




AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
LEGISLATURE OF AMERICAN SAMOA

In reply refer to:

C E R T I F I C A T I O N

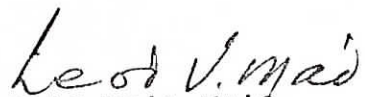
House Chamber
April 18, 1991

I certify that House Bill No. 22-91 passed third reading on this date in the House of Representatives during its First Special Session of the Twenty-second Legislature of American Samoa.


WALELY F. UTU
Chief Clerk
House of Representatives

Senate Chamber
April 23, 1991

I certy that House Bill No. 22-91 passed third reading on this date in the Senate during its First Special Session of the Twenty-second Legislature of American Samoa.


LEO'O VA'A MA'O
Secretary of the Senate

THE TWENTY-SECOND LEGISLATURE OF AMERICAN SAMOA

First Special Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the fifteenth day of April
one thousand nine hundred and ninety one

AN ACT SETTING THE STANDARD FOR DEALING WITH PERSONS WHO HAVE HIV SEROPOSITIVITY AND ACQUIRED IMMUNE DEFICIENCY SYNDROME; AMENDING SECTIONS 25.0401, 25.0402, 25.0405, 25.0406 ASCA; AND CREATING A NEW SECTION 25.0418 ASCA.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 25.0401 is amended to read:

"25.0401 Authority to declare diseases communicable.

(a) The director may, by regulation approved by the Governor, declare any disease to be a communicable disease.

(b) Human immunodeficiency virus seropositivity (HIV) and acquired immune deficiency syndrome (AIDS) are communicable diseases."

Sec 2. 25.0402 is amended to read:

"25.0402 Report of communicable diseases--Duty of medical personnel.

Any physician, dentist, medical or dental officers, or nurse of the department of ~~medical services~~ health who has knowledge or suspected knowledge of the presence of any communicable disease or any other disease dangerous to the public health shall report the same to the United States Public Health Service and to the director within 48 hours after diagnosis unless a different time is prescribed by regulation, together with the name, age, and sex of the person affected, the village in which the person may be found, and such other information as may be required by regulation. When the patient is immediately hospitalized, the physician or medical officer in charge of the hospital care of the patient shall make the report."

Sec 3. 25.0405 is amended to read:

"25.0405 Report of communicable or contagious disease--Confidential--Duty of person or child with disease.

(a) Any person having any communicable disease, or any other disease dangerous to the public health, including venereal disease, shall report such condition to any medical services officer or physician licensed to practice medicine in American Samoa. No parent, guardian, or other person having custody or care of a minor child shall conceal the fact of a minor child having any such disease."

Sec 4. 25.0406 is amended to read:

"25.0406 Inspection for discovery disease.

(a) When a complaint is made or reasonable belief exists that a communicable disease or other disease dangerous to public health prevails in any house or elsewhere and has not been reported, the director of ~~medical services~~ health shall make an inspection for the purpose of discovering whether any such disease exists."

Sec 5. There is created a new section 25.0418 which reads:

"25.0418 Personal rights guaranteed.

No person testing HIV positive may be denied any governmental services, public or private employment, school attendance, housing, insurance, health or dental care or any other basic human rights based upon their seropositivity."


Letuli Tofoa

PRESIDENT OF THE SENATE


Tuana'itau F. Tuia

SPEAKER OF THE HOUSE

Hereby Approved this 15th day of May, 1991.


Governor of American Samoa

NOFOAIGA LUASEFULU-LUA FONOFAITULAFONO O AMERIKA SAMOA

Fono Fa'apitoa Muamua

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefululima o Aperila
tasi le afe iva selau iva sefulu-tasi

O SE TULAFONO E FA'ATULAGA AI FUA TUTUSA MO LE TAUSIA O TAGATA UA IAI TOTO PISIA I LE HIV MA UA FA'AITHITIA SIAMA LELEI O LE TINO E TETE'E AI FA'AMA'I; SUIA MAGA 25.0401, 25.0402, 25.0405, 25.0406; MA FA'AVAEINA SE MAGA FOU 25.0418 TFAS."

IA FAATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

Maga 1. 25.0401 ua suia e faitauina:

"25.0401 Pule e fa'alauiloa ai fa'ama'i pipisi.

(a) O le fa'atonu e mafai, i poloaiga ua fa'amaonia e le Kovana, fa'alauiloa so'o se fa'ama'i ua ta'ua o fa'ama'i pipisi.

(e) Pisia o le toto o tagata i siama leaga (HIV) ma le pisia o le toto i siama mai isi (Aids) o fa'ama'i pipisi."

Maga 2. 25.0402 ua suia e faitauina:

"25.0402 Ripoti o fa'ama'i pipisi--Tiute o tagata faigaluega o le falema'i.

So'o se foma'i, fa'inifo, po'o ofisa o le falema'i po'o fa'inifo, po'o teine foma'i o le matagaluega o le ~~galuega foma'i~~ soifua maloloina ua na iloa pe masalosalo o iai so'o se fa'ama'i pipisi pe so'o se isi lava fa'ama'i e mata'utia i le soifua maloloina ia ripotia lea lava fa'ama'i i le Vaega o le Soifua Maloloina o le Iunaite Setete ma le fa'atonu i totnu o le 48 itula mai lana su'ega vagana se isi taimi ua fa'atonuina i poloaiga, fa'atasi ma le igoa, tausaga, ma le kenera o le tagata ua pisia, le nu'u e maua ai le tagata, ma isi fa'amatalaga e mana'omia i poloaiga. Afai e taofia vave loa le tagata ma'i ile falema'i, ona faia lea e le foma'i po'o le ofisa o le falema'i o lo'o tiute i le falema'i le ripoti."

Maga 3. 25.0405 ua suia e faitauina:

"25.0405 Ripoti o fa'ama'i pipisi pe feavea'i--Fa'alilo--Tiute o le tagata po'o le tamaitiiti ua iai le fa'ama'i.

(a) So'o se tagata ua maua i so'o se fa'ama'i pipisi, po'o so'o se isi lava ma'i e mata'utia i le soifua maloloina, e aofia ai ma'i afi, ia ripoti lea tulaga i so'o se ofisa o le falema'i po'o se foma'i ua laiseneina e galue fa'afoma'i i Amerika Samoa. E leai se matua, tagata e tausia, po'o se isi tagata o lo'o tausia se tamaitiiti e mafai ona ia nana le tulaga o lea tamaitiiti o iai lea fa'ama'i."

Maga 4. 25.0406 ua suia e faitauina:

"25.0406 Suega pe a maua i le fa'ama'i.

(a) Afai ua faia se tagi po'o ua iai se talitonuga fa'apea ua iai se fa'ama'i pipisi po'o isi fa'ama'i mata'utia i le soifua maloloina i so'o se fale po'o se isi mea ma e le'i ripotia mai, o le fa'atonu o ~~le falema'i~~ o le soifua maloloina o le a faia se asiasiga pe moni o iai se fa'ama'i."

Maga 5. Ua fa'avaeina se maga fou 25.0418 e faitauina:

"25.0418 Fa'amautuina o aia o tagata.

E le taofia mai so'o se tagata ua maua i se su'ega fa'apea ua iai le HIV so'o se tautua a le malo, galuega a le malo po'o kamupani tua, auai i a'oga, fale nofo, inisiua, tausiga o le soifua po'o nifo po'o so'o se isi lava aia fa'avae o le tagata ona o le fa'apea ua iai siama pipisi."


Letuli Toloa

PERESETENE, MAOTA MAUALUGA


Tuana'itau F. Tuia

FOFOGA FETALAI, MAOTA O SUI

Hereby Approved this 15th day of May, 19 91


Governor of American Samoa