicial review of final orders within 30 days in the Commonwealth Superior Court. The Board believes that this is a final Order.



Ahmad Al-Alou, MD  
HCPLB Acting Chairman

Dated: May 24, 2012

Health Care Professions Licensing Board  
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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Benigno R. Fitial**  
Governor

**Eloy S. Inos**  
Lieutenant Governor

**EXECUTIVE ORDER No. 2012-06**

**SUBJECT:** DECLARATION OF A STATE OF DISASTER EMERGENCY AS REGARDS THE NORTHERN MARIANAS RETIREMENT FUND; AND EXECUTIVE REORGANIZATION OF THE NORTHERN MARIANA ISLANDS RETIREMENT FUND

**AUTHORITY:** Article III, §§ 10 and 15 of the Constitution of the Commonwealth of the Northern Mariana Islands and 3 CMC § 5121 of the Commonwealth Disaster Relief Act of 1979

**WHEREAS, THE RETIREMENT FUND HAS DECLARED ITSELF UNABLE TO PAY ITS CREDITORS** by bringing an action for bankruptcy in federal court, *In re Northern Mariana Islands Retirement Fund*, BK-12-0003. This action was subsequently dismissed from federal bankruptcy court on other matters of law and this problem is left without resolution. Until this problem is addressed, I find that the Retirement Fund will continue to disburse its remaining assets unsustainably to a handful of retirees until the benefits of all members in the retirement system will be depleted; the Retirement Fund has estimated that, without intervention, the Retirement Fund's current rate of collection and expenditures will leave it without assets within approximately two years. In order stabilize the Retirement Fund's cash outflow and ensure continued viability of the Fund, change must be effectuated now; and

**WHEREAS, THE RETIREMENT BOARD OF TRUSTEES CANNOT RESOLVE THESE PROBLEMS** as it currently does not have the minimum number of members needed for quorum requirements and cannot effectuate any change in the Retirement Fund's policies and financial strategies until more members are appointed; and

**WHEREAS, THE LIVELIHOOD OF THOUSANDS OF RETIREES DEPENDS UPON THE RETIREMENT FUND.** Because the Retirement Fund is the only source of income for many retirees, other savings cannot compensate for the rising cost of living in the CNMI. Left without a stable source of income, the security of many retirees will be jeopardized as they may not be able to afford continued secure housing, healthcare, and may be subject to food uncertainty; and

**WHEREAS, A SIGNIFICANT PROPORTION OF THE POPULATION HAS BASED ITS FINANCIAL PLANNING UPON RETIREMENT FUND BENEFITS.** Because participation in the Retirement Fund has been mandated for government employees for years, and members have not been able to participate in the U.S. Social Security System, most members have relied upon these funds as part of their savings and have not prepared other retirement plans; and

**WHEREAS, THE RETIREMENT FUND IS A VITAL PART OF THE STRUGGLING CNMI ECONOMY** because a large percentage of the population derives its only income from retirement benefits. The abrupt end to the infusion of Retirement Fund benefits into the economy will result in a lower tax base, which will threaten the availability of vital government services; and

**WHEREAS, THE LOSS IN CONFIDENCE IN THE RETIREMENT FUND** and the ability of the Commonwealth to invest in the future of its citizens will encourage a brain drain, driving away talented young citizens who would pursue more secure futures, further impeding the growth of the economy and the stability of the culture; and

**WHEREAS, SUCH CONDITIONS AS DESCRIBED WOULD BE A DISASTER** for the people of the Commonwealth; and

**WHEREAS, IT IS THE RESPONSIBILITY OF THE GOVERNMENT** of the CNMI to take steps to increase the Retirement Fund's longevity, uphold its promises to its senior citizens, and therefore prevent the social and economic disaster that would result from the imminent disintegration of the Retirement Fund; and

**WHEREAS, Section 15, Article III of the Constitution of the Commonwealth of the Northern Mariana Islands** empowers the Governor may make changes to the allocation, functions, and duties of offices, agencies, and instrumentalities of the executive branch necessary for efficient administration; and

**WHEREAS, Section 15, Article III of the Constitution** states that if such changes affect existing law, they shall be set forth in executive orders which shall be submitted to the legislature and shall become effective sixty days after submission, unless specifically modified or disapproved by a majority of the members of each house of the legislature; and

**WHEREAS, there exists substantial uncertainty** and in the resolution Commonwealth and Federal Courts; and that these legal actions have had the effect of removing the policy-making actors in the Legislative Branch and Executive Branch from direct engagement and resolution of Retirement Fund issues; and

**WHEREAS, the debts and obligations of the Retirement Fund** are ultimately the debts and obligations of the Commonwealth of the Northern Mariana Islands pursuant to NMI Const. art. III, section 20(a), and it is inefficient and senseless to have intra-governmental litigation when the Commonwealth is ultimately responsible, acknowledges its responsibility and desires fulfill its duties; and

**WHEREAS, the Retirement Fund** has initiated numerous lawsuits against the Commonwealth Government and other governmental units despite the fact that it is a part of the same government, and that these lawsuits have caused great expense to the Retirement Fund and Commonwealth,

**WHEREAS**, substantial uncertainty is engendered by the lawsuits as it relates to creating a comprehensive policy towards the Retirement Fund, retirees and active employees in the Retirement Fund; and that these legal actions have had the effect of removing the policy-making actors in the Legislative Branch and Executive Branch from direct engagement and resolution of Retirement Fund issues; and

**WHEREAS**, the functions, duties and responsibilities assigned by law under Title 1, Section 8311 *et seq.* of the Commonwealth Code to the Retirement Fund as well as the duties and obligations of the CNMI can be more efficiently carried out under the supervision and administration of the Secretary of Finance and the Department of Finance; and

**WHEREAS**, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the executive branch; and

**WHEREAS, DECLARATION OF A STATE OF DISASTER EMERGENCY AS REGARDS THE NORTHERN MARIANAS RETIREMENT FUND AND EXECUTIVE REORGANIZATION OF THE NORTHERN MARIANA ISLANDS RETIREMENT FUND**, I intend to enable the Retirement Fund to continue to provide necessary services to the retirees. This Declaration and executive Reorganization is necessary to protect the health and safety of our senior citizens, businesses, and all other CNMI residents and visitors as well as further the interests of efficient administration and effectiveness of government.

**NOW, THEREFORE**, I, Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands, pursuant to the powers vested in me by the Constitution of the Commonwealth of the Northern Mariana Islands and statutes, do hereby,

**DECLARE** that a State of Disaster Emergency for the Commonwealth of the Northern Mariana Islands is exists due to the imminent threat of disruption to the economic and societal health of the Commonwealth that would be caused by the failure of the Retirement Fund.

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

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

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

**ORDER** that under authority of this Executive Order and with the goal of mitigating or ameliorating the above described crises, I immediately suspend the power of the Retirement

Fund Board of Trustees and assume all of the executive power of the Retirement Fund which shall include any and all powers vested in the Board of Trustees and the Retirement Fund's administrator. This executive power shall be exercised either by me or by an individual so designated.

**ORDER** that, pursuant to my constitutional reorganization powers, within 60 days of the effective date of this Executive Order,

1. All the statutory authority, powers, duties, functions and responsibilities of the Northern Mariana Islands Retirement Fund as found in Title 1, Division 8, Part 3, Chapters 1 through 10 of the Northern Mariana Islands Commonwealth Code, and any regulations promulgated thereby, are hereby transferred to the Department of Finance under the management and control of the Secretary of Finance.

2. All the statutory authority, powers, duties, functions and responsibilities of the Board of Trustees of the Northern Mariana Islands Retirement Fund as found in Title 1, Division 8, Part 3, Chapters 1 through 10 of the Northern Mariana Islands Commonwealth Code, and any regulations promulgated thereby, are hereby transferred to the Secretary of Finance, and the Board of Trustees is hereby abolished and shall cease to exist.

3. All records and property (real or personal) of the Northern Mariana Islands Retirement Fund and all the personnel used in the administration of the Retirement Fund (including employees whose chief duties relate to such administration) are hereby transferred to the Department of Finance. All personnel transferred pursuant to this Executive Order shall maintain their current positions and status in the classified civil service or in the excepted service as the case may be. The Office of Personnel Management shall ensure an orderly transfer of personnel.

4. The unexpended balances of appropriations, allocations, allotments, or other funds available for the use of the Retirement Fund on the effective date of the transfer are transferred to the Department of Finance on the effective date of this transfer. In the transfer of such funds, an amount may be included for the liquidation of obligations incurred prior to the transfer. Subsequent to the transfer, Northern Mariana Islands Retirement Fund operations shall be reflected in the annual budget of the Department of Finance.

5. The Secretary of Finance shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Executive Order.

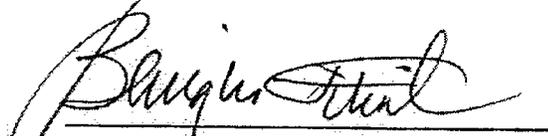
**PROVIDE** that all rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Executive Order shall continue to be effective until revised, amended, repealed or terminated.

**PROVIDE** that if any provision of this Executive Order or the application of any such provision to any person or circumstance should be held invalid by a court of competent

jurisdiction, the remainder of this Executive Order or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

**PROVIDE** that this Executive Order shall become effective immediately upon the federal bankruptcy court in *In re Northern Mariana Islands Retirement Fund*, BK-12-0003, filing its judgment dismissing the action.

**SIGNED AND PROMULGATED** this 7<sup>th</sup> day of June, 2012



\_\_\_\_\_

**Benigno R. Fitial**  
Governor

Commonwealth of the Northern Mariana Islands  
Department of Commerce  
Sixto Igisomar, Secretary  
Department of Commerce  
Caller Box 10007  
Capitol Hill, Saipan MP 96950  
Tel. 664-3077

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

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

**AUTHORITY:** The Secretary of Commerce ("Secretary") is empowered by statutory authority to adopt required regulations to aid in the implementation of Commonwealth laws. 1 CMC §§ 2453 (Department of Commerce duties and responsibilities); 2454(d) (authority to adopt required regulations); 9101-9115 (Administrative Procedure Act).

**THE SUBJECTS AND ISSUES INVOLVED:** These proposed rules and regulations concern implementation of 4 CMC § 6513 concerning Dormant and Inactive Accounts and Unclaimed Funds. The specific issues concern reporting, transfer, filing of claims, and escheat to the government.

**THE TERMS AND SUBSTANCE:** These regulations establish procedures for the handling of Dormant and Inactive Accounts and Unclaimed Funds held by agencies within the Commonwealth.

**TO PROVIDE COMMENTS:** Send or deliver your comments to Sixto Igisomar, Secretary of Commerce, at the above address, with the subject line "Dormant and Inactive Accounts and Unclaimed Funds Regulations." Comments are due within 30 days from the date of publication of this notice. (1 CMC § 9104(a)(2))

These proposed regulations were approved by the Secretary on June \_\_\_\_, 2012.

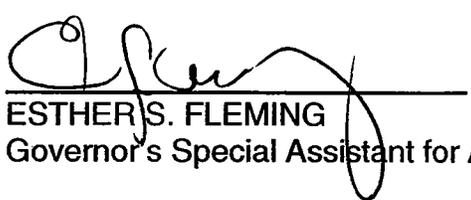
Submitted by:

  
SIXTO IGISOMAR  
Secretary of Commerce

Date

5/31/12

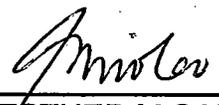
Received by:

  
ESTHER S. FLEMING  
Governor's Special Assistant for Administration

Date

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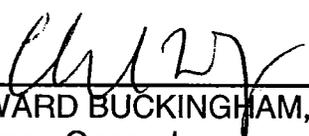
  
ESTHER M SAN NICOLAS  
Commonwealth Register

Date

06/20/2012

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 \_\_\_\_\_, 2012.

  
EDWARD BUCKINGHAM,  
Attorney General

6-13-12

**NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE  
TITLE 20  
DEPARTMENT OF COMMERCE REGULATIONS**

**Regulation Title:** Northern Mariana Island Administrative Code  
Title 20 (Department of Commerce)  
Chapter 20-20 (Division of Banking)  
Subchapter 20.4 (Dormant and Inactive Accounts and  
Unclaimed Funds Regulations)  
Part 001 Dormant and Inactive Accounts and Unclaimed  
Funds Regulations  
Sections 001- 006

The following new section shall be added to Title 20; Chapter 20-20 – Division of Banking.

**Subchapter 20-20.4 Dormant and Inactive Accounts and Unclaimed Funds Regulations**

**Part 001 - General Provisions**

**Section 20-20.4-001 Authority and Purposes**

(a) Authority. The authority for the promulgation and issuance of this subchapter is by virtue of 1 CMC § 2454 (authority to make Commerce Regulations) and 4 CMC § 6106(k) (authority to make banking regulations) and 6513 (Dormant and Inactive Accounts and Unclaimed Funds).

(b) Purpose. The purpose of this subchapter is to establish policies and procedures to implement and provide uniform enforcement of the Commonwealth statute 4 CMC § 6513 regarding treatment of Dormant and Inactive Accounts and Unclaimed Funds.

**Section 20-20.4-002 - Definitions**

(a) "Dormant Account" shall mean an account in which there has been no deposits into or withdrawals from the account for a period of thirty-six months.

(b) "Inactive Account" shall have the same meaning as a Dormant Account.

(c) "Abandoned Funds" shall mean the following: unidentified deposits as described in 4 CMC § 6513(e); exchanges, bank drafts, cashier's checks, or drafts as identified in 4 CMC § 6513(f); and unidentified loan payments as identified in 4 CMC § 6513(g).

**Section 20-20.4-003 – Initial Report to the Commonwealth**

(a) Within 30 days of adoption of these regulations, all banks operating in the CNMI shall prepare a report in compliance with the requirements of P.L. 17-69 § 3 and transmit to the Commonwealth Treasurer and Director of Banking.

(b) In the event the report is not made within 30 days of adoption of these regulations, a bank shall pay a late fee of \$5.00 daily for each day the report is late.

**Section 20-20.4-004 – Notice**

- (a) The notice and publication required under 4 CMC § 6513(d) shall also apply to Abandon Funds as identified in 4 CMC §§ 6513(e)-(g).
- (b) On November 1 and December 1 of each year banks shall publish the notification required under 4 CMC § 6513(d) for accounts that are classified as Dormant Accounts; Inactive Accounts; or Abandoned Funds under 4 CMC §§ 6513(a)-(c), (e)-(g). The publication shall be entitled “Notice of Inactive Bank Accounts” and shall contain:
  - (1) the names, in alphabetical order, and last known address, if any, of depositors of inactive accounts; and
  - (2) a statement that such funds shall be transferred to the Commonwealth Treasurer during the month of January of the following year.
- (c) In the event the notice and publication are not made by November 1 and December 1, a bank shall pay a late fee of \$5.00 daily for each day the report is late.

**Section 20-20.4-005 – Transfer of Funds to the Commonwealth**

- (a) The transfer of funds required under sections 4 CMC §§ 6513(d), (h) shall comply with the requirements identified in this section.
- (b) During the month of January of the year immediately following the publication required by section 20-20.4-004, a bank shall transfer to the Commonwealth Treasurer all balances of accounts as provided in 4 CMC §§ 6513(a)-(c), (e)-(g).
- (c) In the event the funds are not transferred by January 31 of the year immediately following the publication required by section 20-20.4-004, a bank shall pay a late fee of \$5.00 daily for each day the report is late.
- (d) Transfer of funds shall be accompanied by digital record in form established by the Commonwealth of the following information:
  - (1) name of accountholder or known owner;
  - (2) date of initial deposit or receipt of funds by bank;
  - (3) type of account or transaction;
  - (4) account identification number;
  - (5) amount of funds being transferred;
  - (6) charges imposed by bank prior to transfer;
  - (7) date of publication of notice, and
  - (8) date of transfer.

**Section 20-20.4-006 – Holding of Funds by the Commonwealth**

- (a) Funds transferred to the Commonwealth Treasurer under requirements of section 20-20.4-005 (“Transferred Funds”) shall be held in trust in a separate account for the original owners in a bank insured by the Federal Deposit Insurance Corporation.
- (b) Transferred Funds shall be held in an interest bearing account and shall accumulate interest as provided by the depository institution.
- (c) Transferred Funds shall be held in trust by the Commonwealth for a five-year period from date of notice by bank (“Five-Year Period”).

(d) Upon receipt of the Transferred Funds and each year thereafter during the Five-Year Period, the Department of Finance shall charge a one percent charge against the principal to cover administrative costs.

(e) After eighteen months beginning at the start of the Five-Year Period per Transferred Fund, the Department of Finance may use such Transferred Funds for the use of the General Fund, subject to 4 CMC § 6513(j).

(f) During Five-Year Period, owners of Transferred Funds may make claim on funds as identified in 4 CMC § 6513(j).

(g) Transferred Funds claimed by owners according to section 4 CMC § 6513(j) will be charged an administrative expense fee of one percent.

(h) Upon expiration of a five-year period from the date of notice required under 4 CMC § 6513(d) Transferred Funds and associated interest shall escheat to the Commonwealth and all claims of the owners of any nature extinguished.

**COMMONWEALTH GI SANGKATTAN NA ISLAN MARIANAS SIHA**

**Dipattamentun Kometsiu  
Sixto Igisomar, Sekretariu  
Caller Box 10007  
Capitol Hill, Saipan MP 96950  
Tel. 664-3077**

**NUTISIAN PUBLIKU PUT I MANMAPROPONIN NA AMENDASION AREKLAMENTU YAN REGULASION  
SIHA PARA I DIPATTAMENTUN KOMETSIU**

**MA'INTENSIONA NA AKSION PARA U MA'ADAPTA ESTI SIHA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA:** I Commonwealth gi Sangkattan na Islas Marianas siha, i Dipattamentun Kometsiu, ha intensiona para u adapta i maflechettun ni Manmaproponi na Regulasion siha, sigun gi madimanda siha gi Aktun Administrative Procedure 1 CMC § 9104(a). I Regulasion siha para u ifektibu gi halum dies (10) dihas dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105(b)).

**ATURIDAT:** I Sekretariun Kometsiu ("Sekretariu") ni na'i fuetsa ni aturidat estatua para u adapta i ginagagao na regulasion siha para u fanayuda gi halum i implementasion gi lain Commonwealth siha. I 1 CMC §§ 2453 (Dipattamentun Kometsiu upbligasion yan responsapblidat siha); 2454(d) (aturidat para u adapta i ginagagao na regulasion siha); 9101-9115 (Aktun Administrative Procedure).

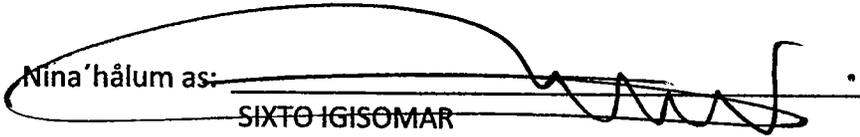
**I MASUHETU YAN ASUNTU NI MANTINEKKA:** Esti i manproponi na areklamentu yan regulasion siha intires implementasion i 4 CMC § 6513 ni tinetekka i Dormant yan Inactive Accounts yan Unclaimed Funds. I espisifiku na asuntu siha ni mantinekka gi rinipot, transferi, pine'lun i claims, yan para u na la'lu gi gubietnu.

**I TEMA YAN SUSTANSIAN PALABRA SIHA:** Esti na regulasion siha ha estaplesi manera siha para i manmaneha gi Dormant yan Inactive Accounts yan Unclaimed Funds ni mago'ti ni ahensia siha gi halum i Commonwealth.

**PARA U MAPRIBENIYI UPIÑON SIHA:** Na'hanagui pat entrega i imfotmasion-mu guatu gi as Sixto Igisomar, Sekretariun Kometsiu, gi sanhilu' na address, yan i rayan suhetu "Dormant yan Inactive Accounts yan Unclaimed Funds na Regulasion Siha." Todu imfotmasion siha debi na u fanhalum trenta(30) dihas ginin i fetchan esti na nutisian publikasion. (1 CMC § 9104(a)(2))

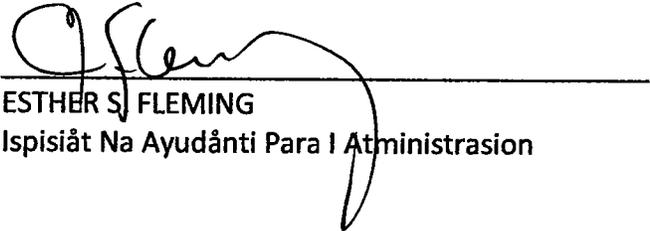
Esti i manmaproponi na regulasion siha manma'aprueba ni i Sekretariu gi Huniu \_\_\_\_\_, 2012.

Nina'hålum as:

  
SIXTO IGISOMAR  
Sekritariun Kometsiu

6/11/2012  
Fetcha

Rinisibi as:

  
ESTHER S. FLEMING  
Ispisiat Na Ayudanti Para I Administrasion

06/19/12  
Fetcha

Pine'lu yan  
Ninota as:

  
ESTHER M. SAN NICOLAS  
Rehistran Commonwealth

06/20/2012  
Fetcha

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

Mafetcha gi diha \_\_\_\_\_ gi \_\_\_\_\_, 2012.

  
EDWARD BUCKINGHAM  
Abugadu Henerat

6.13.12

**KODIGUN ADMINISTRATIVE SANGKATTAN NA ISLAS MARIANAS**

**TITULU 20**

**REGULASION DIPATTAMENTUN KOMETSU SIHA**

**Titulun Regulasion:** Kodigun Administrative Sangkattan na Islas Marianas  
Titulu 20 (Dipattamentun Kometsiu)  
Kapitulu 20-20 (Dibision Bångku)  
Subchapter 20.4 (Dormant yan Inactive Accounts yan  
Unclaimed Funds na Regulasion siha)  
Påtiti 001 Dormant yan Inactive Accounts yan Unclaimed  
Funds na Regulasion siha  
Seksiona siha 001-006

I sigienti ni mannuebu na seksiona debi na u mana'danña' guatu gi Titulu 20; Kapitulu 20-20 - Dibision Bångku.

**Subchapter 20-20.4 Dormant yan Inactive Accounts yan Unclaimed Funds na Regulasion Siha**

**Påtiti 001 - Prubension Heneråt Siha**

**Seksiona 20-20.4-001 Åturidåt yan Hinangai Siha**

(a) Åturidåt. I åturidåt para u macho'gui yan malaknus esti na subchapter ni ginin i bittut i 1 CMC § 2454 (åturidåt ni para u macho'gui i Regulasion Kometsiu siha) yan i 4 CMC § 6106(k) (åturidåt para u macho'gui' i regulasion bångku siha) yan 6513 (Dormant yan Inactive Accounts yan Unclaimed Funds).

(b) Hinangai. I hinangai esti na subchapter para u ma'estapblesi areklamentu yan manera para u implementa yan pribeniyi uniform enforcement gi estatuan Commonwealth 4 CMC § 6513 sigun gi tråtamentu gi Dormant yan i Inactive Accounts yan Unclaimed Funds.

**Seksiona 20-20.4-002 - Difinasion Siha**

(a) "Dormant Account" kumeke'ilekña debi na i account ni hagas tai dipositu siha gi halum pat linaknus ginin i account gi trentaisais (36) mesis na tiempu siha.

(b) "Inactive Account" debi na u parehu kumeke'ilekña kumu Dormant Account.

(c) "Abandoned Funds" kumeke'ilekña na debi i sigienti : ti ma'aidentifika i dipositu siha kumu madeskribi gi halum i 4 CMC § 6513(e); inatulaika siha; bank drafts, cashier's checks, pat drafts kumu ma'aidentifika gi 4 CMC 6513(f); yan ti ma'aidentifika na åpas dibi siha kumu ma'aidentifika gi 4 CMC § 6513(g).

**Seksiona 20-20.4-003 - Primet Ripot para i Commonwealth**

(a) Gi halum trenta(30)dahas ni adåptasion esti na regulasion siha, tod u bångku siha ni manmaneneha gi halum CNMI debi na u pripåra i ripot ni ha kumpli ni ginagagåo siha gi P.L. 17-69 § 3 yan u transmiti para i Commonwealth Treasurer yan i Direktot Bångku.

(b) Yanggin siakåsu na i ripot ti ha fa'tinas gi halum trenta(30) dihas gi adåptasion esti siha na regulasion, i bångku debi na u apåsi i atrasåo na muttu gi \$5.00 pesus gi kada diha i ripot ni umatrasåo.

#### **Seksion 20-20.4-004 - Nutisia**

(a) I nutisia yan publikasion ni madimãnda gi papa' i 4 CMC § 6513(d) debi na u aplika lokkui' para Abandon Funds kumu ma'aidentifika gi halum 4 CMC §§ 6513(e) - (g).

(b) Gi Nubembri 1 yan Disembri 1 kada sãkkan i bangku siha debi u publika i nutifikasion ni ginagagã gi papa' i 4 CMC § 6513(d) para i account siha ni manmaklasifika kumu Dormant Accounts; I Inactive Accounts; pat i Abandoned Funds gi papa' i 4 CMC §§ 6513(a) – (c), (e) – (g). I publikasion debi na u entitled "Nutisia gi Inactive Bank Accounts" yan debi u sahguan :

(1) i na'an siha, gi areklun âtfabetu, yan i uttimu matungu' na address, yanggin guaha, gi depositors i inactive accounts; yan

(2) i statement ni kumu fondu siha debi na u matransferi guatu gi Commonwealth Treasurer gi durãntin i mes Ineru gi sigienti sãkkan.

(c) Yanggin siakãsu i nutisia yan i publikasion ti mafa'tinas ântis di Nubembri 1 yan Disembri 1, i banku debi na u apãsi i muttan atrasão ni \$5.00 gi kada diha i ripot ni umatrasão.

#### **Seksiona 20-20.4-005 – Trinansferin Fondu Siha guatu gi Commonwealth**

(a) I trinansferin i fondu siha madimãnda gi seksiona siha gi 4 CMC §§ 6513(d), (h) debi lokkui' na u aplika i manmadimãnda siha ni manma'aidentifika gi halum esti na seksiona.

(b) Durãntin i mes Ineru gi sãkkan insigidas i sigienti i publikasion madimãnda gi seksiona 20-20.4-004, i bangku debi na u transferi guatu gi Commonwealth Treasurer tod u balãnsi siha gi accounts kumu mapribeniyi gi 4 CMC §§ 6513(a)-(c), (e)-(g).

(c) Yanggin siakãsu i fondu siha ti manmatransferi gi Ineru 31 gi sãkkan insigidas i sigienti na publikasion madimãnda gi seksiona 20-20.4-004, i bangku debi na u apãsi i muttan atrasão gi \$5.00 para kada diha i ripot ni umatrasão.

(d) I trinansferin i fondu siha debi na u inisgaihun ni digital record hãlum gi fotma ni ma'estapblesi ginin i Commonwealth gi sigienti na imfotmasion:

(1) i na'an i accountholder pat i matungu' na dueñu;

(2) i fetchan primet na dinipositu pat risibun i fondu siha ginin i bangku;

(3) klãsin account pat transaksion;

(4) numirun aidentifkan account

(5) kantidãn fondu siha ni matransferi;

(6) charges ni mapega ni bangku ântis di u transferi;

(7) fetchan publikasion nutisia; yan

(8) fetchan trinansferi.

#### **Seksiona 20-20.4-006 Gine'tin i Fondu siha ni Commonwealth**

(a) Fondu siha ni matransferi para i Commonwealth Treasurer gi papa' i manmadimãnda siha gi seksiona 20-20.4-005 ("Matransferin Fondu Siha") debi na u mago'ti gi halum i trust gi separão na account para i manmagãhit na dueñu siha gi bangku ni manma'insusurans ginin i Federal Deposit Insurance Corporation.

(b) I manmatransferi siha na Fondu debi na i interest bearing account yan debi na u ãomenta intires kumu mapribeniyi ginin i depository institution.

(c) I manmatransferi siha na Fondu debi na u mago'ti ni trust gi Commonwealth gi para singku-ãñu na tiempu ginin i fetchan nutisia gi bangku. ("Singku-Ãñu na Tiempu").

(d) Gigun i risibun i Trinansferin i Fondu siha yan kada sãkkan dispues i durãntin i Singku-Ãñu na Tiempu, i Dipattamentun Fainansiãt debi na u charge unu put sientu(1%) na charge kontra i prinsipãt para u kinibri i gãstun atministrasion siha.

- (e) Dispues di disi'otchu(18) mesis tinituhun i Singku-Åñu na Tiempu kada Trinansferin Fondu, i Dipattamentun Fainansiât siña ha usa kumu Trinansferin Fondu Siha para i usun i Fondun Henerât, i suhetu gi 4 CMC § 6513(j).
- (f) Gi durântin i Singku-Åñu na Tiempu, i mandueñu Trinansferin Fondu Siha siña mafa'tinas claim gi fundu siha kumu ma'aidentifika gi 4 CMC § 6513(j).
- (g) I Trinansferin Fondu siha u ma-claimed ni mandueñu siha sigun gi seksiona 4 CMC § 6513(j) para u ma-charged muttan âpas atministradot gi unu put sientu(1%).
- (h) Gigun mâkpu' i singku-åñu na tiempu ginin i fetchan nutisia madimânda gi papa' i 4 CMC § 6513(d) Trinansferin Fondu Siha yan i associated interest debi na u nala'lu guatu gi Commonwealth yan todû claims ni i mandueñu siha gi mânu nai mâttu i finatai-ña.

Commonwealth of the Northern Mariana Islands  
Department of Commerce  
Sixto Igisomar, Secretary  
Department of Commerce  
Caller Box 10007  
Capital Hill, Saipan MP 96950  
Tel. 664-3077

**ARONGORONGOL TOULAP REEL POMWOL ALLÉGH ME ATIWLIGH KKA REBWE AMENDÁÁLI  
REEL DEPARTMENT OF COMMERECE**

**MÁNGEMÁNGIL MWÓGHUT YE EBWE ADAPTÁÁLI POMWOL ALLÉGH ME ATIWLIGH KKA:**  
Commonwealth of the Northern Mariana Islands, Department of Commerce emuschál ebwe adaptááli pomwol atiwlich kka e appasch, sáangi procedures Ikka e attabwey Administrative Procedure Act 1 CMC § 9104 (a). Atiwlich kkal ebwe bwunguló 10 ráll mwiril yaar adáptaáli me appaschalong lól Commonwealth Register. (1 CMC § 9105(b)).

**BWÁÁNGIL:** Secretary of Commerce (“Secretary”) eyoor bwáángil mereel statutory authority bwe ebwe adaptááli atiwlich kka a ffil reel ebwe alisi le fféeri alléghul Commonwealth. 1 CMC §§ 2453 (Department of Commerce duties and responsibilities); 2454(d)(bwáángil reel rebwe adaptááli atiwlich kka a ffil); 9101-9115 (Administrative Procedure Act)

**KKAPASAL ME ÓUTOL:** Pomwol allégh me atiwlich kkal nge reel rebwe ayoora me fééru 4 CMC § 6513 reel Dormant me Inactive Accounts me Unclaimed Fund. Mangemang kkal nge e toolong reel arongorong, amwet, me isisilongol claims, me meta kka ebwe mwet ngáli gobetno.

**KKAPASAL ME AWEWEEL:** Atiwlich kkal e ayoora mwoghutughut kka rebwe attabwey reel angangal Dormant me Inactive Accounts me Unclaimed Funds ikka re amwuschú mereel agencies kka lól Commonwealth.

**ATOTOOLONGOL MWALIILI:** Afanga me ngare bwughiló yóómw mángemáng reel Sixto Igisomar, Secretary of Commerce, reel address iye weilang nge subject line “Dormant and Inactive Accounts and Unclaimed Funds Regulations.” Isiisilongol mángemáng nge ebwe líól 30 ráll sáangi akkatowoowul arongorong yeel. (1CMC §9104(a)(2)).

POMWOL ATIWLIGH KKAAL E BWUNGULÓ MEREEL SECRETARY WÓÓL UNNYO \_\_\_\_\_ 2012,

Isáliyallong: \_\_\_\_\_

SIXTO IGISOMAR  
Secretary of Commerce

6/11/2012  
Ráil

Aramas ye: \_\_\_\_\_

E bwughi Esther S. Fleming  
Governor's Special Assistant for Administration

6/20/12  
Ráil

File me

Rekoodiliyal: \_\_\_\_\_

Esther M. San Nicolas  
Commonwealth Register

06/20/2012  
Ráil

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

Ráilil iye \_\_\_\_\_ rál lól \_\_\_\_\_, 2012

\_\_\_\_\_  
EDWARD T. BUCKINGHAM  
Attorney General

6-13-12  
Ráil

**NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE  
TITLE 20  
ATIWLIGHIL DEPATAMENTOL COMMERCE**

**lital Atiwligh : Northern Mariana Islands Administrative Code  
Title 20 (Department Of Commerce)  
Chapter 20-20 (Division of Banking)  
Subchapter 20.4 (Dormant and Inactive Accounts and Unclaimed Funds  
Regulation)  
Part 001 Dormant and Inactive Accounts and Unclaimed Funds Regulations  
Sections 001-006**

Section kka e ffé nge ebwe apasch ngáli Title 20: Chapter 20-20 –Division reel Banking.

**Subchapter 20-20.4 Atiwlighil Dormant me Inactive Accounts me Fundo kka rese claim lil.**

**Peighil 001- Milikka Autol**

**Section 20-20.4-001 Bwáángil me Bwúlúl**

(a) Bwáángil. Bwáángil reel arongowowul me isisiwowul subchapter nge sáangi 1 CMC § 2454 (bwáángil reel féérul Atiwlighil Commerce) me 4 CMC § 6106(k)(bwáángil reel féérul Atiwlighil bwóngkko) me 6513 (Accounts kka ra Dormant me Inactive me Unclaimed Funds).

(b) Bwúlúl. Bwúlúl subchapter yeel nge ebwe ayoora allégh me mwóghutughut kka ebwe wewe ló schagh reel rebwe féérú me ayoora me amamawa Commonwealth statute 4 CMC § 6513 reel angangal Dormant me Inactive me Accounts me Unclaimed Funds.

**Section 20-2-.4-002- Meta Faal**

(a) “Dormant Account” faal millel nge account iye esoor deposit me withdrawal ngáli account iyeel lól atol eliigh me oloow maram.

(b) “Inactive Account” faal millel nge ewewe faal me Dormant Account.

(c) “Abandoned Funds” faal millel nge unidentified deposits kka e affat lól 4 CMC § 6513 (e); exchanges, bank drafts, cashier’s check, me ngare drafts ikka e abwári lól 4 CMC § 6513(f) me unidentified loan payments kka e abwári lól 4 CMC § 6513(g).

**Section 20-20.4-003- A eewal Report ngáli Commonwealth**

(a) Lól 30 ráll reel igha re adáptáli atiwligh kkal, alongal bwóngkko kka lól CNMI nge rebwe ayoora report bwe ebwe ffil ngáli alléghul P.L. 17-69 § 3 me rebwe affanga ngáli Commonwealth Treasurer me Director –il Banking.

(b) Ngáre bwe esoor report e féér lól 30 raal reel igha re adáptáli atiwligh kkal, nge bwóngkko rebwe abwóssu \$5.00 late fee alongal ráll igha rekke atarasów yaar report.

#### **Section 20-20.4-004- Arongorong**

(a) Reel arongorong me akkatowowul ikka a ffil faal 4 CMC § 6513(d) Ebwe bwal applikka ngáli alongal Abandon Funds ikka e abwári lól 4 CMC §§ 6513(e)-(g).

(b) Wóól Nobembre 1 me Disembre 1 lól alongal ráágh, bwóngkko rebwe akkatowow arongorong igha e ffil faal 4 CMC § 6513(d) alongal accounts kka Dormant Accounts; Inactive Accounts; me ngare Abandoned Funds faal 4 CMC §§ 6513(a)-(c), (e)-(g). lital arongorong yeel nge ebwe “Notice of Inactive Bank Accounts” me ebwe yoor:

(1)lital depositors ebwe lo lól alphabetical order, iya igha re lolo iye ngare eyoor reer inactive accounts; me

(2)statement-il fundo bwe ebwe mweteló Commonwealth Treasurer lól maramal Eneero lól maram iye mwuril.

(c)Ngare e tooto bwe arongorong me akkatowow yeel ese féér mwal Nobembre 1 me Disembre 1, bwóngkko ebwe abwóssu \$5.00 late fee eerál igha ekke atarasów yaar report.

#### **Section 20-20.4-005- Atéwil Fundo ngáli Commonwealth**

(a) Atéw il fundo iye e ffil faal sections 4 CMC §§ 6513(d), (h) ebwe ffil ngáliy allégh kka e affat lól section yeel.

(b)Lól maramal Eneero lól rágh lal mwuril akkatotowowul igha e ffil reel section 20-20.4-004, bwóngkko ebwe atéw ngáli Commonwealth Treasurer alongal balances il accounts sáangi 4 CMC §§ 6513(a)-(c), (e)-(g)

(c) Ngare e tooto bwe fundo ese transfer mwál Eneero 31, lól rágh lal e towuw publication igha a ffil reel section 20-2-.4-004, bwóngkko ebwe abwóssu \$5.00 late fee eráll igha ekke atarasów report.

(d) Atéwil fundo nge ebwe fit me digital record féérúl Commonwealth reel information kkal.

(1)lital accountholder me malle yaal.

(2)Rálil ighat eghomwal deposit me ngare receipt il fundo merel bwóngkko.

(3)Meta kklósil account me ngare transaction.

(4)account identification number

(5)fitow lapal fundo e transfer.

(6)abwóss kka re ayoora mereel bwóngkko mwal ebwe atew.

(7)rállil publication reel notice, me

(8)rállil transfer.

#### **Section 20-20.4-006-Akkamwaschúl Fundoo mereel Commonwealth**

(a)Fundoo kka re transfer ngali Commonwealth Treasurer faal alléghul section 20-20.4-005(“Transfer Funds”)ebwe lo lól trust lól eew separate account iye yaal original owners lól bwóngkko iye e insured mereel Federal Deposit Insurance Corporation.

(b)Transferred Funds nge bwe lo lól interest bearing account me ebwe bweibwogh interest mereel depository institution.

(c)Transferred Funds nge ebwe lo lól trust mereel Commonwealth lól limoow rágh sáangi rálil arongorong mereel bwóngkko(“Five-Year Period”).

(d)Ngare ra resibilil Transferred Funds nge iteital rágh lól mila limoow Rágh, Department of Finance ebwe amwutali eew percent ngali principal reel ebwe abwóssu administrative cost.

(e)Mwiril seigh me waluuw maram bweletal milewe Limoow-Rágh Period per Transferred Fund, Department of Finance emwal ebwe yaya Transferred Funds reel General Fund, sáangi 4 CMC § 6513(j)

(f) Lól Five-Year Period , emwal schoo kka re yaya Transferred Funds rebwe claim wool funds kkal igha e affat lól 4 CMC § 6513(j).

(g)Transferred funds kka re claim lil reer schoo kka yaar sáangi section 4 CMC § 6513(j) nge rebwe abwóssu administrative expense fee reel eew percent.

(h)Ngare a mwutch lól limoow rágh sáangi rálil arongorong we faal 4 CMC§ 6513(d) Transferred Funds me akkaw interest ebwe mwet ngali Commonwealth me alongal claims mereel schóó kka yaar ebwe le mwó ló.



Commonwealth of the Northern Mariana Islands  
HEALTH CARE PROFESSIONS LICENSING BOARD  
P.O. Box 502078, #1242 Pohnpei Court  
Capitol Hill, Saipan, MP 96950  
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Email: [bpl@pticom.com](mailto:bpl@pticom.com)

## LICENSING ORDER 2012-01

GARY RAMSEY, MD

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### FACTUAL BASIS

This matter, regarding the license of Gary Ramsey, MD, came to the attention of the CNMI Health Care Professions Licensing Board. At that time of Dr. Ramsey's application for renewal of his license, the Board became aware of inconsistencies in information Dr. Ramsey provided on his most recent application for renewal and information he provided on previous applications. The inconsistent information pertained to whether another jurisdiction has ever placed conditions on Dr. Ramsey's license.

Dr. Ramsey has cooperated with the Board in resolving this matter and has submitted to voluntary proctoring and monitoring, as professionally desirable. The Board acknowledges Dr. Ramsey's thirteen years of practice of medicine in the CNMI, during which the Board has had no concern about any actual or alleged misconduct, malfeasance, or neglect in his practice.

### ORDER

The Amended Settlement Agreement dated June 27, 2012 and executed by the Acting Board Chairperson and Dr. Ramsey is RATIFIED AND CONFIRMED. The entirety of this Order is subject to the terms of the Amended Settlement Agreement, into which both parties have entered voluntarily. This Order may be modified or vacated if the Agreement is breached.

Accordingly, Licensing Order No. 2009-01 is hereby VACATED, together with the referenced license and related NPDB report sent by the Board on May 5, 2009. To the extent these rescissions have already been taken previously, this Order serves to ratify and reaffirm the same.

Dr. Ramsey is hereby ISSUED a Superseding Amended License with number 482, with an expiration date of June 30, 2014, superseding Dr. Ramsey's present license number 482, due to expire April 30, 2013.

Dated this 27<sup>th</sup> day of June, 2012.



Ahmad Al-Alou, M.D.

Acting Chairperson

CNMI Health Care Professions Licensing Board