

NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

First Regular SESSION, 2015

S. B. NO. 19-10

A BILL FOR AN ACT

TO AMEND 1 CMC §8364, AS AMENDED BY PUBLIC LAW 15-70, TO ALLOW ANNUITANTS TO ENROLL IN THE COMMONWEALTH GOVERNMENT HEALTH INSURANCE PROGRAM; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that the Northern
2 Mariana Islands Retirement Fund Act, as amended by Public Law 15-70, Section 4(j),
3 requires retirees to enroll in the Government Health Insurance Program within six months
4 upon retirement. If a retiree fails to enroll in the government health insurance within the
5 six month period, the retiree is prohibited from enrolling at a later time. This requirement
6 causes hardship on retirees that do not meet the deadline to enroll because the retirees are
7 left with no health insurance coverage. In some instances, retirees chose not to continue
8 their health insurance coverage upon retirement because the retiree's spouse is employed
9 and has family health insurance coverage. In other circumstances, and for different
10 reasons, retirees have no other option but to enroll in the health insurance at a later time.

11 The purpose of this legislation is to amend the NMI Retirement Fund Act to allow
12 retirees to enroll in the Government Health Insurance Program anytime after retirement.

13 **Section 2. Amendment.** 1 CMC §8364, as amended by Public Law 15-70, is
14 amended to read as follows:

15 **"§ 8364. Retirement Fund's Contribution for Health Insurance.**

16 Annuitants shall be provided with an option, to be exercised within six months of
17 the date of retirement, to continue their Commonwealth government health insurance
18 coverage under the same group terms and conditions as that government coverage, if any,
19 is offered each fiscal year to Commonwealth government employees. Those annuitants

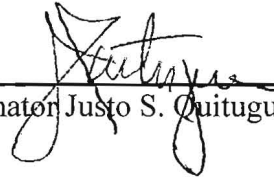
1 who failed to enroll within the six-month grace period as provided in this section may
2 enroll at a later date in the government health insurance coverage; provided that such
3 enrollment shall be subject to the open-enrollment month. The fund assumes no liability
4 to the annuitant for group health insurance coverage beyond the payment of the
5 Governments share of the premiums ~~for that fiscal year on behalf of an electing annuitant~~
6 as provided in this section. Any person who is a member of the Defined Contribution
7 and/or the Social Security program who elects to retire at the appropriate time authorized
8 by the program and receive the benefits under the respective program may enroll in the
9 government health insurance. ~~Any person who declines to exercise the health insurance~~
10 ~~option within six months of the date of retirement, or who exercises the option and~~
11 ~~subsequently cancels health insurance coverage more than six months after the date of~~
12 ~~retirement, shall not be entitled to reapply for coverage."~~

13 **Section 3. Severability.** If any provision of this Act or the application of any
14 such provision to any person or circumstance should be held invalid by a court of
15 competent jurisdiction, the remainder of this Act or the application of its provisions to
16 persons or circumstances other than those to which it is held invalid shall not be affected
17 thereby.

18 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
19 be construed as affecting any existing right acquired under contract or acquired under
20 statutes repealed or under any rule, regulation, or order adopted under the statutes.
21 Repealers contained in this Act shall not affect any proceeding instituted under or
22 pursuant to prior law. The enactment of the Act shall not have the effect of terminating,
23 or in any way modifying, any liability, civil or criminal, which shall already be in
24 existence on the date this Act becomes effective.

25 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
26 Governor or becoming law without such approval.

Date: 1/28/15

Introduced By: 
Senator Justo S. Quitugua

Reviewed for Legal Sufficiency by:


Senate Legal Counsel