



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Eloy S. Inos
Governor

Jude U. Hofschneider
Lieutenant Governor

EXECUTIVE ORDER NO. 2013-09

SUBJECT: DECLARATION OF EXECUTIVE REORGANIZATION OF THE OFF-ISLAND MEDICAL REFERRAL PROGRAM UNDER THE OFFICE OF THE GOVERNOR

AUTHORITY: "The Governor may make changes in the allocation of offices, agencies and instrumentalities and in their functions and duties that are necessary for efficient administration." CNMI Constitution, Article III, Section 15.

WHEREAS, Section 15, Article III of the CNMI Constitution empowers the Governor to make changes to the allocation, functions, and duties of offices, agencies, and instrumentalities of the executive branch necessary for efficient administration; and

WHEREAS, prior to PL 16-51, the Medical Referral Program was a part of the Department of Public Health, and with the passage of PL 16-51, the Medical Referral Program passed to and is currently organized under and as a part of the Commonwealth Healthcare Corporation.

WHEREAS, although personnel from CHC have a role in determining who may partake of medical referrals, it is unnecessary and inefficient to have the Off-Island Medical Referral Program under the Commonwealth Healthcare Corporation ("CHC") when it is not fiscally responsible for the operations of the Off-Island Medical Referral Program. *See* PL 16-51, § 3 (3 CMC § 2804(v)). Further, it is fiscally prudent and more efficient for the Office of the Governor to assume operation of the Off-Island Medical Referral Program due to CHC's precarious financial and administrative state.

NOW, THEREFORE, I, Eloy S. Inos, Governor of the Commonwealth of the Northern Mariana Islands, pursuant to the powers vested in me by the Constitution of the Commonwealth of the Northern Mariana Islands, do hereby,

DECLARE that the efficient administration of the Off-Island Medical Referral Program necessitates the transfer of the Off-Island Medical Referral Program from under the Commonwealth Healthcare Corporation to under the Office of the Governor.

ORDER that, pursuant to my constitutional reorganization powers:

1. The Commonwealth Healthcare Corporation shall relinquish responsibility for the administration and operation of the Off-Island Medical Referral Program; and the Office

of the Governor shall assume responsibility for the administration and operation of the Off-Island Medical Referral Program.

2. All records and property (real or personal) of the Off-Island Medical Referral Program and all the personnel used in the administration of the Off-Island Medical Referral Program (including employees whose chief duties relate to such administration) are hereby transferred to the Office of the Governor. All personnel transferred pursuant to this Executive Order shall maintain their current positions and status in the classified civil service or in the excepted service, if applicable and as the case may be. The Director of Personnel Management shall ensure an orderly transfer of personnel.

3. The unexpended balances of appropriations, allocations, allotments, or other funds available for the use of the Off-Island Medical Referral Program on the effective date of the transfer are transferred to the Office of the Governor on the effective date of this transfer. In the transfer of such funds, an amount may be included for the liquidation of obligations incurred prior to the transfer. Subsequent to the transfer, the Off-Island Medical Referral Program's operations shall be reflected in the annual budget of the Office of the Governor.

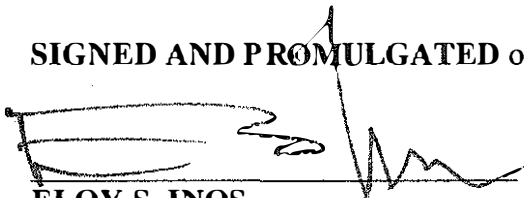
4. There shall be regular communication between the Chief Executive Officer of the Commonwealth Healthcare Corporation or his designees and the Governor or his designees to ensure an efficient transition. This communication and cooperation shall extend beyond the transfer with the ultimate goal of optimal efficiency in the operations of the Off-Island Medical Referral Program.

PROVIDE that all rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Executive Order shall continue to be effective until revised, amended, repealed or terminated.

PROVIDE that if any provision of this Executive Order or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Executive Order or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

PROVIDE that in accordance with the Constitution, this plan shall become effective sixty days after submission to the Legislature, unless specifically modified or disapproved by a majority of the members of each house of the Legislature, provided, that in case it shall appear to the Governor that the interest of economy or efficient management require that the transfer be delayed beyond the date this plan becomes effective, the Governor may, in his discretion, fix a later date therefore, and he may for like cause further defer such date from time to time.

SIGNED AND PROMULGATED on this 22nd day of May, 2013.


ELOY S. INOS
Governor