

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2021

H. B. 22- 26

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 TWENTY SECOND 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 hinders
10 the progress of the HCPLB due to the fact that they will have to wait for a new
11 appointee and allow for such person to adjust accordingly. The Legislature finds
12 that this circumstance is excruciatingly time consuming and must be rectified. In
13 removing the term limitation, board members will be allowed to continue their work
14 until he/she is no longer fit or willing to serve. The HCPLB will not have to spend
15 any resources in re-training any new appointees, unless a board member rejects
16 his/her re-nomination.

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

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

1 “(e) Terms.

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

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

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

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

14 **Section 3. Severability.** If any provision of this Act or the application of
15 any such provision to any person or circumstance should be held invalid by a court
16 of competent jurisdiction, the remainder of this Act or the application of its
17 provisions to persons or circumstances other than those to which it is held invalid
18 shall not be affected thereby.

19 **Section 4. Savings Clause.** This Act and any repealer contained herein
20 shall not be construed as affecting any existing right acquired under contract or
21 acquired under statutes repealed or under any rule, regulation or order adopted


1 under the statutes. Repealers contained in this Act shall not affect any proceeding
2 instituted under or pursuant to prior law. The enactment of the Act shall not have
3 the effect of terminating, or in any way modifying, any liability, civil or criminal,
4 which shall already be in existence on the date this Act becomes effective.

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

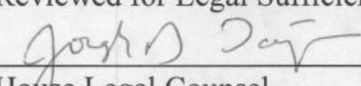
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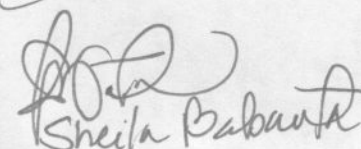
Introduced by:


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