

THIRD CONGRESS OF THE FEDERATED STATES OF MICRONESIA

SECOND REGULAR SESSION, 1983

CONGRESSIONAL BILL NO. 3-166, C.D.1

AN ACT

To authorize the issuance of Federated States of Micronesia medical licenses; to require establishment of licensing and practice regulations for medical practitioners in the Federated States of Micronesia; to establish a Federated States of Micronesia Medical Licensing Board and to appropriate funds therefor; to repeal sections 201, 202, 203, and 210 of title 41 of the Code of the Federated States of Micronesia; and for other purposes.

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

1 Section 1. Short title. This act shall be known and may be
2 cited as the "Federated States of Micronesia Medical Licensing Act."

3 Section 2. Definitions. As used herein unless otherwise indicated
4 by the context:

5 (1) "Board" means the Federated States of Micronesia Medical
6 Licensing Board.

7 (2) "President" means the President of the Federated States
8 of Micronesia.

9 (3) "Secretary of Social Services" means the Secretary of the
10 Department of Social Services of the Federated States of Micronesia.

11 Section 3. Medical license required. All persons are prohibited
12 from practicing medicine in the Federated States of Micronesia, except
13 in a training or residency program strictly supervised in accordance with
14 the regulations promulgated hereunder, unless duly licensed in accordance
15 with the licensing standards set forth in the regulations promulgated
16 hereunder. Any license to practice medicine issued pursuant to the
17 authority of section 201 of title 41 of the Code of the Federated States
18 of Micronesia and valid on the effective date of this act shall remain
19 valid in the Federated States of Micronesia until its expiration date;
20 upon the expiration of such a license, the licensee shall be subject
21 to the licensing requirements as set forth herein and the regulations
22 promulgated hereunder.

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1 Section 4. Authority of the Secretary of Social Services to
2 promulgate regulations. In accordance with the provisions of chapter 1
3 of title 17 of the Code of the Federated States of Micronesia, the
4 Secretary of Social Services is hereby authorized and directed to
5 promulgate regulations which shall set forth licensing and practicing
6 standards for persons desiring to practice or persons practicing medicine
7 in the Federated States of Micronesia. Such regulations shall have the
8 force and effect of law.

9 Section 5. Display and record of licenses. Each licensee shall post
10 his license in a prominent location at the primary place of practice. A
11 permanent record of each medical license and each renewal thereof shall
12 be maintained by the Secretary of Social Services. Such records shall be
13 available for public inspection.

14 Section 6. Revocation or suspension of license. Any license issued
15 or in effect pursuant to the provisions of this act may be revoked or
16 suspended for cause by the Secretary of Social Services, in accordance with
17 the provisions of chapter 1 of title 17 of the Code of the Federated States
18 of Micronesia.

19 Section 7. Federated States of Micronesia Medical Licensing Board.
20 There is hereby established a Federated States of Micronesia Medical
21 Licensing Board. The Board shall have five members, to be appointed by the
22 President of the Federated States of Micronesia. There shall be one member
23 from each State and a member representing the National Government. Members
24 shall be appointed for 4-year terms; PROVIDED, however, that the President
25 shall appoint three members of the first Board to serve 2-year terms, in

1 order to stagger the terms of Board members. A vacancy on the Board
2 shall be filled for the unexpired term by the appointment of a successor.
3 The members of the Board shall elect a Chairman and Vice Chairman in a
4 manner and for such terms as shall be determined by the Board. The
5 Chairman shall have no vote except in the event of a tie, in which case
6 he shall cast the tie-breaking vote. Three members of the Board shall
7 constitute a quorum. The Board shall meet at such places within the
8 Federated States of Micronesia and at such times as the Chairman of the
9 Board may designate, and in accordance with regulations promulgated
10 hereunder. Special meetings may be called by the President or the
11 Secretary of Social Services. The Board shall have the following duties
12 and functions:

13 (1) To advise and assist the Secretary of Social Services in
14 carrying out his duties under section 4 of this act;

15 (2) To examine, study, review, and make recommendations with
16 respect to the issuance, renewal, suspension, or revocation of licenses
17 issued or in effect pursuant to the provisions of this act in accordance
18 with the regulations promulgated hereunder; and

19 (3) To perform such other duties and functions as may be
20 assigned by the President, the Secretary of Social Services, or by law.

21 Section 8. Expenses and compensation of Board members. Members of
22 the Board shall be entitled to necessary travel expenses and to per diem
23 at standard Federated States of Micronesia rates while on the business of
24 the Board. Board members who are neither employees nor officials of the
25 National Government of the Federated States of Micronesia or any State

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1 government shall, in addition, be paid \$30 per day while on the business
2 of the Board. If a member of the Board is concurrently employed by the
3 Federated States of Micronesia National Government, he shall be granted
4 administrative leave to attend the business of the Board and shall
5 receive his regular salary while on the business of the Board.

6 Section 9. Civil liability immunity. All members of the Board
7 and its experts, specialists, and consultants shall be immune from civil
8 liability for any written or oral statement made to the Board pursuant
9 to any official Board proceeding.

10 Section 10. Appropriation.

11 (1) The sum of \$10,000, or so much thereof as may be necessary,
12 is hereby appropriated from the General Fund of the Federated States of
13 Micronesia for the fiscal year ending September 30, 1985, for the
14 purpose of defraying the operating and contingent expenses of the Board.

15 (2) The sum appropriated by subsection (1) of this section
16 shall be allotted to the President, and managed, administered, and
17 accounted for in accordance with applicable law, including, but not
18 limited to, the Financial Management Act of 1979. The authority of the
19 President to obligate the funds appropriated hereby shall lapse as of
20 September 30, 1985.

21 Section 11. Penalty. A person who willfully violates any of the
22 provisions of this act or regulations promulgated hereunder shall be
23 deemed guilty of a crime and, upon conviction thereof, shall be fined
24 not more than \$10,000, or imprisoned for not more than 1 year, or both.

25 Section 12. Repealer. Sections 201, 202, 203, and 210 of title 41

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1 of the Code of the Federated States of Micronesia and rules and regulations
2 issued and promulgated thereunder, to the extent they apply to the practice
3 of medicine in the Federated States of Micronesia, are hereby repealed in
4 their entirety.

5 Section 13. Effective date. This act shall become law upon approval
6 by the President of the Federated States of Micronesia or upon its
7 becoming law without such approval.

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December 21, 1984

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Tosiwo Nakayama
President
Federated States of Micronesia

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