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A BILL FOR AN ACT

To authorize the Division of Health Services to provide for control over the introduction and spread of communicable diseases within the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Control of communicable diseases. The chief of the
2 Division of Health Services, with the approval of the Secretary of Social
3 Services, is authorized to make and enforce regulations which in his
4 judgment are necessary to prevent the introduction, transmission, or
5 spread of communicable diseases from foreign countries into the Federated
6 States of Micronesia or from one State of the Federated States of
7 Micronesia to any other State. To carry out and enforce such regulations,
8 the chief of the Division of Health Services may provide for inspection,
9 fumigation, disinfection, sanitation, pest extermination, destruction of
10 infected or contaminated animals or articles, and other measures which in
11 his judgment may be necessary to protect human life and health.

12 (1) Regulations prescribed under this section may provide for
13 the apprehension, detention, or conditional release of individuals coming
14 into the Federated States of Micronesia from a foreign country in order to
15 prevent the introduction, transmission, or spread of such communicable
16 diseases as may be specified from time to time in an administrative
17 directive.

18 (2) Regulations prescribed under this section may provide for
19 the apprehension and examination of any individual reasonably believed to
20 be infected with a communicable disease in a communicable stage and

21 (a) to be moving or about to move to another State; or

22 (b) to be a probable source of infection to individuals
23 who, while infected with such disease in a communicable stage, will be
24 moving from one State to another.

25 Such regulations may provide that if upon examination any such individual

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1 is found to be infected, he may be detained for such time and in such
2 manner as may reasonably be necessary to protect the public health.

3 (3) Regulations prescribed under this section may provide
4 for vaccination or inoculation requirements and certification of
5 vaccination or inoculation for certain communicable disease for persons
6 from infected areas seeking entry into the Federated States of Micronesia.

7 (4) Regulations prescribed under this section may establish
8 quarantine stations, grounds, or anchorages as may be necessary to carry
9 out the purposes of this act.

10 Section 2. Suspension of entries and imports. Whenever the chief of
11 the Division of Health Services determines that because of the existence
12 of a communicable disease in a foreign country there is serious danger of
13 the introduction of that disease into the Federated States of Micronesia
14 by admitting persons or property from that country, the chief may, in
15 accordance with approved regulations, prohibit, in whole or in part, the
16 admission of persons or property from such countries or places as he shall
17 designate in order to avert such danger. The chief may prescribe a period
18 of time as he deems necessary for such purpose.

19 Section 3. Regulations-Sanitary conditions on foreign vessels. To
20 prevent introduction into the Federated States of Micronesia of
21 communicable diseases, the chief of the Division of Health Services shall
22 prescribe regulations to be applicable to any vessel clearing and
23 departing from any foreign port or place for any port or place in the
24 Federated States of Micronesia. These regulations are to require sanitary
25 conditions of vessels, their cargoes, passengers, and crews adequate to

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1 prevent introduction of communicable diseases into the Federated States
2 of Micronesia.

3 (1) The chief of the Division of Health Services shall
4 provide, pursuant to regulation, a bill-of-health form to any vessel
5 departing or clearing any foreign port or place for any port or place in
6 the Federated States of Micronesia. The bill of health shall set forth
7 the sanitary history and condition of the vessel and shall state that the
8 vessel has in all respects complied with regulations prescribed pursuant
9 to this act. The chief shall prescribe by regulation the means for
10 ascertaining the accuracy of the information contained in a bill of health.

11 (2) It shall be unlawful for any vessel to enter any port or
12 place in the Federated States of Micronesia to discharge its cargo, or
13 land its passengers, except after presenting an original bill of health to
14 customs officials showing that all regulations in subsection (1) have been
15 complied with by the vessel.

16 Section 4. Application of regulations to civil aircraft. The chief
17 of Health Services may provide by regulation consistent with this act
18 health and sanitation requirements and procedures applicable to civil
19 aircraft.

20 Section 5. Penalties. Any person who violates any regulation
21 prescribed under this act or who enters or departs from the limits of any
22 quarantine station, ground, or anchorage in disregard of quarantine
23 regulations shall be punished by a fine of not more than \$1,000, or by
24 imprisonment for not more than 1 year, or both. Any vessel which violates
25 section 3 or any regulations thereunder, or which enters within or departs

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1 from the limits of any quarantine station, grounds, or anchorage in
2 disregard of the quarantine rules and regulations, shall forfeit to the
3 Federated States of Micronesia not more than \$5,000, the amount to be
4 determined by the Trial Division of the Supreme Court of the Federated
5 States of Micronesia, which shall be a lien on such vessel to be recovered
6 by proceedings in the proper forum. In all proceedings under this
7 subsection, the Attorney General's Office of the Federated States of
8 Micronesia shall appear on behalf of the Federated States of Micronesia.

9 Section 6. Administering of oaths. The chief of the Division of
10 Health Services may promulgate regulations providing for the appointment
11 of quarantine officers who shall be empowered to take declarations and
12 administer oaths in matters pertaining to the administration of the
13 quarantine laws and regulations at any port or place in the Federated
14 States of Micronesia.

15 Section 7. Cooperation with the States and municipalities. The
16 chief of Health Services may accept from State and municipal authorities
17 assistance in the enforcement of quarantine regulations made pursuant to
18 this act. The chief shall also assist States and their political
19 subdivisions in the prevention and suppression of communicable diseases
20 and shall cooperate with and aid State and local authorities in the
21 enforcement of their health regulations.

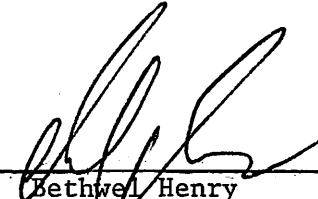
22 Section 8. General authority. The chief of the Division of Health
23 Services is authorized to develop, and may take such action as may be
24 necessary to implement, a plan under which personnel, equipment, medical
25 supplies, and other resources of the Division of Health Services may be

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1 effectively used to control epidemics of any disease and to meet other
2 health emergencies or problems involving disasters or disease. The
3 chief may enter into agreements providing for cooperative planning and
4 execution of a health emergency plan.

5 Section 9. Effective date. This act shall become law upon
6 approval by the President of the Federated States of Micronesia or upon
7 its becoming law without such approval.

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9 Date: 10/18/83

Introduced by: 
Bethwel Henry
(by request)

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