

TITLE 3: HUMAN RESOURCES
DIVISION 4: EMPLOYMENT AND REGISTRATION

§ 4932. Medical Insurance.

(a) After commencement of operation of the LHIRF as provided in subsection (d) of this section, employers of foreign national workers may opt to have an approved health insurance contract providing coverage for each foreign national worker employed. This contract may be effective upon entry of the foreign national worker to the Commonwealth and may be cancelled upon the expiration of the employer's obligation as provided in subsection (b) of this section.

(b) The employer's optional and voluntary decision to carry medical insurance for each foreign national worker employed may continue for the duration of an approved employment contract and until the earliest of the following:

(1) Exit of the foreign national worker from the Commonwealth; or

(2) Sixty days after the lawful termination of an approved employment contract with the foreign national worker, except that the employer's optional and voluntary decision to pay medical expenses may continue during the pendency of a renewal application filed with the Department.

(c) The approved health insurance contract may cover all needed nonelective care for foreign national workers, include a co-pay element approved by the Secretary of Health, and may be in one of three forms:

(1) Self insurance by direct contract with one or more medical providers licensed in the Commonwealth or elsewhere, provided however that only employers with more than \$1 million in assets and no outstanding unpaid bills more than sixty days in arrears to CHC are eligible to self-insure;

(2) Insurance by contract with an insurance company carrying a national rating in the United States and approved by the Secretary of Public Health; or

(3) Pool insurance by direct contract with the Commonwealth Health Center for a monthly premium for each foreign national worker, provided however that only employers with no outstanding unpaid premiums more than sixty days in arrears to CHC are eligible for pool insurance and the total annual premium payments for pool insurance must be calculated to cover the total annual cost of the care provided to workers in the pool. The Secretary of Public Health shall promulgate regulations for the implementation of this section.

(d) There is hereby created the Labor Health Insurance Revolving Fund (LHIRF) which shall be accounted for separately from the General Fund.

(1) All monies received as payments under contracts provided for in subsection (c)(3) above shall be deposited into the LHIRF.

(2) Expenditure authority over the LHIRF is vested in the Secretary of Public Health. Monies in the revolving fund shall be available without appropriation by the Legislature and be used to pay for the health care obligations of participating employers with respect to foreign national workers and the health care obligations of participating foreign national workers with respect to their immediate family members and associated or supporting expenses of the Commonwealth Health Center.

(3) Any interest earned on the LHIRF shall become part of the Fund.

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(4) With respect to the management of the revolving fund and the expenditures made from it, the Department of Public Health is exempt from Title 1, Division 7, Part 1, Chapters 1 through 7, [1 CMC §§ 7101](#) *et seq.*

Source: PL 15-108, § 4(4932), (a) amended by PL 17-1 § 5(Q)(3)(b) (Mar. 22, 2010),* modified; subsections (a)-(c) amended by PL 17-92 (Feb. 19, 2013), modified.

Commission Comment: The Commission deleted figures that repeated written words pursuant to [1 CMC § 3806\(e\)](#). *PL 17-1 (enacted on Mar. 22, 2010) contained the following effective date provision:

Section 12. Effective date. This Act shall take effect upon its approval by the Governor or becoming law without such approval and shall be retroactive to November 28, 2009 except as otherwise specifically provided herein.

For more information regarding Public Law 17-1, see comment to [3 CMC § 4511](#). The Commission struck the figure “60” from subsections (b)(2), (c)(1), and (c)(3) pursuant to [1 CMC § 3806\(e\)](#). See the Commission Comment to [3 CMC § 4922](#) for more information about the codification of PL 17-92.