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A BILL FOR AN ACT

To further amend title 41 of the Code of the Federated States of Micronesia (Annotated), as amended, by creating a new chapter 12 to establish the COVID-19 Public Health Vaccination Act of 2022, and for other purposes.

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

1       Section 1. Title 41 of the Code of the Federated States of  
2 Micronesia (Annotated), as amended, is hereby amended by creating  
3 a new chapter 12 entitled: "COVID-19 Public Health Vaccination Act  
4 of 2022".

5       Section 2. Chapter 12 of title 41 of the Code of Federated  
6 States of Micronesia (Annotated), as amended, is hereby amended by  
7 inserting a new section 1201 to read as follows:

8               "Section 1201. Short title.

9               This Act may be referred to as the COVID-19 Vaccination  
10              Act."

11       Section 3. Chapter 12 of title 41 of the Code of Federated  
12 States of Micronesia (Annotated), as amended, is hereby amended by  
13 inserting a new section 1202 to read as follows:

14              "Section 1202. Statement of Policy.

15              It is hereby declared as a policy of the Federated States  
16              of Micronesia that requiring COVID-19 vaccinations for  
17              all persons in the Federated States of Micronesia is  
18              necessary to ensure the health, safety and welfare of the  
19              country."

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1 Section 4. Chapter 12 of title 41 of the Code of Federated  
2 States of Micronesia (Annotated), as amended, is hereby amended by  
3 inserting a new section 1203 to read as follows:

4 "Section 1203. Definitions.

5 For the purposes of this title, the following terms shall  
6 be given the meanings described herein:

7 (1) "Department of Health Services" means the  
8 Department within the executive branch of each State  
9 government within the FSM which is responsible for health  
10 service matters within a respective State.

11 (2) "FSM" means the Federated States of Micronesia.

12 (3) "Non-citizen" means a person who is not a citizen  
13 of the FSM.

14 (4) "Public service employees" means any person,  
15 whether permanently or otherwise, subject to the Public  
16 Service System under 52 F.S.M.C. § 204, employed by the  
17 FSM national government, or employed by a State  
18 government agency within the FSM that receives funding  
19 from the FSM national government.

20 (5) "Retired Persons" means any person actively  
21 receiving social security benefits from the FSM national  
22 government pursuant to 52 F.S.M.C. § 304 or retirement  
23 benefits from the FSM national government under 52  
24 F.S.M.C. §§ 505-506.

25 (6) "School" means a public, private or parochial

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1 nursery school, day care center, child care facility,  
2 family care home, head start program, kindergarten,  
3 elementary, or secondary school through grade twelve.

4 (7) "School aged children" means any person under the  
5 age of 18 years old that is enrolled in or attending  
6 school in the FSM.

7 (8) "Secretary of Health" means the Secretary of  
8 Health and Social Affairs of the Government of the FSM."

9 Section 5. Chapter 12 of title 41 of the Code of Federated  
10 States of Micronesia (Annotated), as amended, is hereby amended  
11 by inserting a new section 1204 to read as follows:

12 "Section 1204. Scope of COVID-19 Vaccine Mandate.

13 (1) The COVID-19 vaccine mandate under this Act  
14 applies to all school aged children, public service  
15 employees, and retired persons in the FSM, including both  
16 FSM citizens and non-citizens."

17 Section 6. Chapter 12 of title 41 of the Code of Federated  
18 States of Micronesia (Annotated), as amended, is hereby amended by  
19 inserting a new section 1205 to read as follows:

20 "Section 1205. COVID-19 Vaccination and Booster  
21 Requirements.

22 (1) All public service employees shall be vaccinated  
23 against COVID-19 as specified by the Secretary of Health  
24 for employment with the FSM national government or  
25 employment with any State government agency within the

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1 FSM that receives funding from the FSM national  
2 government. All public service employees shall provide a  
3 certification of COVID-19 vaccination, as specified by  
4 the Secretary of Health, to an appropriate official of  
5 the employer.

6 (2) All retired persons shall be vaccinated against  
7 COVID-19 as specified by the Secretary of Health in order  
8 to receive social security or retirement benefits from  
9 the FSM national government. All retired persons shall  
10 provide a certification of COVID-19 vaccination, as  
11 specified by the Secretary of Health, to an appropriate  
12 official of the national social security or retirement  
13 pension administration.

14 (3) All school aged children shall be vaccinated  
15 against COVID-19 as specified by the Secretary of Health  
16 in order to enroll or attend school within the FSM. All  
17 school aged children shall provide a certification of  
18 COVID-19 vaccination, as specified by the Secretary of  
19 Health, to an appropriate official of the school."

20 Section 7. Chapter 12 of title 41 of the Code of Federated  
21 States of Micronesia (Annotated), as amended, is hereby amended by  
22 inserting a new section 1206 to read as follows:

23 "Section 1206. Exemption from COVID-19 Vaccination and  
24 Booster Requirements.

25 (1) Persons in the following identified categories are

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1 exempt from the COVID-19 vaccine mandate under section  
2 1206:

3 (a) Children under the age of 5 years old; and  
4 (b) Person with a disability or medical condition  
5 that qualifies for a medical exception an provides a  
6 certified medical statement from a licensed physician  
7 that the disability or medical condition of the person is  
8 such that the required vaccination or booster would  
9 endanger the life or health of the person.

10 (2) The Secretary of Health, or his designee, in  
11 coordination with each State Department of Health  
12 Services, may provide, by regulation, further exemptions  
13 based upon sound medical practice."

14 Section 8. Chapter 12 of title 41 of the Code of Federated  
15 States of Micronesia (Annotated), as amended, is hereby amended by  
16 inserting a new section 1207 to read as follows:

17 "Section 1207. Regulations.  
18 The Secretary of Health, or his designee, shall  
19 promulgate and publish such rules and regulations as  
20 necessary to implement the COVID-19 vaccine mandate  
21 throughout the FSM. The Secretary of Health shall  
22 coordinate with each State Department of Health Services,  
23 or the relevant departments or agencies, to implement  
24 regulations under this Act."

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