NITIJELA OF THE MARSHALL ISLANDS

22ND CONSTITUTIONAL REGULAR SESSION, 2001 BILL NO. 59 N.D. 1

P.L. 2001-35

An Act

To amend the Health Care Revenue Fund Act, to provide for the payment into the Health Care Revenue Fund of any money transferred from the Social Security Health Fund, pursuant to any law; and to transfer the administration, control and management of the Health Care Revenue Fund from the Marshall Islands Social Security Administration to the Ministry of Health and Environment.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

Section 1. Short Title.

This Act may be cited as the Health Care Revenue Fund (Amendment) Act, 2001.

Section 2. Amendments.

The Health Care Revenue Fund Act of 1989, 49 MIRC, Chapter 3, as amended ("the principal Act"), is hereby further amended as follows:

(A) Section 303 of the principal Act is amended by:

(a) deleting the word "and" at the end of Subsection (3); and

(b) adding the following new Subsection (5) after Subsection (4):

"(5) any money transferred from the Social Security Health Fund for payment into the Fund."

(B) Subsection (3) of Section 304 of the principal Act is amended to read as follows:

"(3) The Fund shall be administered by the Secretary responsible for Health Services, who shall perform such duties under the control and supervision of the Health Services Board. No

P.L. 2001-35

money may be withdrawn from the Fund except with the authority of the Secretary responsible for Health Services who shall be satisfied that the withdrawal is made in accordance with this Chapter, the budgets provided for in Subsection (2) of this Section, and any other applicable law; provided however that, monies in the Fund in excess of $1.25 million, excluding grants, gifts, and donations received for a specific purpose, shall be withdrawn and paid into the Marshall Islands General Fund;"

(C) Subsection (4) of Section 304 of the principal Act is amended to read as follows:

" (4) A delegation under Article VIII, Section 5 (1) of the Constitution of the Republic of the Marshall Islands, to expend money out of the Fund is given to the Health Services Board , or its designee in writing."

(D) The first sentence of Section 305 of the principal Act is amended to read as follows:

"305 Health Services Board.

The Health Services Board, which is hereby established, shall consist of the Secretary of responsible for Health Services, who shall be the Chairperson, the Assistant Secretary for Administration and Finance, the Health Planner, the Assistant Secretary for Majuro Hospital, the Assistant Secretary for Primary Health Care, the Assistant Secretary for Kwajalein Atoll Health Care Center, and the Manager, Health Care Revenue Fund."

(D) Subsection (1) of Section 306 of the principal Act is amended to read as follows:

"(1) The Secretary responsible for Health Services shall, with the approval of the Minister responsible for Health Services, open and maintain as few bank accounts as is necessary

P.L. 2001-35

for the effective implementation of this Chapter."

(E) Sub section (1) of Section 307 of the principal Act is amended to read as follows:

"(1) The Secretary responsible for Health Services shall cause to be maintained accounts and records in accordance with generally accepted accounting principles for government funds, as adopted and occasionally amended by the Government Accounting Standards Board, consisting of:

(a) the Fund;

(b) the disposition of money paid out of the Fund; and

(c) the property purchased with money from the Fund."

(F) Subsections (1) and (2) of Section 309 of the principal Act is amended to read as follows:

"(1) The Secretary responsible Health Services, shall at least quarterly and such other times as the Minister responsible for Health Services directs, make a report to the Minister on the operation and transactions of the Fund.

(2) The Minister responsible for Health Services shall present any report made by the Secretary responsible for Health Services under Subsection (1) of this Section, to the Cabinet quarterly and to the Nitijela annually, together with his comments."

Section 3. Effective Date.

This Act shall take effect on the date of certification in accordance with Article IV, Section 21 of the Constitution.

BILL NO. 59 N.D. 1

P.L. 2001-35

Certificate

I hereby certify:

(1) that the Nitijela Bill No. 59 N.D.1 has been passed by the Nitijela of the Marshall Islands on the 4th day of October, 2001; and

(2) that I am satisfied that Nitijela Bill No. 59 N.D.1 has been passed in accordance with the Constitution of the Republic of the Marshall Islands and the Rules of the Nitijela .

I hereby place my signature before the Clerk of the Nitijela this 18th day of October, 2001.

Attest:

Litokwa Tomeing, Speaker
Nitijela of the Marshall Islands

Joe E. Riklon, Clerk
Nitijela of the Marshall Islands