

SENATOR FRANCIS' BILLS GET FAVORABLE RECOMMENDATIONS

Date : April 10, 2017

St. Croix--The Committee on Health, Hospitals, and Human Services, chaired by Senator Nereida Rivera-O'Reilly, met Monday in the Frits E. Lawaetz Legislative Conference Room, St. Croix where testimonies were given regarding amendments to Bill No.32-0020 and Bill No.32-0021 sponsored by Senator Novelle E. Francis. Jr.

Bill No.32-0020 amends the Virgin Islands Code by re-designating the Government Employees Service Commission (GESC) as the Health Insurance Board of Trustees. It requires that all five (5) members appointed by the Governor, one shall be a health insurance agent or broker licensed with the Division of Banking and Insurance and in good standing with at least 5 years of non-government health insurance experience, establishing a quorum to be five members thus placing a cap of \$500.00 per fiscal year for each member to attend meetings.

The sponsor of the Bill, Sen. Francis, Jr., said the significant reason for this proposal is to accurately reflect the Board's responsibilities and duties to the employees of the government and further, the composition of the Board does not change in this instance.

Testifying on the Bill, Gwendolyn Brady, Director, Division of Banking, Insurance and Financial Regulation said, her office recommend that an amendment be placed reflecting the following stipulating; "Of the five members appointed by the Governor, one must be a health insurance broker or agent, with at least 5-years of non-government health insurance experience, and licensed with the Division of Banking and Insurance, and in good standing."

Although Director Brady called for an amendment to the Bill, she nevertheless said her office supports the provision for several reasons, some of which are: the Board's membership already consists of a licensed health care provider and there would not be a conflict of interest for a health insurance broker or agent licensed with the Division of Banking, Insurance and Financial Regulation Division to serve.

She added that, "The amendments can only serve to enhance the Health Insurance Board of Trustees' to fulfill the Bill's legislative mandate once it becomes law."

Beverly Joseph, Chairperson, Health Insurance Board of Trustees said in her testimony, that the Board supports the Bill with some modification, and that, the requested modification is to insert "Government Employees and Retirees Health Insurance Board of Trustees," because where, "Health Insurance Board" is proposed as the Board, is not a global Health Insurance Board and does not address private sector insurance matters.

Joseph also addressed the \$500.00 per fiscal year provision inserted in the Bill for each member to attend meetings. She noted, that while the Board meets at least monthly during negotiations, RFP presentations, and training sessions, maintaining a \$500.00 max, is unrealistic and should be removed.

Also, testifying on Bill No.32-0020 was Wayne Harty, President, V.I. Insurance Association who said that, his Association believes that the proposed legislation, if passed, will add a depth of real life experience that can only be gained by "being out there in the trenches with our brother and sisters who are affected on a day to day basis with the myriad of problems posed by the ever-changing health insurance market.

He reminded the Committee of the hundreds of persons in the Territory who do not have health insurance for reasons such as we are not a state and we are small in size and population. He suggested that determined efforts be made to explore whether the government health insurance could be expanded to include other Virgin Islanders who desire and can afford to pay for health insurance coverage.

Bill No.32-0020 was technically amended by both Senators Francis Jr. and Kurt Vialet and voted favorably out of the Committee and sent to the Rules and Judiciary for further consideration.

In regards to Bill No.30-0021 also sponsored by Senator Francis, Jr., it seeks to replace the Government Employees Services Commission with the Public Relations Board (PERB).

In her testimony, Zandra Petersen, Executive Director, and Certified Hearing Officer, PERB, asked the question, "What kind of impact these amendments would have on the operation of PERB?" She said if the Bill becomes law, the PERB anticipates that it will have a substantial impact on their operations, as it relates to the processing of new appeals. Furthermore, she added PERB anticipate that if no process is in place, one will have to be amended to address various types of appeals.

She added that PERB's powers to sustain, amend, or reverse a decision of the department head, and to enforce its final order, must be established by statute. She suggested that funding be in place to assist with the additional duties of the PERB, which may result in hiring of personnel and consulting services.

Bill No.32-0021 was technically amended by Sen. Francis, Jr., and favorably voted out of the Committee and sent to the Rules and Judiciary Committee for further consideration.

Committee members at Monday's meeting were: Chairwoman, Senator Nereida Rivera-O'Reilly, Marvin Blyden, Dwayne DeGraff, Samuel Sanes and Janette Millin Young. Non-Committee member was Senator Kurt Vialet.

