

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

HEALTH FUND (AMENDMENT) ACT, 2018

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**MARSHALL ISLANDS HEALTH FUND (AMENDMENT)
ACT, 2018**

AN ACT to:

- (i) change the composition of the Health Services Board by making replacing the Secretary with the Minister as Chairperson, unless delegated by the Minister to the Secretary to serve as the Chairperson, and allowing the Cabinet to choose the 6 other members of the Board.
- (ii) Other changes include specifying that non-citizens considered "Covered Persons" under this Chapter must contribute to the Health Fund; requiring that Government officials deposit a non-reimbursable fee of \$20 into the Health Fund before travelling in case of emergencies; and the ability of the Board to modify the 55%-45% split of the Health Fund in case one purpose requires more than the designated amount.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

§101. Short title.

This Act may be cited as the *Marshall Islands Health Fund (Amendment) Act, 2018*.

§102. Amendments.

1) §202. Interpretation.

(1) In this Chapter unless the context otherwise requires:

(i) "Covered person" means:

(iii) any non-citizen of the Republic who has been resident in the Republic for at least one year immediately before applying for the benefits under this Chapter and contributes to the Health Fund, including his/her spouse, children aged 18 years or younger, and children aged 22 years or younger currently attending college full-time.

(l) "Emergency Off-island medical care" means medical care which is obtained by a covered person at an off-island health care facility without the prior approval of the Medical Referral Committee, and which is the result of an emergency which occurs while the covered person is traveling outside of the Republic for a period not exceeding thirty (30) days; provided, however, that emergency off-island medical care shall not include an excluded medical condition. The thirty (30) day limitation does not apply to covered persons who are full-time students enrolled at accredited post-secondary educational institutions outside of the Republic, and covered persons who are serving in the Republic's Foreign Missions.

(i) Officials travelling abroad exceeding thirty (30) days and funded by the Government shall deposit a non-reimbursable fee of \$20.00 into the Health Fund per month.

(ii) Subject to (i) above, any other extended days outside the official travelling shall not be covered under this Act.

2) §205. Establishment of the Health Services Board.

(1) There is hereby established, within the Ministry of Health and Human Services, a body to be known as the Health Services Board, and shall consist of seven (7) members as follows:

- (a) the Minister of Health and Human Services, who shall also serve as Chairperson of the Board, or the Secretary of Health and Human Services upon delegation from the Minister; and
- (b) 6 other members of the general public to be selected by the Cabinet.

3) §208. Medical Referral Committee.

- (3) The Medical Referral Committee shall be responsible for referring to the Board those cases that the Committee determines should be sent to an off-island health care facility for treatment. Whenever the Board engages and retains a health professional as a Third Party Administrator, the Committee, in reviewing medical referral cases for approval, will when practicable (that is, in non-emergency cases), consult with the Board to ensure that the referral is in compliance with this Chapter and the rules and regulations promulgated pursuant to this Chapter. Medical referrals are eligible for the benefits of the basic health benefits plan.
- (4) The decision of the Medical Referral Committee on any case presented before it shall be final.
 - (a) If there is a dispute in the making of referrals between the Medical Referral Committee and the attending physician, the Board shall make the final determination.

6) §224. Supplemental Health Benefits Plan.

- (1) The Board shall establish the Supplemental Health Benefits Plan, that shall provide, pay for, arrange for, reimburse all or a determined portion of supplemental; health care, including:
 - (I) prescription drugs, including those not available in the Marshall Islands;
- 7) Under this Chapter ,any and all references to the Minister of Health Services, Secretary of Health Services and Ministry of Health Services shall be replaced with the Minister of Health and Human Services, Secretary of Health and Human Services, and Ministry of Health and Human Services, respectively.

8) §211A. Board's Authority to Modify the Manner of Payments out of the Health Fund;

In the event that the fifty-five percent (55%) and forty-five percent (45%) division is not sufficient for the respective purposes, the Board has the authority to modify the percentage as necessary.

§103. Effective Date.

This Act shall take effect in accordance with the Constitution and the Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 120ND2 was passed by the Nitijela of the Republic of the Marshall Islands on the 26th day of February 2018; and
2. That I am satisfied that Nitijela Bill No: 120ND2 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 15th day of March 2018.



Hon. Kenneth A. Kedi
Speaker
Nitijela of the Marshall Islands

Attest:



Morean Watak
Clerk
Nitijela of the Marshall Islands