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:

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

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

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

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

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

Such regulations may provide that if upon examination any such individual
is found to be infected, he may be detained for such time and in such
manner as may reasonably be necessary to protect the public health.
(3) Regulations prescribed under this section may provide
for vaccination or innoculation requirements and certification of
vaccination or innoculation for certain communicable disease for persons
from infected areas seeking entry into the Federated States of Micronesia.
(4) Regulations prescribed under this section may establish
quarantine stations, grounds, or anchorages as may be necessary to carry
out the purposes of this act.

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

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

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

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

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

Section 5. Penalties. Any person who violates any regulation prescribed under this act or who enters or departs from the limits of any quarantine station, ground, or anchorage in disregard of quarantine regulations shall be punished by a fine of not more than $1,000, or by imprisonment for not more than 1 year, or both. Any vessel which violates section 3 or any regulations thereunder, or which enters within or departs
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
10 Section 6. Administering of oaths. The chief of the Division of
11 Health Services may promulgate regulations providing for the appointment
12 of quarantine officers who shall be empowered to take declarations and
13 administer oaths in matters pertaining to the administration of the
14 quarantine laws and regulations at any port or place in the Federated
15 States of Micronesia.
16
17 Section 7. Cooperation with the States and municipalities. The
18 chief of Health Services may accept from State and municipal authorities
19 assistance in the enforcement of quarantine regulations made pursuant to
20 this act. The chief shall also assist States and their political
21 subdivisions in the prevention and suppression of communicable diseases
22 and shall cooperate with and aid State and local authorities in the
23 enforcement of their health regulations.
24
25 Section 8. General authority. The chief of the Division of Health
26 Services is authorized to develop, and may take such action as may be
27 necessary to implement, a plan under which personnel, equipment, medical
28 supplies, and other resources of the Division of Health Services may be
effectively used to control epidemics of any disease and to meet other health emergencies or problems involving disasters or disease. The chief may enter into agreements providing for cooperative planning and execution of a health emergency plan.

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

Date: 10/18/83

Introduced by: [Signature]

(by request)