



DEPARTMENT OF PUBLIC HEALTH

PO Box 5666

American Samoa Government
Pago Pago, American Samoa 96799



Public Health
Pule o le Pule o le Pule
American Samoa
Department of Health

MOTUISA T. NUA
Director

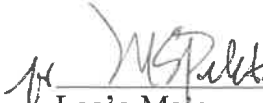
FARAITOGA M. UTU
Deputy Director

VESI F. TALAGELFI
Deputy Director

LEMANU P.S. MAUGA
Governor

TALAUEGA E.M.ALE
Lieutenant Governor

Acknowledgment of Filing




Leo'o Malo
Secretary of the Senate

Date: 10/25/23



Vaiaitu Malinu'u Maluia
Clerk of the House of Representatives


Date: 10/25/2023



Honorable Talauega E. V. Ale, Lt. Governor
Secretary of American Samoa

Date: 10/25/23

Rule #2023-0006, a new rule to establish new fees for Facility Health Permits becomes effective on: 11/14/23



Fainu'ulelei Falefatu Ala'ilima-Utu
Attorney General of American Samoa

Department of Public Health
Pago Pago, American Samoa 96799
Telephone: (684) 633-4606 | Facsimile: (684) 633-7868
Healthy Families ~ Healthy Communities ~ Healthy American Samoa



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I'avea Fa'avae Pule
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Director

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Deputy Director

VESEI F. TAU'AU'UFI
Deputy Director

ADOPTION OF RULE

New Administrative Rule # 2023-0006 of the American Samoa Administrative Code is hereby adopted.

Dated:

11/14/23

FA'NU'ULELEI FALEFATU ALA'ILIMA-UTU
Attorney General

CERTIFICATION

The undersigned hereby certifies that true and correct copy of the new Administrative Rule # 2023-0006, of the American Samoa Administrative Code, as officially adopted are attached hereto.

FA'NU'ULELEI FALEFATU ALA'ILIMA-UTU
Attorney General

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Deputy Director

VESI F TA A FIFI
Deputy Director

CERTIFICATION OF HEARING

The Department of Health intends to amend certain rules in Title 25, Chapter 02 of the American Samoa Administrative Code to establish a new fees for Facility Health Permits, pursuant to the authority granted to promulgate rules in the American Samoa Code Annotated sections 25.0102 and 4.1002.

On July 10 - 31, 2023, the Department of Health mailed a notice of intended action to all interested parties. On July 10 - 30, 2023 KVZK published the notice of intended action. On July 10 - 31, 2023 the American Samoa Government webpage published the notice of intended action.

The Department of Health certifies that:

- No hearing was requested or held;
- Office of Financial Institutions elected to hold a hearing on the proposed rule promulgation;
- A hearing was requested by a government subdivision or agency;
- A hearing was requested by at least 25 persons (requested attached);
- A hearing was requested by an association of at least 25 persons (request attached).

CERTIFICATION

The Department of Health:

I certify that the above statements are true and correct.


Motusa Tuileama Nua, 10/2/23

Director
Department of Health

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Deputy Director

PROPOSED AMENDMENTS TO THE AMERICAN SAMOA ADMINISTRATIVE CODE, TITLE 25, CHAPTER 02

Pursuant to the authority granted to promulgate rules in accordance with the American Samoa Code Annotated sections 25.0102 and 4.1002, the Department of Health intends to amend certain rules in the American Samoa Administrative Code, Title 25, Chapter 02 by establishing new fees for Facility Health Permits.

The proposed amendments are set out below. The underlined text represents the proposed new changes.

AMERICAN SAMOA ADMINISTRATIVE CODE TITLE 25, CHAPTER 02

Section 1: A new section 25.0207 of the American Samoa Administrative Code is inserted to read as follows:

“25.0207 Fees - Health Permits.

The Director shall issue the following fees pursuant to A.S.C.A 4.1002 and 25.0102:

<u>No</u>	<u>Services</u>	<u>Fees</u>
<u>1</u>	<u>Health Permits (All Food & Non-Food such as; barber shop, salon, beauty parlor, massage parlor, tattoo shop, tattoo parlor, auto shop, auto paint shop, laundromat and any similar business affecting health and environment)</u>	<u>Flat rate: \$100.00</u> <u>Additional activities: \$50.00</u>
<u>2</u>	<u>Health Permits (All Other Non-Food)</u>	<u>\$50.00</u>
<u>3</u>	<u>Temporary Health Permits</u>	<u>An organization: \$100.00 per day</u>

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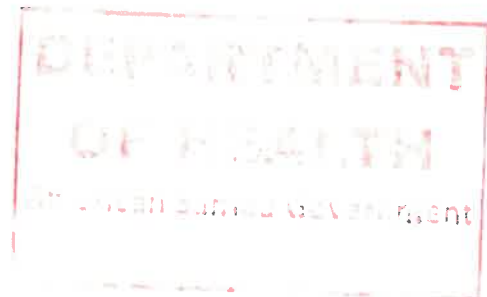
Legal review of DOH draft rules

		<u>An individual: \$50.00 per day</u>
<u>4</u>	<u>Post Business inspection follow-ups</u>	<u>First follow-up: \$50.00</u> <u>Continuous follow-up until inspection is corrected: \$25.00 per day</u>
<u>5</u>	<u>Violations – risk factors</u>	<u>\$50.00 per risk factors/food safety violation identified during inspection if business is not closed.</u>
<u>6</u>	<u>Closure of activity</u>	<u>First closure: \$5,000.00</u> <u>Second closure: \$7,000.00</u> <u>Third closure: \$10,000.00</u>
<u>7</u>	<u>Closure due to a foodborne illness outbreak</u>	<u>\$5,000.00</u>
<u>8</u>	<u>Certificate of food condemnation</u>	<u>\$100.00 per certificate</u>
<u>9</u>	<u>Export Health Certificates for Containers</u>	<u>\$200.00 per export container</u>
<u>10</u>	<u>Burial transit permit</u>	<u>\$50.00 per permit</u>
<u>11</u>	<u>Exhumation permit</u>	<u>\$50.00 per permit</u>
<u>12</u>	<u>Assessment with condemnation certificate</u>	<u>\$50.00</u>
<u>13</u>	<u>Copy of Permit/Certificate</u>	<u>\$10.00</u>

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Approved,


Motusa Tuihonua Nua 10/2/23
 Director
 Department of Public Health



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July 10, 2023

CERTIFICATION OF BROADCAST

KVZK:

The attached language was broadcast on KVZK on July 10 - July 30, 2023


KVZK Representative

Communications Division, Office of the Governor:

The attached language was posted on <https://americansamoa.gov/notices>
on July 10 through July 31, 2023.



Doug Smith
Communications Officer
Office of the Governor

Department of Health:

A copy of the attached notice was mailed on July 10 - 30, 2023 to the
following persons/addresses who had previously requested notice of rule actions:

*No requests for notice of rule actions.


Motusa Tuileama Nua 10/2/23
Director of Health
Director

Department of Public Health

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