

COMMITTEE ON RULES AND JUDICIARY

07/23/2020-REPORTED OUT TO THE FLOOR

07/22/2020-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

07/17/2020-REASSIGNED TO THE COMMITTEE ON HEALTH, HOSPITALS AND HUMAN SERVICES

BILL NO. 33-0343

Thirty-Third Legislature of the Virgin Islands

July 14, 2020

An Act to amend Title 19 of the Virgin Islands Code establishing minimum criteria for members of the Virgin Islands Government and Health Facilities Corporation Board, decreasing the number of its members, and increasing the stipend of its board members

PROPOSED BY: Senator Kurt A. Vialet

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 19 Virgin Islands Code, chapter 16, section 243 is amended as
3 follows:

4 (a) Subsection (b) is amended by striking all existing language and inserting the
5 following in its stead:

6 “The Corporation shall be administered by a Board of Directors consisting of thirteen
7 (13) members as follows: five (5) members representing the District Board of St. Croix, five (5)
8 members representing the District Board of St. Thomas-St. John, and three (3) cabinet level
9 members or appropriate designee. Members appointed by the District Boards will be comprised

1 of two doctors elected by their respective members of the District Boards, two (2) nurses, two
2 (2) Attorneys, two (2) Certified Public Accountants, and two (2) Engineers or Architects one
3 each from the Districts of St. Croix and St. Thomas/St. John. Cabinet members include the
4 Director of Property & Procurement, the Director of the Office of Management and Budget or
5 Commissioner of Finance and an additional cabinet level member or appropriate designee
6 appointed by the Governor. Seven (7) voting members of the board shall constitute a quorum
7 and all final decisions of the board must be voted on by a quorum.”;

8 (b) Subsection (c) is amended by striking all existing language and inserting the
9 following in its place:

10 “All members of the Board of Directors shall serve terms of three years, except that
11 initial appointments of doctors and nurses are 4 years for the first term and may revert back to
12 three years after the first term. No more than four members' terms shall expire in the same
13 twelve-month period.”;

14 (c) Subsection (d) is amended by striking “Non-government”, by striking “\$50” and
15 inserting “\$100” in its place, and by striking “or as a member” and inserting “except two doctors
16 and one nurse for the” in its place.;

17 (d) Subsection (e) is amended by striking the second sentence;

18 (e) Subsection (g) is amended by striking all existing language and replacing it with
19 the following:

20 “The corporation shall have two district governing boards, one for the District of St.
21 Croix and one for the District of St. Thomas-St. John. Each district board shall have nine
22 members, all of whom shall represent their respective island district. District Board members
23 shall serve terms of three years. Two members shall be doctors elected by their respective
24 members of the Association of Hospital Employed Physicians. One member shall be a nurse

1 elected by the Virgin Islands Nurses Association. One member shall be an Attorney elected by
2 their respective members of the Virgin Islands Bar Association. One member shall be a
3 Certified Public Accountant elected by their respective members of the Virgin Islands Board of
4 Accountancy. One member shall be an Engineer or Architect elected by their respective
5 members of the Virgin Islands Board of Architects, Engineers and Land Surveyors. Three
6 members of each district board shall be appointed by the Governor with the advice and consent
7 of the Legislature, one of which shall be a member of the Chamber of Commerce. Members
8 appointed by the Governor shall not serve on the Board of Directors of the Corporation. No
9 person appointed to represent a district may reside in a district different from that which he has
10 been appointed to represent. Each district board shall elect its own chairman and such other
11 officers as it deems appropriate. Members of each district board shall receive \$100 for each day
12 or part thereof spent on the official business of the district board and shall be reimbursed for
13 actual and necessary expenses incurred by them in the performance of their official duties. Not
14 more than three of the non-elected members of each district board may be employees of the
15 Government of the Virgin Islands. No employee subject to supervision by the corporation or
16 who is a member of the same collective bargaining unit as an employee subject to supervision
17 by the corporation, except two doctors and one nurse, and elected by their respective members,
18 may serve as a member of a district board. Operating costs for each District Board shall be
19 charged to the hospital in the respective district. For purposes of this section, "for cause" is
20 defined as any violation of the bylaws of the corporation. Five (5) voting members of the board
21 shall constitute a quorum and all final decisions of the board must be voted on by a quorum.";

22 (f) Subsection (h) is amended by striking it in its entirety and renumbering the
23 remaining subsections accordingly;

24 (g) Subsection (i) is amended by:

1 (1) Striking “shall” and inserting “may”;

2 (2) Inserting the phrase “but in any event no longer than 180 days” after the
3 word “qualified”; and

4 (3) Inserting “If professional organizations fail to name board members
5 within sixty (60) days of written request, the district board shall select an interim member
6 to fill vacant positions until the organization names a member” at the end of the
7 subsection.

8 **BILL SUMMARY**

9 This Bill amends the Virgin Islands Government Hospitals and Health Facilities
10 Corporation by decreasing the number of Territorial Board members from fifteen to thirteen. It
11 also establishes minimum criteria for members of the Corporation. It further allows for
12 vacancies on the board to be filled in the manner of the original appointment only for the
13 unexpired term. Finally, it allows members to continue to serve up to 180 days past the
14 expiration of their term.

15 **BR19-0162A/December 23, 2019/LMW/Reviewed by**