



HOUSE OF REPRESENTATIVES
TWENTY-SECOND LEGISLATURE
COMMONWEALTH OF THE NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE
P.O. BOX 500586 SAIPAN, MP 96950

STANDING COMMITTEE REPORT NO. 22-9
DATE: APRIL 30, 2021
RE: HOUSE BILL NO. 22-26

The Honorable Edmund S. Villagomez
Speaker of the House of Representatives
Twenty-Second Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Health and Welfare to which House Bill No. 22-26 was referred, entitled:

“To amend 3 CMC §2204(e) to remove the limitation of terms for members to serve on the Health Care Professions Licensing Board; and for other purposes.”

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your Committee recommends that H. B. NO. 22-26 be passed by the House in the form of House Draft 1.

HOUSE CLERK'S OFF
RECEIVED BY *[Signature]*
DATE 052121 TIME 3:47pm

II. ANALYSIS:

A. Purpose:

The purpose of House Bill No. 22-26 is to amend 3 CMC §2204(e) to remove the limitation of terms for members to serve on the Health Care Professions Licensing .

B. Amendment:

The Committee made the following amendments to strengthen the intent of this Act.

1) Page 2, Lines 9 to 16, of the "Findings and Purpose" is amended to read as follows :

~~"This occurrence requirement hinders the progress of the HCPLB because of the relatively small pool of healthcare professionals available and willing to serve and the time it takes to identify, appoint, confirm, and train new appointees. due to the fact that they will have to wait for a new appointee and allow for such person to adjust accordingly. The legislature finds that this circumstance is exruciatingly time consuming and must be rectified. In removing the term limitation, board members who are willing to serve can be will be allowed to continue their work, and until he/she is no longer fit or willing to serve. T the HCPLB can save valuable resources that would otherwise be spent on recruiting and train will not have to spend any resourees in re-training any new appointees, unless a board member rejects his/her re-nomination."~~

C. Committee Findings:

Your Committee finds that Public Law 15-105 amended the Medical Practice Act of 1982 by repealing and reenacting sections of Chapter 12 of Division 2 of Title 1 and Chapter 2 of Division 2 of Title 3 of the Commonwealth Code. This Act was cited as the "Health Care Professions Licensing Act of 2007". Recognizing that the health care environment had significantly changed over the 20 plus years since the enactment of the Medical Practice Act of 1982, the Health Care Professions Licensing Act of 2007 updated the traditional health care model that will continue to evolve. The Act stated that the primary responsibility and obligation of the Health Care Professions Licensing Board (HCPLB) is to protect the people of the Commonwealth and in the interest of public health, safety and welfare, and to protect the public from unprofessional, improper, incompetent, unlawful, fraudulent and/or deceptive practice of the health care professions, it is necessary to provide statutes and regulations to govern the granting and subsequent use of the privilege to practice the health care professions.

Your Committee further finds that pursuant to 3 CMC §2204(e)(2), “No member may serve more than two consecutive four-year terms”. The Board is and shall be composed of five members appointed by the Governor: One member shall be a dentist, two members shall be physicians, and two members shall be health care professionals other than a physician or dentist. Each member shall be practicing in the Commonwealth. This requirement hinders the progress of the HCPLB because of the relatively small pool of healthcare professionals available and willing to serve and the time it takes to identify, appoint, confirm, and train new appointees. In removing the term limitation, board members who are willing to serve can be allowed to continue their work, and the HCPLB can save valuable resources that would otherwise be spent on recruiting and training new appointees.

Your Committee agrees with the intent of this Act, therefore, recommends that the House pass House Bill No. 22-26 in the form of House Draft 1.

D. Public Comments:

Comments were received from the following:

- 1) Mrs. Esther S. Fleming, Executive Director, HCPLB/BPL

Executive Director Fleming stated on her April 29, 2021 comments that “By removing the term limitations for Board members to serve on the HCPLB, this alleviates Board members with institutional knowledge to continue to serve on the Board to protect the health, safety and welfare of the Commonwealth people which is of paramount importance. Secondly, the rationale for this is to maintain consistency of the Board while promulgating new regulations and application processes without having key individual members leave during the proceeding because their terms are up. These only prolongs an already tedious process and reduces the effectiveness of the entire Board to carry out its duties and responsibilities.” The Health Care Professions Licensing Board is in full support of House Bill 22-26.

Comments received have been attached as part of this committee report.

E. Legislative History:

House Bill No. 22-26 was introduced by Representative Blas Jonathan T. Attao on March 16, 2021 and was subsequently referred to the House Standing Committee on Health and Welfare for disposition.

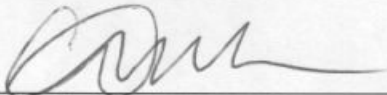
F. Cost Benefit:

The enactment of House Bill No. 22-26, HD1 will not result in additional cost to the CNMI Government thereby the HCPLB can save valuable resources that would otherwise be spent on recruiting and training new appointees.

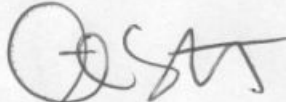
III. CONCLUSION:

The Committee is in accord with the purpose of House BILL NO. 22-26 and recommends its passage in the form of House Draft 1.

Respectfully submitted,



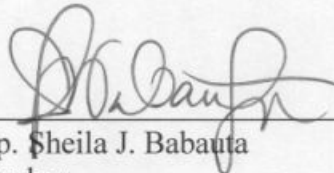
Rep. Christina M.E. Sablan
Chairwoman



Rep. Leila C. Staffler
Vice Chairman



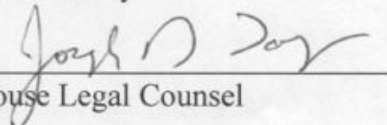
Rep. Blas Jonathan "BJ" T. Attao
Member



Rep. Sheila J. Babauta
Member

Rep. Donald M. Manglona
Member

Reviewed by:



House Legal Counsel

**HOUSE STANDING COMMITTEE ON HEALTH AND WELFARE
HOUSE OF REPRESENTATIVES
TWENTY-SECOND CNMI LEGISLATURE**

VOICE/ROLL CALL VOTE

DATE: April 30, 2021

MOTION: To amend HB 22-26, Findings and Purpose. Page 2, Line 9 to 16 to read as follows:

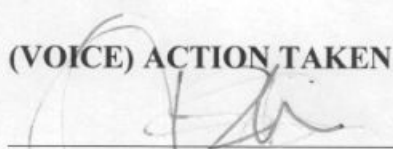
“This ~~occurrence~~ requirement hinders the progress of the HCPLB because of the relatively small pool of healthcare professionals available and willing to serve and the time it takes to identify, appoint, confirm, and train new appointees. ~~due to the fact that they will have to wait for a new appointee and allow for such person to adjust accordingly. The legislature finds that this circumstance is exruciatingly time consuming and must be rectified.~~ In removing the term limitation, board members who are willing to serve can be ~~will be~~ allowed to continue their work, and until he/she is no longer fit or willing to serve. ~~T~~ the HCPLB can save valuable resources that would otherwise be spent on recruiting and train ~~will not have to spend any resources in re-training any new appointees, unless a board member rejects his/her re-nomination.”~~”

MOTION OFFERED BY: Chair Christina Sablan

MOTION SECONDED BY: Rep. Sheila Babauta/Rep. Blas Jonathan Attao

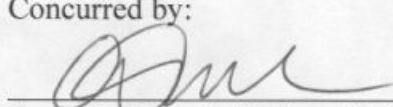
NAME		Present
1	Chair Christina Marie Elise Sablan	X
2	Vice Chair Leila Haveia Fleming Clark Staffler	Excused
3	Representative Blas Jonathan “BJ” T. Attao	X
4	Representative Sheila Therese Jack Babauta	X
5	Representative Donald Manalang Manglona	X

(VOICE) ACTION TAKEN: Chair declares that the “ayes” have it and the motion is carried.


Clarissa Sablan, House Legislative Assistant

Date: April 30, 21

Concurred by:


Rep. Christina E. Sablan, Chair

Date: 5/20/2021

**HOUSE STANDING COMMITTEE ON HEALTH AND WELFARE
HOUSE OF REPRESENTATIVES
TWENTY-SECOND CNMI LEGISLATURE**

VOICE/ROLL CALL VOTE

DATE: April 30, 2021

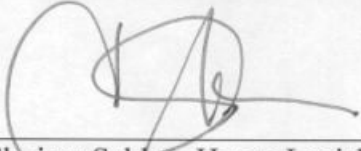
MOTION: To approve the adoption of HB 22-26, "To amend 3 CMC §2204(e) to remove the limitation of terms for members to serve on the Health Care Professions Licensing Board; and for other purposes." in the form of House Draft 1 and to draft a Standing Committee Report for its passage.

MOTION OFFERED BY: Rep. Blas Jonathan Attao

MOTION SECONDED BY: Rep. Sheila Babauta

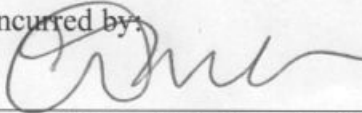
	NAME	Present
1	Chair Christina Marie Elise Sablan	X
2	Vice Chair Leila Haveia Fleming Clark Staffler	Excused
3	Representative Blas Jonathan "BJ" T. Attao	X
4	Representative Sheila Therese Jack Babauta	X
5	Representative Donald Manalang Manglona	X

(VOICE) ACTION TAKEN: Chair declares that the "ayes" have it and the motion is carried.




Clarissa Sablan, House Legislative Assistant

Date: April 30, 21

Concurred by:


Rep. Christina E. Sablan, Chair

Date: 5/20/2021



Seneta Tangetma



Commonwealth of the Northern Mariana Islands
HEALTH CARE PROFESSIONS LICENSING BOARD

P.O. Box 502078, Bldg., 1242 Pohnpei Court
Capitol Hill, Saipan, MP 96950
Tel No: (670) 664-4809 Fax: (670) 664-4814
Email: cnmi@cnmibpl-hcplb.net
Website: cnmibpl-hcplb.net



April 29, 2021

Tina Sablan
Chair, Health and Welfare Committee
House of Representatives
22nd Northern Marianas Commonwealth Legislature
Saipan, MP 96950

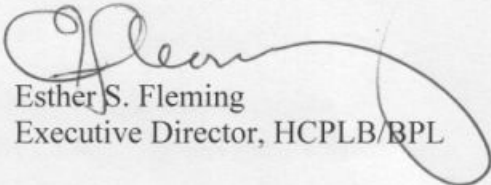
Dear Chairperson Sablan:

Thank you for allowing us to comment on House Bill 22-26. The bill proposes to remove the term limitation for Member Boards to serve on the Health Care Professions Licensing Board.

Currently, P.L. 15-105, can only serve two consecutive four-year terms. By removing the term limitations for Board members to serve on the HCPLB, this alleviates Board members with institutional knowledge to continue to serve on the Board to protect the health, safety and welfare of the Commonwealth people which is of paramount importance. Secondly, the rationale for this is to maintain consistency of the Board while promulgating new regulations and application processes without having key individual members leave during the proceeding because their terms are up. These only prolongs an already tedious process and reduces the effectiveness of the entire Board to carry out its duties and responsibilities. This also hinders the progress of the HCPLB and certainly time consuming.

On behalf of the HCPLB Board, we seek for your full support on HB 22-26 and we standby should there be any questions from the Committee members.

Thank you again.



Esther S. Fleming
Executive Director, HCPLB/BPL

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2021

First Regular Session, 2021

H. B. 22-26, HD1

A BILL FOR AN ACT

To amend 3 CMC §2204(e) to remove the limitation of terms for members to serve on the Health Care Professions Licensing Board; and for other purposes.

**BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that Public Law
2 15-105, entitled as the “Health Care Professions Licensing Act of 2007”, was
3 enacted to repeal and re-enact Public Law 3-30, as amended, also known as the
4 “Medical Practice Act of 1982”. Despite the changes in statutory language, it has
5 always been the intent of Public Law 15-105 to continue protecting the health,
6 safety, and welfare of the people of the Commonwealth. As a highly integral
7 independent regulatory agency established by Public Law 15-105, the Health Care
8 Professions Licensing Board (HCPLB) remains committed in carrying out such
9 mission by regulating all health care professions, with the exception of nursing. In
10 doing so, it is the obligation of the (HCPLB) to ensure that the quality of life and

1 health within our Commonwealth remains as the paramount objective for all who
2 call our islands home.

3 The Legislature also finds that pursuant to 3 CMC §2204(e), no member
4 within the HCPLB shall serve more than two consecutive four-year terms. This
5 limitation has proven to be problematic considering the composition of health care
6 professions that make up the Board. Such professions include a dentist, physician,
7 other health care professions (excluding dentists and physicians), and so forth. In
8 the event that a member fulfills his/her second term as a board member, such
9 vacancy must be filled by a new health care professional. This ~~occurrence~~
10 requirement hinders the progress of the HCPLB because of the relatively small pool
11 of healthcare professionals available and willing to serve and the time it takes to
12 identify, appoint, confirm, and train new appointees. ~~due to the fact that they will~~
13 ~~have to wait for a new appointee and allow for such person to adjust accordingly.~~
14 ~~The legislature finds that this circumstance is exerueiatingly time consuming and~~
15 ~~must be rectified.~~ In removing the term limitation, board members who are willing
16 to serve can be ~~will be~~ allowed to continue their work, and until he/she is no longer
17 ~~fit or willing to serve.~~ ~~T~~the HCPLB can save valuable resources that would
18 otherwise be spent on recruiting and train ~~will not have to spend any resourees in~~
19 ~~re-training any new appointees, unless a board member rejects his/her re-~~
20 ~~nomination.~~

1 Therefore, the purpose of this Act is to amend 3 CMC §2204(e) to remove
2 the limitation of terms for members to serve on the Health Care Professions
3 Licensing Board and for other purposes.

4 **Section 2. Amendment.** 3 CMC §2204(e) is hereby amended to read as
5 follows:

6 “(e) Terms.

7 (1) The term of office for members of the Board shall be four years,
8 and members shall serve staggered terms to ensure continuity.

9 (2) ~~No member may serve more than two consecutive four-year~~
10 ~~terms.~~ Upon the expiration of said terms successors shall be appointed with
11 like qualifications and in like manner for terms of four years each, and until
12 their successors are appointed and qualified.

13 (3) Vacancies shall be filled in the same manner as is provided for
14 appointment in the first instance. Any person selected to fill a vacancy shall
15 be appointed only for the remainder of the unexpired term.

16 (4) Notwithstanding any other provision of this section, any member
17 whose term has expired may serve without further confirmation until such
18 member’s successor has taken office.”

19 **Section 3. Severability.** If any provision of this Act or the application of
20 any such provision to any person or circumstance should be held invalid by a court
21 of competent jurisdiction, the remainder of this Act or the application of its

1 provisions to persons or circumstances other than those to which it is held invalid
2 shall not be affected thereby.

3 **Section 4. Savings Clause.** This Act and any repealer contained herein
4 shall not be construed as affecting any existing right acquired under contract or
5 acquired under statutes repealed or under any rule, regulation or order adopted
6 under the statutes. Repealers contained in this Act shall not affect any proceeding
7 instituted under or pursuant to prior law. The enactment of the Act shall not have
8 the effect of terminating, or in any way modifying, any liability, civil or criminal,
9 which shall already be in existence on the date this Act becomes effective.

10 **Section 5. Effective Date.** This Act shall take effect upon its approval by
11 the Governor or becoming law without such approval.

Prefiled: 3/2/2021

Date: 3/2/2021

Introduced by: /s/ Rep. Blas Jonathan "BJ" T. Attao
/s/ Rep. Celina R. Babauta
/s/ Rep. Sheila J. Babauta
/s/ Rep. Joel C. Camacho
/s/ Rep. Angel A. Demapan
/s/ Rep. Joseph A. Flores
/s/ Rep. Richard T. Lizama
/s/ Rep. Donald M. Manglona
/s/ Rep. Edwin K. Propst
/s/ Rep. Christina M.E. Sablan
/s/ Rep. John Paul P. Sablan
/s/ Rep. Ralph N. Yumul

Reviewed for Legal Sufficiency by:

/s/ Joseph L.G. Taijeron, Jr.
House Legal Counsel