

# **TITLE 140: COMMONWEALTH HEALTHCARE CORPORATION**

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## **CHAPTER 140-60 NORTHERN MARIANA ISLANDS BOARD OF NURSING**

**[MOVED to Chapter 185-20]**

### **SUBCHAPTER 140-60.1 COMMONWEALTH BOARD OF NURSE EXAMINERS ADMINISTRATIVE REGULATIONS**

**[MOVED to Chapter 185-20.1]**

Subchapter Authority: 3 CMC §§ 2306(b) and (c).

Subchapter History: Amdts Adopted 36 Com. Reg. 35081 (June 28, 2014); Amdts Proposed 36 Com. Reg. 35047 (May 28, 2014); Amdts Adopted 35 Com. Reg. 33361 (May 28, 2013); Amdts Proposed 34 Com. Reg. 33059 (Oct. 29, 2012); (Amdts Adopted 30 Com. Reg. 28470 (Apr. 25, 2008); Amdts Proposed 30 Com. Reg. 27968 (Jan. 22, 2008); Adopted 29 Com. Reg. 27460 (Nov. 19, 2007); Proposed 28 Com. Reg. 25686 (May 19, 2006).

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services within the Commonwealth government. See 1 CMC § 2601.

PL 3-29 (effective Nov. 26, 1982), the “Nurse Practice Act of 1982,” codified at 1 CMC § 2643 and 3 CMC §§ 2301-2372, created a Board of Nurse Examiners within the Department of Public Health and Environmental Services. See 1 CMC § 2643. The Board is authorized to license nurses and midwives in the Commonwealth, establish standards for educational programs of nursing students, and to discipline licensees for violations of the act. See 3 CMC §§ 2311 and 2315. 3 CMC § 2315(a) empowers the Board to adopt rules and regulations consistent with the act and necessary to carry out its provisions.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles, and effected numerous other revisions. According to Executive Order 94-3 § 105:

Section 105. Department of Public Health.

The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the Commission comment to 1 CMC § 2001.

PL 14-62 (effective Mar. 31, 2005), the “Nurse Practice Act of 2003,” repealed 1 CMC § 2643 and 3 CMC §§ 2301-2372 in their entirety and enacted new statutory provisions governing the nursing profession. PL 14-62 is codified at 3 CMC §§ 2301-2319. 3 CMC § 2305 establishes a Commonwealth Board of Nurse Examiners within the Department of Public Health, responsible for enforcing the act. 3 CMC § 2306 authorizes the Board to adopt, amend, repeal, and enforce administrative rules as necessary to administer and enforce the act and protect the public health.

The 2007 version of these regulations was not expressly repealed or superseded when the Board promulgated the 2013 version. However, because it appears that the Board created an entirely new regulatory scheme in the 2013 regulations, the Commission removed the sections of the 2007 regulations that were not overwritten by new sections of regulations.

Public Law 18-25, effective October 18, 2013, amended 3 CMC §§ 2305 and 2318, renaming the Commonwealth

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Board of Nurse Examiners to the Northern Mariana Islands Board of Nursing, changing the composition of the Board, and amending provisions regarding licensing fees. To the extent these regulations conflict with PL 18-25, they are superseded.

The Commission moved Subchapter 140-60.1 to new Title 185 pursuant to 1 CMC § 3806(b) to improve organization of the NMIAC.

[See NMIAC Chapter 185-20.1]

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## SUBCHAPTER 140-60.2 COMMONWEALTH BOARD OF NURSE EXAMINERS RULES AND REGULATIONS

**[MOVED to Chapter 185-20.2]**

Subchapter Authority: 3 CMC § 2315(a) (2004) (repealed by PL 14-64 (effective Mar. 31, 2005)).

Subchapter History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Amdts Adopted 10 Com. Reg. 5712 (Oct. 15, 1988); Amdts Proposed 10 Com. Reg. 5695 (Sept. 15, 1988); Amdts Adopted 9 Com. Reg. 4974 (May 15, 1987); Amdts Proposed 9 Com. Reg. 4914 (Mar. 16, 1987); Amdts Adopted 7 Com. Reg. 3973 (Sept. 16, 1985); Amdts Proposed 7 Com. Reg. 3955 (Aug. 15, 1985); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services within the Commonwealth government. See 1 CMC § 2601.

PL 3-29 (effective Nov. 26, 1982), the “Nurse Practice Act of 1982,” formerly codified at 1 CMC § 2643 and 3 CMC §§ 2301-2372, created a Board of Nurse Examiners within the Department of Public Health and Environmental Services. Prior to March 31, 2005, former 3 CMC § 2315(a) empowered the Board to adopt rules and regulations consistent with the act and necessary to carry out its provisions.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles, and effected numerous other revisions. According to Executive Order 94-3 § 105:

Section 105. Department of Public Health.

The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

PL 14-62 (effective Mar. 31, 2005), the “Nurse Practice Act of 2003,” repealed 1 CMC § 2643 and 3 CMC §§ 2301-2372 in their entirety and enacted new statutory provisions governing the nursing profession. PL 14-62 is codified at 3 CMC §§ 2301-2319.

3 CMC § 2305 establishes a Commonwealth Board of Nurse Examiners within the Department of Public Health, responsible for enforcing the act. 3 CMC § 2306 authorizes the Board to adopt, amend, repeal, and enforce administrative rules as necessary to administer and enforce the act and protect the public health. Numerous provisions of the regulations codified in this chapter are affected by the 2005 revision of the Nurse Practice Act.

Public Law 16-51 (effective Jan. 15, 2010), the “Commonwealth Healthcare Corporation Act of 2008,” codified at 3 CMC § 2801 et seq., established the Commonwealth Healthcare Corporation, which assumed the duties of the Department of Public Health as of January 15, 2011.

Public Law 18-25, effective October 18, 2013, amended 3 CMC §§ 2305 and 2318, renaming the Commonwealth Board of Nurse Examiners to the Northern Mariana Islands Board of Nursing, changing the composition of the Board, and amending provisions regarding licensing fees. To the extent these regulations conflict with PL 18-25, they are superseded.

The Commission moved Subchapter 140-60.2 to new Title 185 pursuant to 1 CMC § 3806(b) to improve organization

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of the NMIAC.

[See NMIAC Chapter 185-20.2]