

H&SA

A BILL FOR AN ACT

To amend the Kosrae State Code by inserting new Sections 13.912 , 13.913 , 13.914 ~~and~~ 13.915 <sup>and 13.916</sup> under Chapter 9 of Part 1 of Title 13 of the Kosrae State Code.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Purpose. The purpose of this Act is to assist in effective emergency  
2 management by providing measures and restrictions relating to the quarantine operations  
3 management for returning citizens and residents of the State of Kosrae during a State of  
4 Emergency and to provide for penalties for failing to comply with any of the directions or  
5 restrictions imposed by this Act.

*or failing to comply with an emergency health declaration order made by the Governor.*

6 Section 2. Amendment. A new Section 13.912 be inserted under Chapter 9 of  
7 Part 1 of Title 13 of the Kosrae State Code is hereby amended to read follows:

8 “Section 13.912 Quarantine Operations Management.

9 (i). Health screening process is mandatory at the Kosrae International Airport for  
10 each passenger and upon arrival each passenger will be promptly undergo  
11 health screening process and be issued with a mask and gloves to wear and keep  
12 wearing unless otherwise excused from so. Each passenger is to promptly comply  
13 with any direction given by an emergency medical officer or emergency nursing  
14 officer.

15 (ii). Upon arrival and after each passenger has completed the health screening  
16 process , each passenger will then be given a direction by an emergency  
17 medical officer or an emergency nursing officer to <sup>undergo</sup> self quarantine in a quarantine

1 facility for 14 days . Any passenger who refuses to comply with such a  
2 direction will if necessary be arrested by an emergency authorized officer and if  
3 reasonably necessary forcibly conveyed to a quarantine facility.  
4 (iii). There shall be no person to person contact between any passenger with his  
5 or her family members or friends upon arrival and any time thereafter until after  
6 he or she is released from a quarantine facility. All luggage belonging to a  
7 passenger remains with the passenger for the duration of his or her 14 day  
8 quarantine detention period or extended quarantine period.  
9 (iv). Any emergency officer is required to use protective masks and gloves during  
10 any time he or she is in close proximity (being a distance of less than 6 feet) of  
11 any passenger who has not yet undergone the health screening process and has  
12 not been issued with a mask and gloves and are required to do hand-wash or  
13 undergo necessary decontamination when his or her personal protective equipment  
14 is removed.  
15 (v.) Designated disposal bins for all personal protective equipment are at all times  
16 to be provided at the Kosrae International Airport and at a quarantine facility and  
17 must be double-bagged and regularly properly disposed of.  
18 (vi) After all passangers have undergone the health screening process  
19 pursuant to (i) hereof and are given a direction to <sup>undergo</sup> self quarantine in a  
20 quarantine facility for 14 days or as the case maybe arrested for disobeying such

1 direction all passengers will be conveyed by group transport to a quarantine  
2 facility.

3 (vii). <sup>While</sup> Whilst in quarantine, any passenger who is detained in a quarantine facility  
4 is required to promptly submit himself or herself to mandatory daily or regular  
5 medical checks and monitoring at the direction of an emergency medical officer  
6 or an emergency nursing officer . Any passenger who refuses a direction to  
7 undergo a test to investigate whether she or she has contracted COVID 19 virus  
8 (or any other virus or disease which has precipitated a Declaration of State of  
9 Emergency) will have his or quarantine detention period extended for a period up  
10 to 10 days and may be forced to undergo such a test.

11 (viii). Subject to (xii) hereof any person who is not a passenger, an emergency  
12 medical officer or an emergency nursing officer is not permitted entry into a  
13 quarantine facility or inside the perimeter area surrounding a quarantine facility at  
14 any time.

15 (ix). Provision of food and supplies (including deliveries from family and friends  
16 of a person detained ) in a quarantine facility will only be brought into the facility  
17 by an emergency nursing officer or an emergency infection prevention control  
18 officer.

19 (x). Laundry machines are to be provided within each quarantine facility for the  
20 use of an adult detained in a quarantine facility.

1        (xi). A single point of entry to a quarantine facility and a secure perimeter  
2        surrounding a quarantine facility be regularly monitored by an emergency  
3 authorized officer.

4        (xii). Only a person authorized by the Director of Kosrae State Government  
5        Department of Health Services or is an emergency authorized officer are  
6        permitted entry into a quarantine facility.

7        (xiii). Emergency medical officers, emergency nursing officers or an emergency  
8        authorized officer will take all necessary and reasonable action to prevent any  
9        person to person contact between a person detained in a quarantine facility and  
10       any staff member of service providers authorized temporary entry into a  
11       quarantine facility.

12       <sup>while</sup> (xiv) Whilst an adult is being detained in a quarantine facility he or she must  
13       promptly comply with any reasonable direction given given by an emergency  
14       medical officer or an emergency nursing officer. Whilst a minor is being detained  
15       in a quarantine facility he or she must have any reasonable direction given to him  
16       or her by an emergency medical officer or an emergency nursing officer explained  
17       in terms he or she can readily understand.

18       (xv). A person who has been detained in a quarantine facility, will only be  
19       permitted to leave subject to his or her test for COVID 19 virus ( or any other virus  
20       or disease precipitating a State of Declaration of Emergency) returning a negative

TWELFTH KOSRAE STATE LEGISLATURE

TENTH SPECIAL SESSION, JUNE 2020

L.B. No. 12-166

1 result the quarantine facility, after the period of 14 days has elapsed since he or  
2 she has been detained in the facility and subject to his or her being medically  
3 examined by an emergency medical officer and that he or she has been given a  
4 medical clearance after such medical examination has been conducted.

5 (xvi). After a quarantine facility is no longer required either temporarily or  
6 permanently to function as a quarantine facility, such facility is to immediately  
7 undergo decontamination and will remain vacant until decontamination of the  
8 facility is completed and assessed as being free of any infection or contamination  
9 by an emergency infection prevention control officer in conjunction with an  
10 emergency medical officer.

11 (xvii). After all passengers arriving at the Kosrae International Airport have  
12 undergone health screening process pursuant to (i) hereof and are given a  
13 direction to <sup>undergo</sup> self quarantine for 14 days or as the case may be arrested for  
14 disobeying such direction and then have been conveyed by group transport to a  
15 quarantine facility, emergency health and safety officers will then promptly  
16 undertake environmental health and safety cleaning of the Kosrae International  
17 Airport arrival area and transport used to convey passengers to a quarantine  
18 facility.

19 (xviii). Smoking and chewing of betel-nut or tobacco, ingesting or otherwise  
20 taking any illegal drug or consumption of alcohol by any person in a quarantine

1 facility or within the perimeter area surrounding a quarantine facility is not  
2 permitted at any time.

3 ~~(xix) An adult subject to a direction to self quarantine for 14 days or is arrested~~  
4 ~~for refusing to obey such direction pursuant to (ii) hereof and is subsequently~~  
5 ~~detained in a quarantine facility in Kosrae State is responsible (subject to~~  
6 ~~financial hardship) for meeting the costs (excluding transportation and security) of~~  
7 ~~detaining himself or herself or his her partner their children including children one~~  
8 ~~or both of them whom they individually or jointly have guardianship over during~~  
9 ~~the period they are detained in a quarantine facility. The Kosrae State Government~~  
10 is to provide for a passenger's food, toiletries, and towels whilst the passenger is  
11 being detained in a quarantine facility.

12 (xx) An emergency authorized officer is required to immediately assist where  
13 necessary an emergency medical or an emergency nursing officer in  
14 endeavouring to ensure a direction given by such emergency officer to any  
15 passenger or person detained in a quarantine detention facility is complied with.  
16 In the event any direction permitted to be given in this Section is not complied  
17 with and any action including by force is required to ensure that the direction is  
18 carried out an emergency authorized person must where necessary immediately  
19 assist such emergency medical officer or emergency nursing officer in conducting  
20 such action.

1        Section 3. Amendment. A new section be inserted under Chapter 9 of Part 1 of  
2        Title 13 of the Kosrae State Code is hereby amended to read as follows:

3        “Section 13.913 Failure to comply with a direction or restriction.

4        (i)    A passenger given a direction pursuant to Section (i), (ii), (vii) and (xiv) of  
5        Section 13.912 by an emergency medical officer or an emergency nursing  
6        officer must comply with the direction. Failure to comply with any such  
7        direction by a passenger who is an adult is a category one misdemeanor. A  
8        passenger who is a minor who has failed to comply with any such direction  
9        may be given a caution.

10       (ii)    A person unless otherwise exempted must not engage in any conduct  
11       proscribed by or prohibited by subsections (iii), (viii), (ix) and (xviii) of  
12       Section 13.912 Engagement by an adult in any such conduct is a category one  
13       misdemeanor. A minor who has engaged in any such conduct may be given a  
14       caution.

15       (iii)    An emergency officer must perform the action required to be undertaken by  
16       him or her as described in sub-sections (xiii) and (xx) of Section 13.912.  
17       Failure to perform any such action required is a category one misdemeanor.”

18       Section 4. Amendment. A new section 13.914 be inserted under Chapter 9 of Part  
19       1 of Title 13 of the Kosrae State Code is hereby amended to read as follows:

---

1        “Section 13.914: Amendment Definitions: For the purpose of Sections 13.912 and  
2        13.913 of this Act the following definitions apply:

3        i)        Passenger is an arriving passenger at Kosrae International Airport who is a  
4        resident or citizen of Kosrae State who is arriving from a destination  
5        outside the Federated States Of Micronesia.

6        ii)        Health screening process is a medical or health process which includes the  
7        taking of a temperature check of a passenger, questioning of a passenger  
8        about his or her medical condition and any other tests and examinations  
9        necessary to be administered or to be conducted before a medical clearance  
10       can be issued.

11       iii)       Emergency officer includes medical, nursing, technical, infection  
12       prevention control, health and safety officers involved in quarantine  
13       operations management appointed by or authorized by the Kosrae State  
14       Government Director of Health Services or is an authorized officer within  
15       the meaning of Section 13.902 (iv).

16       iv)       Quarantine facility is a facility nominated as such by the Kosrae State  
17       Government Director of Health Services.

18       v)       Perimeter area is the area immediately outside a quarantine facility  
19       bounded by a perimeter.



- 1 vi) Perimeter is the boundary of a perimeter marked by a fence, or wire  
2 strands or other structure that identifies or delineates the boundary of a  
3 perimeter.
- 4 vii) Service provider includes a minister of religion or a priest, food, non –  
5 alcoholic beverages, clothing or stationery supplier, lawyer or accountant.
- 6 viii) Adult is a person over the age of 18 years.
- 7 ix) Minor is a person under the age of 18 years.

8 Section 5. Amendment. A new Section 13.915 be inserted under Chapter 9 of Part  
9 1 of Title 13 of the Kosrae state code is hereby amended to read as follows:

10 “Section 13.915 To avoid doubt.  
11 For the purposes of Sections 13.912, 13. 913 and 13.914 the provisions contained  
12 therein apply despite the provisions of any other written law and a person  
13 including an emergency officer does not commit an offense by reason of  
14 compliance with any of the provisions contained in Sections 13.912 and 13.913.”

15 Section 6. Effective Date. This act takes effect upon the approval of the Governor  
16 or upon its becoming law without such approval.

17  
18 Date: 7/7/20

Introduced by:   
Rinehart B. William