

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2201. Purpose and Findings.

(a) The protection of the health of the public is of paramount importance.

(b) The quality, availability and honesty of the practitioners of the health care professions substantially determines whether the public receives the health care protection required.

(c) The practice of a health profession is a privilege granted by the people acting through their elected representatives. It is not a natural right of individuals.

(d) In the interest of public health, safety and welfare, and to protect the public from the unprofessional, improper, incompetent, unlawful, fraudulent and/or deceptive practice of the health care professions, it is necessary to provide statutes and regulations to govern the granting and subsequent use of the privilege to practice the health care professions.

(e) The primary responsibility and obligation of the Health Care Professions Licensing Board is to protect the people of the Commonwealth.

(f) Every person who practices or attempts to practice any health care profession within the Commonwealth without complying with this chapter harms or can harm the health, safety, security, and welfare of the people of the Commonwealth.

(g) The Commonwealth's Health Professions Licensing Board, formerly Medical Profession Licensing Board, has a lengthy history protecting the people of the Commonwealth with respect to their health care. The Board should be strengthened in its efforts.

(h) National databases exist which permit member regulatory agencies to keep track of and monitor the competencies and conduct of health care professionals. In order for the Commonwealth to benefit from the databases the Board must also submit current data. The databases demand confidentiality on the part of the users.

(i) The Legislature has examined the existing Medical Practice Act and determined that it must be updated to address current and anticipated health care and to further protect the public health, safety and welfare of the people of the Commonwealth.

(j) Among other things, it is important for the Board to be able to act quickly and with adequate power to stop dangerous health care practice.

(k) The Commonwealth's traditional healing practices must be appropriately protected.

Source: PL 3-30, § 1; PL 15-105, § 3(2201).

Commission Comment: PL 3-30 took effect November 30, 1982; see also 1 CMC § 2641 et seq. PL 3-30, § 30 repealed 63 TTC §§ 152, 154 and 156; compare PL 3-29, § 28 (the Nurse Practice Act, repealing the same provisions).

Public Law 15-105, enacted on November 7, 2007, renamed the "Medical Practice Act" to "Health Care Professions Licensing Board" and contained the following in addition to severability and savings clauses:

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

Section 1. Short Title. This Act may be cited as the "Health Care Professions Licensing Act of 2007."

Section 2. Purpose. The Legislature finds that, as stated in the Act's section on Purpose and Findings, this Act is required to protect the health, safety and welfare of the people of the Commonwealth.

Section 3. Repealer and Re-enactment. 1 CMC §§ 2641-42 and 3 CMC §§ 2201-72 (Public Law 3-30, as amended, the "Medical Practice Act of 1982") are hereby repealed. The following sections 3 CMC §§ 2201 et seq. are enacted as follows: . . .