September 30, 2008

The Honorable Isaac V. Figir  
Speaker  
15th FSM Congress  
Palikir, Pohnpei, FM 96941

RE:  C. A. No. 15-53

Dear Speaker Figir:

I am pleased to inform you that I have designated the following Congressional Act as Public Law No. 15-52:

Congressional Act No. 15-53, "AN ACT TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 403 TO MAKE ENROLLMENT IN MICARE MANDATORY FOR EMPLOYEES OF THE NATIONAL GOVERNMENT AND TO REQUIRE THAT POST SECONDARY INSTITUTIONS ENROLL IN MICARE BEFORE STUDENTS ARE PERMITTED TO ENROLL, AND BY AMENDING SECTION 406 TO DELETE THE REQUIREMENT THAT THE FUND MAINTAIN SEPARATE ACCOUNTS FOR EACH STATE, AND FOR OTHER PURPOSES."

Sincerely,

Manny Mori  
President

Enclosure:

XC:  Chief Justice, FSM Supreme Court  
Secretary, Department of Justice  
Legislative Counsel, CFSM  
Library, CFSM  
Director, SBOC  
PIO, FSM
September 21, 2008

His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Mori:

I have the honor to transmit herewith Congressional Act No. 15-53, "AN ACT TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 403 TO MAKE ENROLLMENT IN MICARE MANDATORY FOR EMPLOYEES OF THE NATIONAL GOVERNMENT AND TO REQUIRE THAT POST SECONDARY INSTITUTIONS ENROLL IN MICARE BEFORE STUDENTS ARE PERMITTED TO ENROLL, AND BY AMENDING SECTION 406 TO DELETE THE REQUIREMENT THAT THE FUND MAINTAIN SEPARATE ACCOUNTS FOR EACH STATE, AND FOR OTHER PURPOSES.", which was passed by the Fifteenth Congress of the Federated States of Micronesia, Fifth Regular Session, 2008, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liwiana K. Ramon
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
PRESIDENTIAL COMM. NO. 15-271
FSM CONGRESS

ACT NO. 15-53

(CONGRESSIONAL BILL NO. 15-65, C.D.1, C.D.2)

We hereby certify that on September 13 the foregoing act passed Second and Final Reading of the Fifteenth Congress of the Federated States of Micronesia, Fifth Regular Session, 2008, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Isaac V. Figir
Speaker
Congress of the
Federated States of Micronesia

Liwiana K. Ramon
Chief Clerk
Congress of the
Federated States of Micronesia
An Act

TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 403 TO MAKE ENROLLMENT IN MICARE MANDATORY FOR EMPLOYEES OF THE NATIONAL GOVERNMENT AND TO REQUIRE THAT POST SECONDARY INSTITUTIONS ENROLL IN MICARE BEFORE STUDENTS ARE PERMITTED TO ENROLL, AND BY AMENDING SECTION 406 TO DELETE THE REQUIREMENT THAT THE FUND MAINTAIN SEPARATE ACCOUNTS FOR EACH STATE, AND FOR OTHER PURPOSES.

INTRODUCED BY: SENATOR JOE N. SUKA (BY REQUEST)
DATE: SEPTEMBER 19, 2007

REFERRED TO: HEALTH, EDUCATION AND SOCIAL AFFAIRS COMMITTEE

FIRST READING: MAY 30, 2008
SECOND READING: SEPTEMBER 13, 2008

Liwiana K. Ramon
Chief Clerk, FSM Congress
AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 403 to make enrollment in MiCare mandatory for employees of the National Government and to require that post secondary institutions enroll in MiCare before students are permitted to enroll, and by amending section 406 to delete the requirement that the Fund maintain separate accounts for each State, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1. Section 1. Section 403 of the title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 8-53, 8-133 and 14-49, is hereby further amended to read as follows:

   "Section 403. Eligibility.

   (1) All full-time employees of the National Government of the Federated States of Micronesia shall participate in the plan.

   (2) Other persons who may participate in the plan are:

       (a) The full-time employees of each participating agency and business which has entered into a contract with the Director, as administrator of the plan, whereby such agencies or businesses have agreed to participate in the plan.

       (b) The dependents of full time employees of the National Government, participating agencies and participating businesses;
(c) Members of an employee's household who are dependent upon the employee, but are not otherwise defined as "dependents" under the provisions of this act, if the employee pays 100 percent of the premiums for such persons to the plan; 

(d) Government employees whose State or agency does not participate in the plan, and their dependents, if they pay 100 percent of the premiums for themselves and the dependents to the plan; and

(e) Former enrollees in the plan, and their dependents, if they pay 100 percent of the premiums for themselves and their dependents to the plan; and

(f) Full time students enrolled at any post secondary institution in the FSM, if the post secondary institution has entered into a contract of participation with the plan and the students pay 100 percent of the premiums for themselves to the plan."

Section 2. Section 406 of the title 52 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 6-114 and 8-53 is hereby further amended to read as follows:

"Section 406. Disposition of fund.

(1) All money deposited in the Employees' Health Insurance Fund shall be used to pay claims, except that a sum representing not more than ten percent of the estimated income for that year from contributions and

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income on investments may be expended for costs of
administration."

Section 3. This act shall become law upon approval by the
President of the Federated States of Micronesia or upon its
becoming law without such approval, with the exception that
subsection 403(1) of this act shall become effective October 1,
2009.

September 29, 2008

Manny Mori
President
Federated States of Micronesia