THIRTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
OF THE UNITED STATES

Charlotte Amalie, St. Thomas
Virgin Islands

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COMMITTEE OF THE WHOLE

Part III

ROUGH DRAFT

February 5, 2020

Earle B. Ottley Legislative Hall
United States Virgin Islands

SENATORS PRESENT:

SENATOR NOVELLE E. FRANCIS - PRESIDENT
SENATOR MYRON D. JACKSON - VICE-PRESIDENT
SENATOR ALICIA V. BARNES
SENATOR OAKLAND BENTA
SENATOR MARVIN A. BLYDEN
SENATOR ALLISON DEGAZON
SENATOR DWAYNE M. DEGRAFF
SENATOR DONNA A. FRETT-GREGORY
SENATOR KENNETH L. GITTENS
SENATOR STEDMANN HODGE, JR.
SENATOR JAVAN E. JAMES, SR.
SENATOR STEVEN D. PAYNE, SR.
SENATOR JANELLE K. SARAUW
SENATOR ATHNEIL THOMAS
SENATOR KURT A. VIALET

LEGISLATIVE REPORTER - NATAYA A. M. MUNOZ
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P-R-O-C-E-E-D-I-N-G-S:

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(The Committee of the Whole rises out of recess and commences as follows:)

SENATOR FRANCIS: We're out of recess. At this time, Senator Frett-Gregory you're recognized for your seven minutes. Also as the testifiers as you initially beginning to speak we have a new recorder, please give your name.

Senator Frett-Gregory, your recognized for your seven minutes.

SENATOR FRETT-GREGORY: Thank you Mr. Chair, and good afternoon again to everyone. Of course, these two pieces of legislations are absolutely far reaching legislations here, that's before us here this afternoon, and I have so many questions. And I need to make sure that I get in as much as possible. So I'm going to go straight to the point.

One of the things that concerns me with the discussion that we're having this afternoon is the fact that the hospital or neither the hospital or VITEMA is in front of us, and those two entities are in fact impacted by these two pieces of legislation and in fact that concerns me. I think that what's important is when we are discussing and considering
far reaching legislation it is so important that we include all of the stakeholders.

So that being said, I'm going to ask the
Commissioner of Health, this -- the -- first of all let me ask you. Both entities, was VITEMA or the hospitals included in your initial discussions?

COMMISSIONER ENCARNACION: The VITEMA in essence through the individuals who was actually running project plan for this --

SENATOR FRETT-GREGORY: Just yes or no.

COMMISSIONER ENCARNACION: No, they were not at the table.

DIRECTOR GEORGE: No, Senator.

SENATOR FRETT-GREGORY: So see that's part of the problem, right, because there are things in here that impact both entities, and they're not involved in the discussion. That's why we continue to find ourselves in situations here in this territory where entities cannot and will not collaborate. You have to get buy-in in order for things to work. So, that's the first wrong step we making here.

Anyway, and I'm going to ask the Commissioner of Health, have you considered how the hospitals here in the Territory will be impacted by 33-0270?

COMMISSIONER ENCARNACION: Actually, I think it
will be a benefit to both hospitals if the Act is actually passed where Fire and EMS has integrated --

SENATOR FRETT-GREGORY: No, no. 0270 is the First Emergency Medical Services bill.

COMMISSIONER ENCARNACION: Yes, correct. In term of the integration will be a benefit I think to both hospitals within the Territory.

SENATOR FRETT-GREGORY: How? When we have -- where we allowing private concern to provide services. That means then that the hospital will be in fact losing revenues. That's my concern. Am I off on this?

COMMISSIONER ENCARNACION: Not necessarily. I think that one of the things that we have to think about from our overall prospective is that the services provided needs to be very clear. As long as we from a regulatory aspect ensure that every -- all the criteria are met and we hold them accountable, I know that there's going to be some revenue loss yes but you also have to --

SENATOR FRETT-GREGORY: Just stay here with me, because I need to make sure I get this in.

COMMISSIONER ENCARNACION: Okay.

SENATOR FRETT-GREGORY: So it is clear based on what I have read in Bill No. 33-0270, that our
hospitals will be impacted. It is clear. There is no question. And that is why I'm very concerned that we have not had the conversation with the hospitals to determine what the impact is. So we need to start with the impact as to what is -- how would our hospitals be impacted by this. Of course, I do agree that care is important, but we have to have a universal conversation. And I know that this this 33-0270 is the sister to the 0271, but I am very concerned about this.

What about your billing capabilities?

COMMISSIONER ENCARNACION: Right now we actually have been able to collect a large amount last year I think it was close the 3 million collected for EMS revenues. So our billing capabilities are I think we're doing pretty good.

SENATOR FRETT-GREGORY: Okay. Tell me from the 0271, which is the merger itself and this is for Fire. Again, VITEMA conversations. So you said there was no conversation with VITEMA. However, I note specifically and I can't specifically tell you what the section is, but you speak about providing 911 services. How are we going to address that collaboration? In addition to the fact that right now we have the Emergency Services fund and of that fund
both Fire and EMS currently receives 30% of that fund. The merger should create some level of savings because of efficiency. So right now based on this piece of legislation you will be benefitting 60% of those funds. So how do you -- what type of conversation have you been having with VITEMA as it relates to this?

DIRECTOR GEORGE: I would like some clarity on what you mean with the impact of VITEMA. VITEMA is the coordinating agency. I can't see where the impact going to come in.

SENATOR FRETT-GREGORY: Well, let me tell you what impact is.

MS. DOWE: One minute thirty seconds.

SENATOR FRETT-GREGORY: So VITEMA is responsible for the System, correct?

DIRECTOR GEORGE: Yes, ma'am.

SENATOR FRETT-GREGORY: Okay. So, the System requires maintenance and the -- right now I think VITEMA is in the process of purchasing a new system. So if we are looking at a merger, mergers are -- if you're looking at corporate America or any corporations, merger is supposed to reduce expenses, and you're also talking about adding additional revenues. So my question is did you look at whether
or not based on your new revenue stream that you're
looking at, whether or not you can in fact to afford
to loose some of this. Now it will be 30 -- 60%, loss
some of this 60% and direct it back to VITEMA who is
responsible for in fact the System, the 911 system
itself?

DIRECTOR GEORGE: Senator, there's another group
that is dealing with the inoperability of the 911
system, the CAD system. There's a proposal for those
funding to be inputted into the budget to go through
BIT to VITEMA. When it talks about --

SENATOR FRETT-GREGORY: What other group?

THE CLERK: Thirty seconds.

DIRECTOR GEORGE: Inoperability Communication
Group. This is the team that is building out the
system --

SENATOR FRETT-GREGORY: Where's the funding
coming from?

DIRECTOR GEORGE: Excuse me?

SENATOR FRETT-GREGORY: The funding for that.

DIRECTOR GEORGE: Each agencies will have to put
in funding. Some of the funding is going to come from
FEMA.

SENATOR FRETT-GREGORY: Okay, so -- yeah but I
talking about continuity.
DIRECTOR GEORGE: I agree.

SENATOR FRETT-GREGORY: FEMA is not going to be here forever and a day.

DIRECTOR GEORGE: I agree.

SENATOR FRETT-GREGORY: We continue to talk about the federal government, but we have to think about the future.

THE CLERK: Time.

SENATOR FRETT-GREGORY: So my concern is -- and I'm just going to wrap up, because I have a concerns with regards to these two bills that is in front of us. But my concern is if we are looking at a merger, we can't look at it from a one-sided perspective. We have to look at whatever we are doing from a wholistic perspective. So VITEMA and the both hospitals need to be at the table, and I'm going to leave that right there for now. I don't need a response. I think that if we're going to do things right here in the Territory we need to include all the parties, and it's just so much that we have to look at with regards to these two pieces of legislation.

Thank you, Mr. Chair.

SENATOR JACKSON: Thank you very much, Senator Frett-Gregory. At this time we'll recognize Senator Athneil "Bobby" Thomas. Senator, you're recognized
for your time and just for notification Senator DeGraff, Senator Vialet has to catch a flight. So we will move to him and then come back to you. Thank you so much.

Senator, you're recognized for your time.

SENATOR THOMAS: Thank you very much, Mr. Chair. And good afternoon to the professionals before the Legislature today. This merger is it -- is it ready to roll when? When will it be ready to roll if the merger happens?

DIRECTOR GEORGE: Go ahead.

ASST. DIRECTOR EVELYN: Our plan is to conduct it in phases. So if this bill was to pass today, I would say like within six to eight months we'll have everything in place, but it's going to occur in phases.

SENATOR THOMAS: Okay. And the fire station on Pollyberg, that's Omar Brown?

DIRECTOR GEORGE: Yes, sir.

SENATOR THOMAS: Is that -- that's one of our newest facilities, correct?

DIRECTOR GEORGE: Yes, Senator.

SENATOR THOMAS: Is that designed for a merger to be able to handle both Fire and EMS?

DIRECTOR GEORGE: The last two fire stations
that we built that was the intent, multipurpose.

**SENATOR THOMAS:** And how long would it take to retrofit the others or whatever you'll be using to house both the merged units, how long will it take to retrofit them to -- for storage for all equipment necessary everything?

**DIRECTOR GEORGE:** As we speak we several funding sources for several fire stations --

**SENATOR THOMAS:** Time. Not money, time.

**DIRECTOR GEORGE:** I'll say in the next year and a half Fortuna should be built; Grove should be built. All of these are going to be multipurpose stations. We also looking at Tutu, Coral Bay, Cruz Bay. So, all of these will be multipurpose stations which would hold ambulance and fire trucks.

**SENATOR THOMAS:** Okay. Thank you for that. We have the merger is going to require certification of course. Will this certification be local or will it be meeting national standards?

**ASST. DIRECTOR EVELYN:** It will be national standards, national registry.

**COMMISSIONER ENCARNACION:** And that would also be the certification comes through Department of Health. It will be local.

**SENATOR THOMAS:** So the national standards will
be -- the training will be done locally, but you will meet national standards?

    COMMISSIONER ENCARNACION: Correct.

    SENATOR THOMAS: And your national standards do they require licensure?

    COMMISSIONER ENCARNACION: Yes.

    SENATOR THOMAS: So your local training will gain licensure to the incoming personnel.

    COMMISSIONER ENCARNACION: Correct.

    SENATOR THOMAS: And who is going to oversee the licensure?

    COMMISSIONER ENCARNACION: The Division of Regulatory Services within the Department of Health specific to EMS.

    SENATOR THOMAS: Okay, excellent. Now, this is going to be a win for the Territory for sure, because if you reduce response time everyone benefits. It's definitely a benefit for the community. It's also going to be win for some of the members I think particularly for EMS because right now, on an average let's say weekly how many calls Fire Service receives?

    DIRECTOR GEORGE: Depends on what kind of call it is. I say weekly maybe five a day.

    SENATOR THOMAS: Okay, five a day. And from the EMS how many calls weekly do they have?
DIRECTOR GEORGE: Substantial.

SENATOR THOMAS: Correct. Give me a substantial number.

DIRECTOR GEORGE: I'll say 20 to 25.

ASST. DIRECTOR EVELYN: EMS receives in each district approximately 3,000 calls per year in each district.

SENATOR THOMAS: Okay. So there's a big difference in calls between Fire and EMS. Salary wise, on average, who gets paid more?

DIRECTOR CLENDIDEN: EMS.

SENATOR THOMAS: Say again?

DIRECTOR CLENDIDEN: EMS does, salary wise.

SENATOR THOMAS: What is the salary for incoming Fire and the salary for incoming EMS?

DIRECTOR CLENDIDEN: The salary for incoming EMS I have that it ranges. It starts at about -- it goes from maybe 35 to 41 just depends if you're an EMS or a paramedic. So it's from 35 to 41.

SENATOR THOMAS: And Fire?

DIRECTOR GEORGE: 38, 5.

SENATOR THOMAS: Say again?

DIRECTOR GEORGE: 38.5 starting.

SENATOR THOMAS: 38, 5. So Fire has a little edge there in the beginning, but I guess it's the
caught up afterwards. Okay. So now if you're -- it's funny, because we have the money budgeted you said some coming from Health, some coming from Fire and some from two other sources. I just want to make sure that when this merger happens and everyone is considered, and those who feel they are having more calls than the other, that we have to address I guess some kind of balance with their salaries, because it's not going to be right for those who coming from EMS with the four times as much calls as Fire getting paid less than Fire. So that's something we'll have to look down the road for when it comes budget wise, correct?

DIRECTOR GEORGE: Yes, sir. That has been a big part of the discussion between management and the individuals that we've been meeting with. There was some incentive put in the law under the Executive Order of Governor Mapp that also we would look at to incentivize the EMT. We have a lot of benefits in the union contracts for the firefighters that helps bumps up their salary. So we are looking at the same initiative to do with the EMTs.

SENATOR THOMAS: Okay. Well, you've provided us with a road map, correct?

DIRECTOR GEORGE: Yes, Senator.
THE TIMEKEEPER: One minute thirty seconds.

SENATOR THOMAS: Okay. Please make sure the plan to play is more than a discussion and be included in that road map. Make it tangible so they can see that they will benefit in just parity we are seeking here.

DIRECTOR GEORGE: The employees is the key to the success of this merger. So you have my word on that, Senator.

SENATOR THOMAS: Thank you very much for that. The employees in the Virgin Islands Government is the key throughout so that's totally understood.

Currently you will have -- you have two units, EMS and Fire. When everything is said and done, the first new employee hired will be what? A firefighter, an EMS or a cross-trained individual?

DIRECTOR GEORGE: Right now the vision is to every firefighter coming in has to be emergency medical response trained, that means they'll be crossed trained in medical services and firefighting.

SENATOR THOMAS: So then you don't have that option anymore. You're not coming either as EMS or Fire. You're coming as a cross-trained firefighter?

DIRECTOR GEORGE: That's what we plan to do. With the Training Division once everything is in
place, that's the vision of this integration.

THE TIMEKEEPER: Thirty seconds.

SENATOR THOMAS: Currently, as we speak what percentage of the firefighters are cross-trained?

ASST. DIRECTOR EVELYN: Currently, have 14 EMS providers in the Fire district.

SENATOR THOMAS: And how many employees you have? How many members?

DIRECTOR GEORGE: 242.

SENATOR THOMAS: So you have 14 out of 242. The reminder were they offered or are they able to get the cross-training as well?

DIRECTOR GEORGE: Senator, it's part of the problem we have. We have to build a training division to continuously train and get these certification for these individuals. If you don't have the training division we going -- this is not going to work.

THE TIMEKEEPER: Time.

DIRECTOR GEORGE: Because we have had the opportunity to train individuals, and they're not completing the training because of whatever reasons.

SENATOR THOMAS: Mr. Chair, may I wrap up please?

SENATOR JACKSON: Yes, you may please.

SENATOR THOMAS: Thank you. My point is this.
We have the firefighters now. You have 200 something with only 14 cross-trained. If it's available to others, why didn't they do it? If you are going to now require that everyone gets cross-trained, I think you would get less people applying to be a member of the merger entity, because they don't want to.

SENERATOR JACKSON: Please wrap up. You may respond.

SENATOR THOMAS: That's it.

SENERATOR JACKSON: You may respond to the Senator on my time.

DIRECTOR GEORGE: In the Executive Order that --

SENERATOR JACKSON: Hello. Hello.

DIRECTOR GEORGE: Sorry.

SENERATOR JACKSON: Please. You may respond to the Senator on my time. Please proceed.

DIRECTOR GEORGE: I was saying, Senator, in the Executive Order that was passed, there's a slot for 12 firefighters to be crossed-trained to EMTs. We're trying to build it out. The training division is going to play the critical part of the success for this integration to work. That's why we requested and we got the support of Senator Vialet for the monies to bring this to fruition. The training -- oh, sorry my apologies. My apologies.
SENATOR JACKSON: Thank you very much. Colleagues. Please complete your --

DIRECTOR GEORGE: That's the process part of this bill.

SENATOR JACKSON: Thank you very much. At this time I'll like to recognize Senator Vialet. Senator Vialet, you're recognized for your time.

DIRECTOR GEORGE: My apologies.

SENATOR VIALET: Thank you. Thank you, Mr. Chair. You recently had EMT class last week or week before EMS? Yes, Fire. Fire recently had a class?

DIRECTOR GEORGE: Yes. EMR class, yes.

SENATOR VIALET: How many individuals were enrolled in the class?

DIRECTOR GEORGE: 21.

SENATOR VIALET: What's the success rate after taking the test?

DIRECTOR GEORGE: It's not over yet. We had a little issue.

SENATOR VIALET: What was the success rate.

DIRECTOR GEORGE: All the individuals failed.

SENATOR VIALET: Thank you. The main intent of this bill is to provide service to areas that were not as accessible because of as where the ambulances are coming out of. In testimony, it states that we have
ten fire stations, and the idea is to increase EMS service at those ten stations. You have 61 trained individuals who now work for Department of Health. Divided that by 10 this 6 individuals per station, 24 hours 2 -- if you have 3 shift if you have 2 shifts 3 individuals. If you are not able to train individuals who are going to be able to pass the test and become certified, then it doesn't make a difference what merger you do, because you are not be able to provide that service to multiple stations because you don't have sufficient staff. So the overall is going to be how are you ever going to have sufficient staff that you're able to have ambulance in more than one area? Because right now I mean if we have sufficient then we could do it Frederiksted right now, because we don't necessarily need the merger. That's the first.

The second is all our fire stations presently, not the new one, those on St. Croix that were battered are they presently equipped to be able to accommodate EMS?

**ASST. DIRECTOR STEVENS:** Senator, the Frederiksted Fire Station can right now accept and accommodate the EMS.

**SENATOR VIALET:** The rest.

**ASST. DIRECTOR STEVENS:** Yes, sir.
SENATOR VIALET: The rest of them?

ASST. DIRECTOR STEVENS: The rest of them no, sir. C Company can which is the one in Richmond, but our intent is to right now move --

SENATOR VIALET: Because Richmond we have Charles Harwood.

ASST. DIRECTOR STEVENS: Right. It's right next to it. So we don't need to do that.

SENATOR VIALET: So what -- hold up. Hold up because I only got a short time. What is the plan? If this is supposed to pass what is the plan which stations you plan to get up running and first?

ASST. DIRECTOR STEVENS: The first station -- if this is successful today, the first station that gets an ambulance is the one in Frederiksted, F Company.

SENATOR VIALET: And how would you be able to compliment the staff that we presently at Department of Health at F Company to get that up and running?

ASST. DIRECTOR STEVENS: Keep in mind like Assistant Director Evelyn just said we have -- we currently have five EMTs within Fire Service. So, we'll be able to augment --

SENATOR VIALET: And they're stationed at different stations?

ASST. DIRECTOR STEVENS: Right. And we can make
that adjustment within.

SENATOR VIALET: So you'll send all 5 there?

ASST. DIRECTOR STEVENS: Not all 5 but we'll adjust accordingly, sir.

SENATOR VIALET: So like the President asked before, what stops us from doing that right now without this bill? What stops us? Okay, let me go on to a next question, because I don't think nothing really stops us. I really like the Commissioner of Health but -- DEA, Drug Enforcement Agency, there're regulations in reference to where narcotics could be stored.

ASST. DIRECTOR EVELYN: Once we get our medical director --

SENATOR VIALET: Are there regulations right now as to where narcotics should be stored?

ASST. DIRECTOR EVELYN: For us, Fire Service?

SENATOR VIALET: No. EMS. You could store narcotic now?

ASST. DIRECTOR EVELYN: No, no. That's Health Department question. I'm sorry.

SENATOR VIALET: No, no. I asking Fire Service, because I coming to you guys. Can you store narcotics now?

ASST. DIRECTOR EVELYN: We do not have DEA
license right now to store.

SENATOR VIALET: The only place that narcotics could be stored on St. Croix would be at Charles Harwood, correct?

ASST. DIRECTOR EVELYN: That's correct --

SENATOR VIALET: Have you applied for a DEA license for Fire?

ASST. DIRECTOR EVELYN: We have not because we're waiting for it has to be applied through a medical director, and that's our next hire if this is successful.

SENATOR VIALET: Now, we gave the money to hire the medical director before this is successful because EMS must fall under a medical director, correct?

ASST. DIRECTOR EVELYN: Correct.

SENATOR VIALET: So if you don't have a medical director at Fire Service, how are you going to transfer those individual to Fire Service absent a medical director? We gave the money, and I'm running out. We gave the money because we know that these problems were coming. So we said we need a medical director; we need somebody over the EMS that's going to be Fire because we need individuals who understand the industry. We have to be careful. This body has to be careful with this transfer. Because you're
saying if you transfer now if you don't have a medical
director those drugs have to be stored at Charles
Harwood. So if an ambulance is stationed at
Frederiksted and they run out of drug they got to
Charles Harwood to pick it up to go back down to
Frederiksted. All of those little nuances got to be
in place. What is the projected the passage rate of
the existing Fire Service workers that would be able
to supplement the numbers that would be able to
provide service? How many individuals out of that
242? You just had a class of 20, nobody passed. How
many individuals are we going to be able to get up to
a certain level of service --

THE TIMEKEEPER: One minute thirty seconds.

SENATOR VIALET: -- that would be able to expand
what we presently doing? How many have you seen that
are saying I'm willing? Because in your testimony you
said that you're not going to force, which is right,
you're not going to force any firefighter to complete
the training. It's going to be on voluntary basis.
So in preparing for this, how many firefighters have
volunteered that they want to be cross-trained?

DIRECTOR GEORGE: We have several --

SENATOR VIALET: How many? We need to got
numbers. How many?
DIRECTOR GEORGE: I'll say right now we have two in the Wheatley Skill Center in training right now, and we have another ten is willing to do it.

SENATOR VIALET: How many firefighters have we projected or how many overall EMS staff have we projected in order to run 24-hour service at these locations? How much staff do we need? If we have Frederiksted, Christiansted, Charles Harwood, Mid-island, two on St. Thomas, one Bordeaux, two St. John how much staff are the projections that we need?

THE TIMEKEEPER: Thirty seconds.

ASST. DIRECTOR STEVENS: Senator, excuse me. I understand your question. However, I think we jumping ahead.

SENATOR VIALET: I ain't jumping ahead.

ASST. DIRECTOR STEVENS: I believe -- I believe--

SENATOR VIALET: Hold up. Hold up. Hold up. I'm not jumping ahead at all. In order for this to accomplish the goal, the entire Virgin Islands believe that if this is passed everybody have service. We ambulance in all the different locations and that's what they're going to be looking for. So it's going to be an immediate want that the islands expect.

THE TIMEKEEPER: Time.
SENATOR VIALET: So if we are not able to clearly come up with a plan as to how we're going to be able to implement that, we're going to have issues. In order to do that, you got to have projections. You got to know well, we plan to open two on St. Croix, two on St. Thomas, two on St. John. We have 61 need 40 to run 3 shifts, 2 shifts. What are the numbers?

ASST. DIRECTOR STEVENS: Right. And so I apologize for saying you're jumping ahead, but I wanted to get out we don't -- if it happens tomorrow we're not going to change what EMS is doing as far as 12-hour shifts. They are currently running 12-hour shifts. We'll allow the 12-hour shifts to continue until we get to the numbers that we need to get to. We may make that adjustment for 24-hour shifts for the EMTs, but right now, you know, we want to make sure we crawl, run, walk, crawl, walk, run.

SENATOR VIALET: So, right now -- right now it's going to stay the same?

ASST. DIRECTOR STEVENS: It's going to stay the same. If it happens today we doing all this stuff all at once. We need to be able do it step by step and in phases, sir.

SENATOR VIALET: And I just want to close. You know what the real big issue is? The EMTs or the
medical professionals under Department of Health they were resistant to moving in this direction, very resistant. And because this they are resistant they were left out of the conversation. So a lot of the overall putting the bill together did not have that detailed information from some of the key players in EMS because they were so resistant. And I believe that it is something that we need to look at and I'm hoping that this bill would eventually go to the Committee of Jurisdiction where we could really vet it and make the recommended changes so we could move forward.

Thank you, Mr. Chair.

SENATOR FRANCIS: Thank you very much, Senator Vialet. And I think it's important for us again to establish timelines of implementation. You know, obviously, there is a Richmond Fire Station for example and we have Charles Harwood where the ambulances are currently housed. With the approval of this bill is there a technical merger that will occur or these individuals will remain where they at?

DIRECTOR GEORGE: There will be a technical merger. Individual will be moving around. One thing that is not being said, we just not going to moving ambulance in places. We have in the road map they
talk QRVs, Quick Response Vehicles, changing around how the aspect of the EMT and Basic and ALS Group run.

Senator Vialet asked a question and it's really unfair because the individual who was doing the training is the same set of individuals who were doing what they were doing in the past. So at the end of the day, at the end of the day, those are the individuals that have the certification for training, and we use them. That's why we want to build our own training center.

I ain't come here to get beat up. I going tell the truth, okay. If people want to play games leh dem play games on the outside. These is the same individuals that cause the problem we have today. Dem is the same individuals when we put firefighters in class they doing all kinds foolishness and not training the individuals. For them to call him and tell him how much people just fail that's a problem for me, because they doing injustice to the people.

SENATOR FRANCIS: Very well. Let's talk about how are you getting employees buy-in. You know, obviously, there is opposition on both sides --

DIRECTOR GEORGE: Yes.

SENATOR FRANCIS: -- both the EMS as well as the Fire Department. How are you are engaging those
individuals for employee buy-in?

**DIRECTOR GEORGE:** So senator, in all due respect, we met with the EMTS in both districts. The Governor was there; he had an invite all the EMTs Paramedics. Who didn't come that was on them. We can't hold their hand to force them to come. Some said they didn't know. We invite them to other meetings. They didn't show. They didn't show up. Those who want to radicalize and say they don't want to be part of the system what do want us to do? We reached out to them. They sit in the background and criticize. They don't bring nothing to the table.

At the end of the day, what we are trying to do here is safe lives. At the end of the day, this same thing I'm talking about with this training division is the biggest obstacles in the reason that for nine years they haven't hired new EMTs. Why he didn't call you and tell you he had six EMTs that they trained at the Wheatley Skill Center still can't be tested up today -- up to today that could be put online tomorrow. At the end of the day, I could tell you what's going on, but you need to look in more into the foolishness they been doing for years.

**SENATOR FRANCIS:** Your voice coming back. Point of inquiry, Senator Vialet.
SENATOR VIALET: Thank you. Thank you, Mr. Chair. And I'm glad that I've been able to restore Mr. George from his temporary sickness, because he get his voice back. So I'm happy I'm going to be able to cure you.

Mr. George, we you gave you $75,000.00. This body did not tell you who hire for training. You have $75,000.00 if you wanted to bring trainer because you think the present trainer isn't fair that's in your purview. Don't blame this body for relaying information that is factual. If you know there's an issue with the particular trainer why you hire the same trainer, and we give you money that you utilized as you see fit. So don't blame this body. We specifically gave you the money because you said that before. You said same thing and you come back with the same excuse again? Same excuse for eight years? We gave you specific money. Use the $75,000.00 for training how you see fit. Bring in a certified trainer to train them and test them if you think that's an issue, but don't use the same excuse all the time; because you had firefighters that pass the same class in the present.

SENATOR FRANCIS: Very well.

SENATOR VIALET: Thank you. Information I want
his voice to come better.

SENATOR FRANCIS:  Senator DeGraff, you're recognized for your seven minutes at this time.

SENATOR DEGRAFF:  Thank you, Mr. Chair. Good afternoon colleagues, good afternoon testifiers, good afternoon all viewing, listening and present.

First thing, Director of Fire what neighborhood you grow up int.

DIRECTOR GEORGE:  Savan.

SENATOR DEGRAFF:  Okay, good. That's a Savanero dey. So you know we ain't come from foolishness. I going to start off with that. Now, your human capital in this whole thing is most important to me. Collective bargaining issues, how many bargaining units are we talking about with this merger?

CHIEF NEG. SPRINGETTE:  Two.

SENATOR DEGRAFF:  Two bargaining units?

CHIEF NEG. SPRINGETTE:  Sorry, three.

SENATOR DEGRAFF:  Three. What are they?


SENATOR DEGRAFF:  Okay. Does that cover all the firefighters and EMS personnel?

CHIEF NEG. SPRINGETTE:  It doesn't cover all.
There's -- there's two firefighter's unions. I didn't
the include Supervisory Firefighter's Union.

SENATOR DEGRAFF: Okay, so --

CHIEF NEG. SPRINGETTE: So they are IAFF,
International Association of Firefighters.

SENATOR DEGRAFF: So with all of these
bargaining units --

CHIEF NEG. SPRINGETTE: Yes.

SENATOR DEGRAFF: -- have they been spoken to as
to the actual process?

CHIEF NEG. SPRINGETTE: Yes.

SENATOR DEGRAFF: Okay.

CHIEF NEG. SPRINGETTE: They have been -- they
have been part of the process since June. I scheduled
a meeting in both districts via video conference where
the unions for Fire, the firefighters and corporals,
because those are the ones directly affected as well
as the EMT Supervisory under Steelworker and the rank
and file under SIU were invited. Their leadership was
invited, and they sent their representatives.

SENATOR DEGRAFF: Okay. How will seniority work
out?

CHIEF NEG. SPRINGETTE: In terms of -- can you
explain that to me?

SENATOR DEGRAFF: In terms of once they merge as
one unit, how does seniority work?

CHIEF NEG. SPRINGETTE: Well --

SENATOR DEGRAFF: You have EMS and Fire merging.

CHIEF NEG. SPRINGETTE: Uh-huh.

SENATOR DEGRAFF: You may have persons seniority in Fire, persons have seniority in EMS. How does that work out coming under one entity?

CHIEF NEG. SPRINGETTE: Well, note that the integration of the two entities is not integrating the unions. The unions remain as they are. That's --

SENATOR DEGRAFF: Okay.

CHIEF NEG. SPRINGETTE: The Central Government cannot change bargaining units.

SENATOR DEGRAFF: Okay. With the Fire -- with the medical director being the chain of command.

ASST. DIRECTOR EVELYN: Yes, he will be. He or she we will be, yes.

SENATOR DEGRAFF: Okay. So, the medical director on duty working, Fire come down, firefighters go on the scene the Medical Director comes up how does that work out?

ASST. DIRECTOR EVELYN: The Medical Director will report to the Fire Director. However, the Medical Director will have ultimate control over
patient care --

SENATOR DEGRAFF: Patient care.

ASST. DIRECTOR EVELYN: -- in terms of setting policies and protocols for their patient care delivery.

SENATOR DEGRAFF: Right. I understand that. But then again like I say, you have firefighters who have been trained with basics firefighter, because it's voluntary I'm trained basic life saving services, I respond as a firefighter. I present to start do CPR whatever, who has jurisdiction over me? The Medical Director or my Fire Supervisor?

ASST. DIRECTOR EVELYN: It depends. If the Fire personnel go on a medical call, the highest ranking medical person on the scene if it's an advance EMT or paramedic will have jurisdiction over that particular call.

SENATOR DEGRAFF: Right. I understand that.

ASST. DIRECTOR EVELYN: Medical Director has oversight over the entire operations, medical operation, but he or she doesn't have to be present on each and every call.

ASST. DIRECTOR STEVENS: Senator DeGraff, if I may --

SENATOR DEGRAFF: Yes.
ASST. DIRECTOR STEVENS: -- I think what you're trying to ask if a firefighter goes out the Firefighter/EMT goes out on a emergency medical call?

SENATOR DEGRAFF: No, no. I'm going to clear it up. You have firefighter who has been trained as the Director said with basic life saving training. No EMT come to work that night, that day, 12-hour shift, but the firefighter is sufficient with basic EC he responds, he's a firefighter. He wasn't dual trained in terms of being Firefighter/EMS --

ASST. DIRECTOR STEVENS: EMT, okay.

SENATOR DEGRAFF: He goes on the scene now, and he does his job. Who supervises him? Who tells him what would it be his supervisor on Fire or does it have to be from the Medical Director, because he's doing something in the medical field?

ASST. DIRECTOR EVELYN: He or she will respond to the highest ranking person who's medically trained at that time. So if you're saying that a firefighter is a emergency medical responder that goes on the scene, he would treat according to his certification, according to his licensure.

SENATOR DEGRAFF: No. But what I'm saying none exist. In the V.I. somebody ain't going to come to work, EMS ain't come to work, but you have that fire
person trained, firefighter trained in the basics. They go out would they be allowed to even perform something in the medical? No EMTs available on duty, but they have basic training. Would they be allowed to try perform any life saving measure on an individual?

**DEP. CHIEF STEPHENSON:** Currently, in the St. Thomas/St. John District we have about 85 percent of our personnel including the senior staff there are captains and lieutenant trained in basic life support, which is CPR. So right now the supervisor would be in charge of that scene. And we have in our district we getting ready to wrap up to a hundred percent in the next two tweaks or so we have another class to get even the management team certified in basic life support, which is CPR.

**THE TIMEKEEPER:** One minute thirty seconds.

**DEP. CHIEF STEPHENSON:** So the supervisor would be in charge of that scene currently.

**SENATOR DEGRAFF:** Okay. Two things quick. How would promotions work? Promotions for individual once there's a merger?

**CHIEF NEG. SPRINGETTE:** Senator, again, remember that if it's -- if there are individuals within the bargaining unit their contract will still dictate.
SENATOR DEGRAFF: Okay. I had understand that. It just sound like it cause a little confusion, you know.

CHIEF NEG. SPRINGETTE: Well, note that, you know, as -- seeing this is a process that's being done in phases, there may be need for additional negotiations. But at this time the contract will continue as they are.

SENATOR DEGRAFF: Okay. Commissioner --

THE TIMEKEEPER: Thirty seconds.

SENATOR DEGRAFF: -basically do you have any authority over the system once that board is in place?

COMMISSIONER ENCARNACION: Once the board is in place the authority that I would have would be the credentialing of the medical director --

SENATOR DEGRAFF: Excuse me. I apologize. Which would be like how you have the CONs, Certificate of Need, you determine what entity comes in. So it's basically I really think two of my colleague it would severely hurt the hospital, because once you open up the flood gates or the doors you open up the gates to private ambulatory services. You open up the gates to other medical entities around the island.

THE TIMEKEEPER: Time.

SENATOR DEGRAFF: That would circumvent the
hospitals is basically how I -- if I my wrap up Mr. Chair -- is basically how I see the issue. Yes you may.

COMMISSIONER ENCARNACION: May I respond? Okay. So, one of the things it speaks to transport of none -- non-emergent patients. Those non-emergent patients can actually transferred -- transported to somewhere other than a hospital for example urgent care center. Right now the hospital complains on a daily basis of patients going into the hospital system that don't really need to be at the hospital system but should actually be seen at private entities or urgent care centers. This actually is going to help us do that. So I can't see that it's going to hurt the hospital much in terms financially. It's actually going to help them reduce the number of patients waiting in the waiting rooms to be seen.

SENATOR DEGRAFF: Okay, I guess if I get a chance. Thank you for time Mr. Chair.

SENATOR FRANCIS: Thank you, Senator DeGraff. Senator Barnes, you're recognized for your point of personal privilege, or you wanted to -- you're recognized for your seven minutes at this time, because you're getting ready to leave. Go ahead.

SENATOR BARNES: Thank you Mr. Chairman. Mr.
Chairman, thank you for allowing me the latitude to
speak since you know we have a town mall meeting
scheduled for 6:30 in St. John on the CZM bill. So I
appreciate the latitude and the accommodations from my
St. Croix colleague. Thank you.

I am just trying to for a lack of better
characterization wrap my brains around these two
bills. And I understand the intent but, again, as we
said earlier when your colleague was here,
Commissioner Thomas, that, you know, the details, the
rollout, the mechanics, the implementation. I believe
that's where that's giving us pause or let me speak
for myself. So in terms of an implementation schedule
do we have an implementation schedule as to when we
anticipate the actual rollout, and what that is
actually going to look like?

COMMISSIONER ENCARNACION: I can speak to
regulatory. In reference to regulatory we've actually
started a regulatory arm. Right now, we conduct a
regulatory services within the Department of Health
for EMS. Having the bill and having EMS over into
Fire allows us to focus on the regulatory issues. So
we can just continue doing what doing we doing right
now. So we're prepared.

SENATOR BARNES: Okay. And then Fire, EMS, I
mean --

**DIRECTOR GEORGE:** Fire will be a transitional period. To tell you right now when the discussion to interview the medical director so that wouldn't take a long period of time. That going to happen within a week, two weeks. The training officer going to take a little longer, but the rollout operation part of it that could happen if the bill is passed next week, it could happen, parts of the operation.

**SENIOR BARNES:** Okay. So you know for me, you know, it would just have been good to see -- it's just a roll call plan an implementation plan that would speak to prerequisite I guess they having legislative framework which is what we're trying to accomplish here. And then the actually rollout the implementation plan so that we can understand the mechanics. Your discussions with the Office of Collective Bargaining, the Division of Personnel as it relates to salary and with OCB with union issues, I just don't feel comfortable that has been thought out to implementation. And then also considering implications as some of my colleagues indicated the impact to our two hospitals with the urgent care services that are just popping out throughout the island. And Commissioner Encarnacion I can't agree
with you that we're not having impacts to our
hospital, but I just -- I didn't want that to remain
out there because I do believe there's significant
impact and revenue loss to our hospitals with these
ambulatory and urgent care facilities that are just
being established throughout the Territory. And at
some point in time there has to be a comprehensive
healthcare model that speaks to each entity providing
compatibility versus competition with our local
hospital. So that's another hearing and that's
another discussion.

But in terms of the implementation and I would
like to hear from the be Office of Collective
Bargaining as well as the Division of Personnel are
you comfortable at this juncture that we are at a
place where we can begin a rollout or what sort of
timelines do you think would be necessary
realistically for this to all go into effect? Both of
you.

CHIEF NEG. SPRINGETTE: Senator, I'm comfortable
with the current plan for the rollout. I need to make
it clear that there's a lot of things that cannot be
done without sufficient justification. For example,
there's been questions about the certification for the
various unions. If we were to petition the PERB at
this time saying we need to make changes to
certifications because of something that is going to
happen in the future, from my experience in the past
as an attorney at OCB, the PERB may dismiss it or stay
it until it actually happens, because what they need
is concrete information about what the employees are
going to do, their responsibilities and what not
before they can make determinations on those types of
matter. I'll let DOP respond.

SENATOR BARNES: So it's which comes first kind
of situation?

CHIEF NEG. SPRINGETTE: Well, we know what comes
first. The action has to happen. The employee has to
be in that place or carrying out those duties first
before PERB can make a determination so to whether
there needs to be any changes.

SENATOR BARNES: And to do that you need the
legislative framework to provide you with the
authority to do that?

CHIEF NEG. SPRINGETTE: Yes, because the
employees will remain where they are until then.

SENATOR BARNES: And we need specific questions
answered so that we can responsibly make appropriate
decisions.

THE TIMEKEEPER: One minute thirty seconds.
SENATOR BARNES: The following --

CHIEF NEG. SPRINGETTE: I understand but there is no intent to deprive and the statues do provide and the proposed bills do provide. There is no intent the deprive the employees of any of their benefits that are under the Collective Bargaining Agreements.

SENATOR BARNES: No. And that is not -- that is not what I am saying. I'm just saying comprehensively an implementation plan appears to be lacking. Now you may know and it may be discussed amongst you, but as far as it being communicated to us I'm not getting it so.

DIRECTOR CLENDIDEN: Thank you, Senator, for the question. I, too, with Attorney Springette do support and feel that we can roll this out. We have worked extensively with Fire and Health to not only meet with employees but go through the painstaking process. Change the org chart; what that should look like. What the reporting order should look like. How we still meeting the needs of the employees? Let's make them a part of the process.

So I'm a little dismayed when I hear that it's reported that they were not -- when we've had at least three all day sessions just going over what does this person do? What would they look like in the new
organization? So yes we have even developed a draft strategic plan that has some dates and timeline in when we would like things to -- our target to sent out. So it is a work in process --

THE TIMEKEEPER: Thirty seconds.

DIRECTOR CLENDIDEN: -- but it can be done.

SENATOR BARNES: Is there a reason why Ms. Greenidge ain't here today? Has she -- was she involved --

COMMISSIONER ENCARNACION: She's actually on leave right now.

SENATOR BARNES: She's on leave. Was she given an opportunity to provide input in any of the processes, any of the plans?

COMMISSIONER ENCARNACION: She was actually one of the first individuals that we brought to the table prior to the project actually being instituted. So, yes she was.

SENATOR BARNES: Okay, thank you.

THE TIMEKEEPER: Time.

SENATOR BARNES: Thank you testifiers for your responses, and thank you Mr. Chairman for the latitude, and I'm requesting to be excused.

SENATOR FRANCIS: Very well, thank you. You're excused.
SENATOR FRETT-GREGORY: Point of inquiry.

SENATOR FRANCIS: Safe travels to St. John.

Senator Frett-Gregory, you're recognized for your point of inquiry.

SENATOR FRETT-GREGORY: Thank you Mr. Chair and it is germane. Commissioner of Health, Ms. Encarnacion, let's go back to the private discussion, and I guess my primary concern here is who will determine whether the patient goes to the hospital or the private concern -- to a private provider.

COMMISSIONER ENCARNACION: That would be the as medical director. That's the person who actually makes a determination.

SENATOR FRETT-GREGORY: So you're saying that the medical director would have to be on call for every single emergency that occurs?

COMMISSIONER ENCARNACION: If there is a question as to whether or not -- emergencies normally they go to -- if it's an emergency you are picking up someone and you realize at this point in time it's a non-emergent patients that is established, that has to be validated by the provider but the license practitioner who is the only one there would be the Medical Director.

SENATOR FRETT-GREGORY: Thank you. I'm just
going to make one comment. I see this particular component opening us up to fraud. Thank you, Mr. Chair.

SENATOR FRANCIS: Thank you very much, Senator Frett-Gregory. Senator Gittens, you're recognized for your seven minutes.

SENATOR GITTENS: Thank you Mr. Chair. Before my seven minutes, can I have a point of information please quickly?

SENATOR FRANCIS: You're recognized for your point of information.

SENATOR GITTENS: And I wanted to ask it immediately after the discussions were being had, because I don't like people to loose but -- I mean focus from where we were. But my colleague next to me was asking a scenario question that I just couldn't understand and what should have come from the testifiers is that, if this merger was to be put into effect that that scenario should not happen, because there must be an EMT on duty at all times. So the scenario that was given, you all need to be on your feet to answer these questions. Thank you.

SENATOR FRANCIS: You're recognized for your seven minutes at this time.

SENATOR GITTENS: I want to first start out by
thank all EMTs and firefighters territorially for their efforts and all they have been doing under these trying conditions. They have continued to perform under some trying conditions like I'm saying, and you all know as their bosses that they continue to be out there, especially after those two category five hurricanes. And I've yet it to see any real gratitude given to these men and women.

St. Thomas is -- you could call what you want, but St. Thomas is a much smaller island than St. Croix. And yet, EMTs respond from two different locations. Until this merger materialize, why can't we have a centralize EMS on St. Croix? Politics. Leaders should lead from the front, not only lead but lead from the front. Where were the leaders when there were talks of the -- what you call it -- modulars coming into the territory? What leader sat to that table and allowed that modular to come in on St. Croix to be placed on the eastern end of the island? Rather than being placed centrally where they were operating from?

Now for the hospital to be cutting style on you to say they can't accommodate you. It's pure nonsense, and that's why I get out of my office and I go and I make inspections on my own so that people
don't come telling me anything or giving me stories. The nonsense about the EMS can't be accommodated at the hospital is pure nonsense. We waiting for somebody to lose their life, it appears. I am happy for this merger, and that's why I -- the concept and that's why I gave up it authorship so that we can have these discussions, but I don't have have time to play games. And yes I have a stake in this too because I live on the western end of the island, but I ain't about me. It is about the services that we are providing to people of the Virgin Islands and in this case the people of the St. Croix.

The ambulance was located in a central location. And our leaders sat to a table and allow for a lovely modular to come it, the EMTs are quite comfortable I must say. But they, too, know that putting them all the way in the Richmond area puts people on the western end of the island at a total disadvantage, and we sitting playing plinky bird about this whole thing. Both agencies are in need of expansion, EMS and Fire. And the increasing demands of emergency response, we struggling, we struggling. So the merger yes is supposed to assist us. But we got to do this right and not piecemeal.

There were couple of things that I'm a little
baffled about. In the Fire Director's testimony on Page 3 of 9, you spoke about the benefits of integration of Fire and EMS. What you said there is basically true. But what I'm not clear about is after this merger what are we doing? Are we saying and I think I'm at the wrong place. It's not there. It's really Page 5 of 9 where you talk about traditional firefighters. I'm not sure of your definition of traditional, but I am wondering. The current employees that you have, we're saying that we're grandfathering them into V.I. Fire/EMS, correct?

DIRECTOR GEORGE: Yes, Senator.

SENATOR GITTENS: What happens going forward though because currently what you don't want to do you don't want to force a firefighter to become an EMT and you don't want to force an EMT to become a firefighter otherwise you got chaos. If somebody don't want to save lives medically you don't want them messing around there.

THE TIMEKEEPER: One minute thirty seconds.

SENATOR GITTENS: Likewise with fire. So what happens going forward, that need to be clear as to the prerequisites when someone applies to become a firefighter in the future. Say this passed tomorrow, nothing can't happen today because Committee of the
Whole there's no action. This is just discussion.
But just say this was to go into effect tomorrow.
What will be the future for those coming in, the
applicants, what would be their prerequisite?

**DIRECTOR GEORGE:** One of the things we're
looking at really hard and this part of the road map
is anybody coming in future, in the future must be EMS
trained or have some kind of medical training.

**SENATOR GITTENS:** Yeah, but you see that's why
again going back to my colleague that's why he's been
asking you all the questions that he asking you. You
just say EMS trained. At one point when we went into
the police academy everybody had to get some kind of
basic training.

**DIRECTOR GEORGE:** That's what we talking about.

**SENATOR GITTENS:** Yeah, but that is not what the
merger is all about.

**THE TIMEKEEPER:** Thirty seconds.

**SENATOR GITTENS:** The merger -- the merger is
about having qualified Firefighter, Rescue, or EMT
personnel. That's what the merger is about. It's not
just about having a basic life skills certification.
We need to ensure that what we're doing is what we
really want to do for the future which is
Firefighter/EMT.
DIRECTOR GEORGE: But remember now, Senator, we have other disciplines within the Fire Service. We have Hazmat individuals; we have extrication individuals. So what we're trying to do right now with the existing employees is build out what we have to get the mandate of EMS/Fire --

SENATOR GITTENS: You going back to the --

THE TIMEKEEPER: Time.

SENATOR GITTENS: -- existing employees. I'm not talking about -- may I, Mr. Chair? I'm not talking about the existing employees. What is required of those coming in the future it needs to be established that we're looking for Firefighter/EMTs so that is your requirement once you go through the academy for the V.I. Fire Service.

DIRECTOR GEORGE: It's actually Firefighter/EMRs, medical responders so --

SENATOR GITTENS: Okay, what every you want to call it. You know exactly I what mean.

DIRECTOR GEORGE: Yes, Senator.

SENATOR GITTENS: But what I'm saying is that you just don't want to have it that they have basic first aid, CPR training. That's not what you want. We're trying to provide the services throughout the -- throughout the districts so that the response time
could cut down. I'll await the second round, but I was disappointed that there were no talks about marine rescue. We live on the islands.

**SENATOR FRANCIS:** Thank you very much, Senator Gittens. Senator Hodge, you're recognized for your seven minutes.

**SENATOR HODGE:** Thank you, Mr. Chairman. Good day to the testifiers once again, the viewing and listening audience and my colleagues. I am a member of the National Guard. I'm an MP, Military Police Investigator. So on our most recent annual training had the, as usual, we had the opportunities to do our left seat, right seat with the personnel there. It's customary on the military post that you will have the Firefighter/EMRs and also EMS who ride side by side, okay. Even if they're not in the same vehicle, they're in separate vehicles. But also who is required to be present is also law enforcement. I'm going to give you a scenario as to what that potential outcome could be.

911 call comes in; it's coming from a minor child maybe a 13-year-old and said that their mother is choking, okay. So the responders come out which might most likely the Firefighter/EMR and maybe the EMT. So when they arrive they have find out now that
maybe the significant other of the mother forced something down her throat, okay. So what you don't have on the scene, law enforcement. So that's how far reaching it can actually go.

But I am support of it for the most part. There're some concerns that I do have especially my good colleague, she asked the question in reference to the medical director. And having worked in that environment, I know the challenges that the hospital already has especially not sitting to the table in these discussions. But for for a medical director to have to make those decisions went those decisions are already being made some decree -- to some degree, it's really not worth it. Those decisions have to be made out there on the field at the end of the day.

One of the good questions I have is this. When we look at Medicaid for the services, someone being transported in an ambulance even for the medical supplies that they maybe issued that's being used and there's fee that's assign to it. How is that going to work with the Fire Department in terms of insuring that Department of Health still collects on Medicaid?

**COMMISSIONER ENCARNACION:** The coding and billing will continue to be done by the Department of Health. And so -- and the coding and billing actually
goes along with the documentation. So part the
training is appropriate and accurate documentation of
actually what's being done. If that's done once the
coder or biller looks at that, they put in those
numbers and it calculates into the bill.

**SENATOR HODGE:** On the side with the Fire
Department what they were -- let's say you have the
EMR, and let's say there are no EMT there. Would we
be able to collect on that as well, Medicaid.

**COMMISSIONER ENCARNACION:** In reference to --

**SENATOR HODGE:** If you just had a
Firefighter/EMR, no EMT that's with them.

**COMMISSIONER ENCARNACION:** The documentation has
to become from a certification what is the EMT and
above.

**ASST. DIRECTOR STEVENS:** I would like for --
sir, that's not going to happen. There will always be
an -- we do this there will always be EMT on --

**SENATOR HODGE:** Okay.

**ASST. DIRECTOR EVELYN:** There will always be an
EMT on shift and there will always be paramedic in a
quick response vehicle to respond 24/7 on shifts,
always. The EMR will be utilizing crew RVs in the
outlaying fire stations. In the main fire stations
we'll ambulance staffed by a minimal EMT two at
paramedic level. EMR will only be utilized in quick response vehicles, not on ambulances.

SENATOR HODGE: Yeah, understood. Let's say 10, 20 years from now is different. Everything is separated, everyone is in their own jurisdiction because we all -- we have three that money is being shared by three different funds. So what then is -- who is going to collect on Medicaid for Medicare?

COMMISSIONER ENCARNACION: Well, remember that Department of Health is actually going to be do the billing. In reference to Medicaid or Medicare whatever or private, that money is going to be put into -- into the -- the pot. The money goes to Fire, because they're the one who's actually doing the operations. The MOU that's we are going to be going into it is going to be an MOU for the collection of the processes.

SENATOR HODGE: So that means the Fire Department will be collecting on Medicare, Medicaid reimbursement. A little interesting, you know.

COMMISSIONER ENCARNACION: Not Fire Department. Fire/EMS.

SENATOR HODGE: Fire/EMS, okay, or EMRs. Got you. Rotation, how is it going to work out in terms of we're going to have individuals who going to be
traveling with the Fire Department, personnel who's going to be working at the hospitals. Is there going to be a rotation between those employees or are they going to be permanently assigned?

DIRECTOR GEORGE: They will have rotation and permanent. And keep in mind they will not be at the hospital. They'll be based at the fire station, one of the islands. All the islands have 10 fire stations, these ambulance will be strategically placed in one of the fire station.

SENIOR HODGE: So pretty much they're going to be responding to their respective zone --

DIRECTOR GEORGE: Exactly.

SENIOR HODGE: -- to their area.

DIRECTOR GEORGE: So that's why when you hear us talk within the legislation about the tier system, this is what we're trying to get across to individuals that this not going to be ambulance response. You're going to have two RVs, quick response vehicles. Like for instance in Bordeaux, Cotton Valley, Grove --

THE TIMEKEEPER: One minute thirty seconds.

DIRECTOR GEORGE: -- quick response vehicle will be used to do those kind of emergency run. The paramedic will not be on the bus. They'd be the supervisor over these EMT/EMRs. So they'll have the
flexibility to be on roaming and respond to many of
calls that are outstanding or waiting for a bus.

SENATOR HODGE: That I definitely like. Now,
you spoke to your strategic plan in your testimony as
well and so you can have the new ambulance etc.,
emergency vehicles. But budget wise, what's the true
forecast in terms of acquiring these vehicles and
having them the specific zones.

DIRECTOR GEORGE: I think that's our biggest
obstacle here right now, because I think we are
looking at it from a standpoint of having the
legislation pass to make sure that all of these
amenities start to go in place. We don't want to
start doing processes and the legislation don't pass.
I think a lot of the senators concerns that we should
have things in place before the legislation pass, but
I see it a little different.

THE TIMEKEEPER: Thirty seconds.

SENATOR HODGE: Okay. I know some of the -- I
spoke with some of the current EMTs, and what they
shared was the number of calls they go out on, which
exceeds like 3,000 versus the number of calls the Fire
Department goes on.

DIRECTOR GEORGE: That happens states -- all
over United State today. When you go to America you
call a 911 you'll see a ladder truck pop up.

SENATOR HODGE: So what position is the Fire Department is going to be put in in terms of additional grant funding because they're now doing it this way, which is really a better way.

DIRECTOR GEORGE: It would be benefit for us in the Territory. That is something I try to not say because a lot of people see it that's the onliest [sic] reason we doing to get grant --

THE TIMEKEEPER: No.

DIRECTOR GEORGE: -- funding, no. Our main focus is getting quicker response and more care to the people of the Virgin Islands. I think that should be the nucleus for us to support this bill.

SENATOR HODGE: Mr. Chair, if I may just one more question? I know in your testimony you also spoke in reference to St. John, and St. John was pretty much already doing the same process. What do you have in store for Water Island?

DIRECTOR GEORGE: Water Island right now is something that has been brought up several times. They're part of the Virgin Islands, but they're going to have to pay their share.

SENATOR HODGE: In terms of?

DIRECTOR GEORGE: Fees. Fees. Right now we
have a fire truck placed on Water Island. We plan to put some more equipment over there. They do not have an ambulance. For us to put personnel over there it's going to be a cost.

SENATOR HODGE: Okay, understood. I'll revisit that. Mr. Chair, thank you for the time.

SENATOR FRANCIS: Thank you very much. Before we go to the next senator, obviously, I have some concerns about the chain of command. And for example can Fire Chief direct, instruct, order EMS personnel?

DIRECTOR GEORGE: For Fire Chief.

SENATOR FRANCIS: A Fire Chief.

DIRECTOR GEORGE: It depends on what the situation is. If it's a medical situation most likely if the EMS Chief will take responsibility or control over that situation.

SENATOR FRANCIS: In the absence of a -- if the highest ranking person on the scene is the Fire Chief can he give instructions to the EMS personnel.

DIRECTOR GEORGE: Depends on what kind of instructions you're talking about. Medical instructions that'll be a negative if they're not medically inclined. That's why we have -- we'll control and command. We'll the Assistant Director who would be next in line -- the first --
SENATOR FRANCIS: Are you saying that the Assistant Director is going to be every scene.

DIRECTOR GEORGE: I wouldn't say that, but the Fire Chief should but the commander on the bus. Remember now we have crew chief that's going to be -- we're going to be breaking down the paramedics into crew chief. So they will be the supervisor on scene. If it's something more advance the Chief or AD would takeover that situation. Right now they don't really do that.

SENATOR FRANCIS: What would be the requirement for the EMS chief?

DIRECTOR GEORGE: They'll have to be paramedically trained --

SENATOR FRANCIS: Is that written in your policy? Is that written?

DIRECTOR GEORGE: Excuse me?

SENATOR FRANCIS: Is that written in the policy right now?

DIRECTOR GEORGE: That'll be in the policy, yes, sir.

SENATOR FRANCIS: It will be the policy?

DIRECTOR GEORGE: Yes, sir.

SENATOR FRANCIS: It's not in the policy at this time?
DIRECTOR GEORGE: No, sir.

SENATOR FRANCIS: But it will be?

DIRECTOR GEORGE: Yes, sir.

SENATOR FRANCIS: Okay. Because you have had corporal that have become Fire Chief, correct?

DIRECTOR GEORGE: Yes, sir.

SENATOR FRANCIS: Do you think it will be fair for an EMT-I, intermediate, to then assume the position of an EMS Chief --

DIRECTOR GEORGE: No, sir.

SENATOR FRANCIS: -- over a paramedic.

DIRECTOR GEORGE: No, sir.

SENATOR FRANCIS: So those are the mechanics that I believe that is important that we are able to workout.

DIRECTOR GEORGE: True.

SENATOR FRANCIS: You know, I want to say that I support the consolidation. However, I have strong issues because life is at stake, and we need to ensure that there's no room for mistakes.

DIRECTOR GEORGE: And that's why --

SENATOR FRANCIS: That we need to make sure that we're having our "t" crossed and our "i" dotted here, all right. Is there any designation as a Deputy EMS Chief?
DIRECTOR GEORGE: In the legislation, no. But if the Senate see a value for it I would respectfully suggest it's put in as an amendment.

SENATOR FRANCIS: You don't see a value for it?

DIRECTOR GEORGE: Well, not at this time since we're going to be having coordinator and other individuals who will be supervising individual s.

SENATOR FRANCIS: So in the absence of the EMS Chief you're saying that those individuals would then assume the position of chief.

DIRECTOR GEORGE: Exactly. The responsibility.

SENATOR FRANCIS: Very well. Senator James, you're recognized for your seven minutes.

SENATOR JAMES: Thank you, Mr. Chair. Good afternoon once again to the people of the Virgin Islands. To the Fire Director, Mr. George, do you have an organizational chart already in place which speaks to the breakdown.

DIRECTOR GEORGE: Yes, Senator.

SENATOR JAMES: Can you provide that to the body?

DIRECTOR GEORGE: Sure.

SENATOR JAMES: So through the Chair, I'm requesting the organizational chart which speaks to the breakdown and the chain of command.
Now, as far as the testimony for the Department of Health, it speaks to collaborative approach. Now as far as subject matter experts from other jurisdictions, have you had a chance to have those conversations with anyone from a particular jurisdiction with a similar merger?

COMMISSIONER ENCARNACION: Right now, who we've spoken to is Pafford who we actually have on the island, and they come from a rural area very similar we're classified as. So they've been giving us some guidance in reference to how we can best merge. They're also because I hosted a meeting where Fire and Health came together and spoke to Pafford as well, and so they've continued to conversations outside of that meeting.

SENATOR JAMES: Okay. So when was the last time we met with those individuals?

COMMISSIONER ENCARNACION: Maybe about two months ago. I spoke with Pafford two days ago but with EMS. Whenever I speak with them if there's something that needs to be related to Director George, I call him and I speak as I did after this meeting that we had.

SENATOR JAMES: And will there be a following meeting or an upcoming meeting and if so can you
provide us with that information, because I would like to sit in on those meeting, because we are not suggest matter experts. We are here to make logical decisions, and that's why we ask the necessary questions; but I would like for us to be involved in that discussion with individuals from other jurisdiction with this same merger that we're doing for us to have a better understanding instead of we assume. I don't like assume.

DIRECTOR GEORGE: Senator, I have an individual that wrote a letter in support of the merger. He is a Fire Chief in Maryland and worked in the Virgin Islands Fire Service, and is the trainer in the Maryland, knows the model and have been guiding to us help us with this merger here in the Virgin Islands.

SENATOR JAMES: And I respect that. What we are doing here is cool, but some things need to be asked off the record because sometimes we just beyond seven minutes. It just need to be a lengthy discussion so that we'll be able to hammer out several things before it reach to the Committee of Jurisdiction, because I don't want us to be beating this drum for so long. I want us to say hey we're going to move in this direction or we're not going to move in this direction not move direction. And if you're not going to move
in this direction why not, and are those why nots
attainable. And that's my only thing is to get the
job done, because I want to speak about my personal
family story before I get into my rest line of
questioning.

I used to live in the Frederiksted town, and I
had to relocate because at the time my daughter she
was eating plantain chips in the back of the vehicle
by the William's Delight area on the road. We're
driving on the road, and she's eating plantain chips
and then she start choke. And then we pulled to the
side of the road; we dealt with the situation. She
seems to be fine at the time. Went home; we live way
up in the hills of Frederiksted, in the boondocks.
It's very difficult to find that location, and then
she started to choke again. And it was a very
frightening moment for my wife and I at the time. And
my wife was panicking she was like call the ambulance.
I said no. I was in my no t-shirt, just a basketball
pants no shoes. I stopped everything what I was
doing. I didn't care how I look at the time, and I
just went and jump in the vehicle; drop my daughter in
the car she was vomiting, eyes rolling back. If I had
wait for an ambulance my daughter wouldn't have been
alive today. And I drive like a mad man going down
the road, and that was the fastest I ever drive in my life. And I run into the hospital no shoes, no t-shirt, basketball pants, and if I didn't do that day I don't know where my daughter would have been. So I do support a measure like this.

However, I do understand the concerns of my colleagues, and like I said I would like for us to be a part of that discussion when you have that upcoming meeting if you could send it out to us. So by the time this bill reach to the Committee of Jurisdiction we have a better understanding of what needs to be done, because lives are at risk right now and I was just fortunate to be in a situation. What about individuals who are of age or not of age up or up in age and they can't do the things that I'm willing -- able to do.

So we have to be very mindful. It's a very sensitive topic, and I want us to really analyze that. But as far as training, it was discussed that individuals participated in the test but all failed. Have you had any individuals who have passed that test as of yet?

DIRECTOR GEORGE: Let me give you a little background on this situation. We brought in a company from Bloomberg. This same training was given to these
individuals. All passed but the training was stopped because we didn't go through right process of getting the regulatory certificates through the Department of Health. We contract out with a company here, which I will not their call name. The same 21 individuals took the same class and all failed.

THE TIMEKEEPER: One minute thirty seconds.

DIRECTOR GEORGE: I saw a problem with that due to the fact how the trainer was training the individuals, and the communication that was coming back to us it wasn't something that was -- have me concerned. This is a practice that has been going on constantly, and that's why I believe that we need to move, and I agree Senator Vialet of utilizing the $75,000.00 for training off island; but there's processes we have to go through to get these training on island. So we learn from our mistakes, and we moving forward.

SENATOR JAMES: Thank you. Ms. Encarnacion, can you speak to the memorandum of agreement with Virgin Islands Fire and Emergency Medical System to maintain billing and collection services? You mentioned it in your testimony?

COMMISSIONER ENCARNACION: We don't have one currently that is what we're going to do once the
integration actually takes place.

SENATOR JAMES: Can you elaborate on some of the things that you have discussed to this -- put this -- well, this possible memorandum in place?

COMMISSIONER ENCARNACION: Basically, coding and billing as I expressed before has to do with the documentation, appropriate proper documentation. That goes into the electronic -- electronic medical records.

THE TIMEKEEPER: Thirty seconds.

COMMISSIONER ENCARNACION: May I continue?
Right now once that's done our coder actually codes and then the bills are sent. What we'll continue to do is the same thing. We have to make sure that every EMS, EMT knows exactly what they have to do to ensure that they're getting everything that they can possibly get in reference to coding. So what we'll do is we'll ensure that the training takes place, but we'll continue doing what we're doing. The billing is going to be based on a percentage. So the MOU is going to state based on a percentage of the bills that are -- is collected, is what we will charging to the Fire Department so that we can ensure that those bills are processed.

SENATOR JAMES: And how close to we -- how close
are we to completion when it comes to this Memorandum of Agreement?

COMMISSIONER ENCARNACION: We have not begun that yet.

SENATOR JAMES: Okay. You have an idea when it will be finished?

COMMISSIONER ENCARNACION: I can estimate within -- it has to go through Property and Procurement --

THE TIMEKEEPER: Time.

COMMISSIONER ENCARNACION: -- and then we had a big discussion earlier today. So, no less than 90 days, a hundred days based on what the Commissioner was discussing this morning. It’s something that I think we can actually get down quicker if we expedite it.

SENATOR JAMES: Thank you. My time was called. I just want to say thank you Mr. Chair for initiating this conversation. I look forward to having further discussion in the Committee of Jurisdiction and Committee on Rules and Judiciary, but this is something we definitely have to take our time with and just thank you once again for this discussion.

SENATOR FRANCIS: Thank you very much, Senator James. Before we proceed, I wanted to ask we keep hearing this training that was put forth several
times. I think I heard Senator Vialet mention it to Senator James, and you continue to be very vocal in terms of that training of those 20 individuals and that there was some discrepancy. Who was the one providing that training? Was that in-house training that was going on?

DIRECTOR GEORGE: No, sir. It was a company outside in the Territory.

SENATOR FRANCIS: A company that was contracted to do the training?

DIRECTOR GEORGE: Yes, in the territory.

SENATOR FRANCIS: All right. Is the name privileged or something that you don't want to discuss here.

DIRECTOR GEORGE: Because it's ongoing training right now and we trying to get the certification issue work out to be retest and everything I refuse to put it on record at this time, sir.

SENATOR FRANCIS: You ain't refuse you decline. You prefer not to put --

DIRECTOR GEORGE: Yeah, prefer sorry. I use the wrong word. I plead the fifth.

SENATOR FRANCIS: Don't let us go to court here today. So I want to say and put in a plug for the Lieutenant Governor's Office because we keep talking
about this response time and ambulance located in the
Frederiksted area and those things, but I think it's
important that we understand that the initiatives
that's going on right now by the Lieutenant Governor's
Office in regards to street addressing is critical,
extremely critical to what we're discussing here us ad
us moving in the right direction so that we could have
a timely responses. I wanted to put in a plug to the
Lieutenant Governor's Office because I know that they
have already completed the pilot program here on St.
Thomas, and they're working towards the one on St.
Croix and then they're expanding out into the other
area as well.

At this time before we go to the next senator,
the Committee will stand in recess for two minutes.

(Committee of the Whole stands in recess.)

(Committee on the Whole rises out of recess.)

SENATOR FRANCIS: We're out of recess. Before
we go to the next senator, I just wanted to ask the
individuals on St. Croix, I know they've been there
from early this morning. Whether or not at this point
if they have any comments to be made on the record and
then I'll go ahead and dismiss them.

But Ms. Hector I think it's important, do you
have a perspective in terms of the union? What are
some of the challenges that have been brought to your
attention as well as some of the recommendations on
how this bill could be strengthened and made better. I
would appreciate any comments in that regard.

MS. HECTOR: Good afternoon again, Senators.

Yes, our perspective -- several of the questions that
were asked by the Senators today answered and
clarified some of the questions that we were thinking
about, but let me speak to them.

For example, Senator DeGraff spoke about the
merger of the unions, and what would be the status of
our membership when they merge with Fire; and I did
hear the Chief Negotiator said that we'll maintain our
position, but we are looking at the long temple. Is
the intent for long-term as the Fire and EMS continue
to go forward that they would always maintain an EMS
branch that would be on the fire truck or -- on the
fire truck or on the call with each call in the
long-term. Or is the plan we were hearing the
Director of Fire and the Assistant director of Fire
talking about making sure that all fire persons coming
forward being trained as EMTs?

So we were unclear what was going to be the
long-term life for the EMS workers. We also have
members that are administrative staff and part of the
revenue staff that's in our bargaining unit. We want to know what's their status. What's going to be their status. Are these people going to be looking at transferred also or being laid off.

We need to know as I think Senator DeGraff asked about questions in terms of the change of command, is there means of being able to becoming crew chiefs or assistant crew chiefs or whatever as I think paramedic supervising their own members. I still think that we still need to have a sit down with the Fire Department. We had one leading, as I stated in the letter, that was written by Jerry Jackson, and I attended that meeting. And that meeting was only held because they were going to meet before the Senate this following day. We would had no other meetings to know how we're going integrate in this situation.

The licensing proposal EMS was basically concerned. We are all in favor of having to come out to treat us if we all will need a quick response call, but we want to make sure we have trained individuals coming out. Right now, the EMTs are basically certified nationally, and they are on a national registry and they can work pretty much any place in the United States. We want to make sure that they maintain that that they -- these individuals who
coming on and being hired are going to be able to be part of that national registry as well as being licensed in the Territory.

We talked about the impact. As I heard and listened through that how it's going to impact JFL revenues, that's a concern to us also because we represent a lot of members at JFL. How is that going to affect our membership and our members as JFL has had problems in the past with lost of revenues and laid off members there. We have a lot of the questions. That's the long and short of it. We would like to be able to sit down to the table with the Chief Negotiator to get a workout, some details of what this plans are. I know right now that Health and Fire has sat down and meeting, and I guess they're looking at the policies and procedure. We're looking more of integrating and how it's going to affect each membership. So that's that's my [video distorted.]

SENATOR FRANCIS: Thank you, Ms. Hector. Mr. Sweeney, you have any closing questions?

MR. SWEENEY: Yes, I have a couple comments. As it pertains to the transporting of the patients, there's a concern that we could -- I don't think EMS should ever get to the point where we start transporting non-emergency room or else we'll be just
glorified Uber. That's why they have private transport agencies that if they don't -- the medical director see that it does not need to go there then that ambulance is -- agencies is dispatched. That's a concern that we have.

The other concern I have that would like to share is the training. EMS training is not --

**SENATOR FRANCIS:** Sweeney can you put the mic in your hands and take your time. Thanks.

**MR. SWEENEY:** All right. EMS training is not one that we taken lightly. Some guidelines for training EMS personnel would be that there are strict guideline that if you fail two modules, you out of the class. If you miss more than I think it's 10 percent of the class, you're out of the class. So it's not like everybody who takes the program is going to pass the program. So that is built-in initially because it's a self-eliminatory program in that if you cannot make it then you can't make it. It's not like a hand spoon feed and encouragement yes but not pass you when you're not supposed to pass. And so we want to share that with you guys so that you can take that into consideration.

Now I am just disappointed I didn't have a chance really to look at this legislation more,
because I have been away for a while. And I will be revising my testimony here today and research the bill, Chairman. Would that be okay?

SENIOR FRANCIS: That's very well. Thank you very much, Mr. Sweeney. Chief Negotiator, you have a comment? Yes, please do.

CHIEF NEG. SPRINGETTE: Senator, I hear Ms. Hector concerns and definitely I agree that the parties need to meet to discuss legislation further. But I had need to make it clear that while Ms. Hector attended one meeting in June, at that meeting, that was the first meeting that was held by OCB to discuss the plans at that time, and Ms. Hector made reference to it in a letter dated November 2019.

However, at that meeting we requested from each union that they could designate individuals, I forget what we call them, but designate them for the internal working group. So that while we had meetings as a team, the team that's here and the other policy advisors, there were internal meetings to discuss the inter workings, the policies, the thing that we won't know about, and we ask each union to designate individuals for that purposes.

I attended four meetings between June and August where each union was represented and
represented well. They were very vocal. I learned a lot from them. The plan that has been created was with their help, and so I'm surprised that the unions are saying they were not involved. And I know that each time we had our group meetings, the team meeting each agencies will report back that they have met with their employees and the opposite at times.

I don't have any other comments at this time.

SENATOR FRANCIS: Very well. And we will still have few more senators to ask questions. So, if you think of anything else you'll have an opportunity to put that on record. At this time the Chair will recognize --

SENATOR GITTENS: Point of information.

SENATOR FRANCIS: Point of information, Senator Gittens.

SENATOR GITTENS: Thank you, Mr. Chair. And based on the inquiry and statements of the union president on St. Croix, again, I -- this is where I would like for the team to make sure that you get this right the first time. That's why I spoke about prerequisites. So the prerequisite shouldn't just be for those incoming whether or not you are going to hire them as straight firefighter or straight EMT, because we know going forward that the bill is
supposed to be going straight Fire/EMR, right? One.

DIRECTOR GEORGE: EMT. Fire/EMT. I made a mistake before.

SENATOR GITTENS: Okay, well, okay. See I try to go with you now. But again we know what we were talking about. We ant to make them Fire/EMTs or Fire/EMS, right? But also in your prerequisites so that we can put the fear of who in charge and all kind of nonsense aside because this is about saving lives we need to ensure that our deputy chiefs our chiefs and everybody are properly qualified and political friendship being put into these positions. In other words, however is the deputy chief should be a Firefighter/EMT as well. So if something happens on a scene and only the one for Fire is there, he's also an EMT he should be able to have some basic knowledge, and if he needs to he confers with his colleagues. But we need to stop acting as if everything is separate and everything is so territorial, all right.

So let's make sure that we have the prerequisites in place for all these positions so that it can be clear once we start to finalize this measure. Thank you.

SENATOR FRANCIS: Thank you very much, Senator Gittens. Senator Payne, you're recognized for your
seven minutes.

SENATOR PAYNE: Thank you, Mr. Chair. Thank you, Mr. Chair. Good afternoon testifiers. Good afternoon listening and viewing audience.

Mr. George, how are you sir?

DIRECTOR GEORGE: Good afternoon.

SENATOR PAYNE: I just want to begin by saying as a former teacher, I believe if 100 perfect of your students are failing it's not students it's the teacher, all right. One hundred percent failure rate must be the instruction. So maybe you need to look into a different trainer to train those individuals.

Madam Commissioner, what's the cost of the four EMS compliance officers? What are those salaries be the salaries?

COMMISSIONER ENCARNACION: Let me just say we're actually on this -- should not have been written that way.

SENATOR PAYNE: Okay.

COMMISSIONER ENCARNACION: It's just a compliance officer. The compliance officer --

SENATOR PAYNE: That's one?

COMMISSIONER ENCARNACION: No. It's actually more but it's not an EMS compliance officer. It would be a compliance officer because it's under -- it's
going to be under regulatory, and they would be having other duties as well; but that's 45,000.

    SENATOR PAYNE: And what about your licensure administrators?

    COMMISSIONER ENCARNACION: The licensure administrator we have not decided on a salary base for that yet. We're still looking at that from a national scale and see what we can do locally as well.

    SENATOR PAYNE: That one still up in the air. Your regulatory administrator?

    COMMISSIONER ENCARNACION: The regulatory administrator we're looking more 65,000 which would be equivalent to a coordinator.

    SENATOR PAYNE: Your data manager?

    COMMISSIONER ENCARNACION: I don't have a salary base for that. What we did is that we calculated that we would need 250, 300,000 and that is inclusive of our fringe benefits if we go with a salary base between 45, $50,000 each.

    SENATOR PAYNE: Okay.

    COMMISSIONER ENCARNACION: With the exception of the coordinator.

    SENATOR PAYNE: Okay. Your EMS for children coordinator, what would that responsibility be?

    COMMISSIONER ENCARNACION: We spoke about that.
The EMS coordinator can actually can be combined with another position as well. The EMSC actually what that is we have a grant, a federal grant and that is for pediatric services, and it's linked to both hospitals ensuring that they have their adequate supplies for pediatric care and so that person actually run a grant and do some other functions as well. So we're working on that.

SENATOR PAYNE: Okay, thank you very much. Mr. Stephenson, on St. John where will the Fire and EMS be housed?

DEP. CHIEF STEPHENSON: Right now Coral Bay we could -- we could start them at Coral Bay, but in Cruz Bay you know we in the modular. So the long term plan is to build a new station and that station will be a multipurpose station like the Director said.

SENATOR PAYNE: So both individuals can fit now in Coral Bay?

DEP. CHIEF STEPHENSON: Excuse me?

SENATOR PAYNE: Both organizations now can fit in the station in Coral Bay?

DEP. CHIEF STEPHENSON: Yes, sir. At one point for a short of time we actually had an EMT out there, but because staffing shortages they were not able to do it for too long.
SENATOR PAYNE: Okay, thank you very much for that. Director, with this new merger will you now have a dive team in place to perform water rescues.

DIRECTOR GEORGE: We haven't reached to that point yet. We're trying to get the merger over with first before move another step into another direction.

SENATOR PAYNE: But is that --

DIRECTOR GEORGE: It's something that we have talked about. Just today a senator pulled me up about a boat. Senator Gittens pulled me up about a boat that we were working on a couple years ago. It didn't materialize after the change of administration, but we have individuals who can dive. That's an additional discipline that we'll have to put in place. We're not going in that direction as we speak right now. But, as we get this here over with and formalize we could start looking at other things that we need to do for the Territory.

SENATOR PAYNE: Okay. What about -- you had any talks about including possibility rescue as part of this merger?

DIRECTOR GEORGE: They already have -- they already have dive teams and different things like that --

SENATOR PAYNE: Right.
DIRECTOR GEORGE: -- boat rescues and stuff. But we are in discussions with them as we speak. Friday I'm having another meeting with them. We trying to have an emergency collaboration with all the entities where we have everybody knows their role, everybody knows their discipline; and we all communicate and in one silo.

SENATOR PAYNE: Okay. In the future anyone just for clarity, anyone that wants to be -- join the Fire Department you have to actually come in -- you're not accepting applicants who coming in to just to be an EMS, join the EMS? I'm asking you.

ASST. DIRECTOR EVELYN: Yes, you can. You can apply --

SENATOR PAYNE: He can apply just so?

ASST. DIRECTOR EVELYN: -- as an EMT, advance EMT or as a paramedic.

SENATOR PAYNE: Okay.

ASST. DIRECTOR EVELYN: Because we would need both. If you think about national statistics pertaining to fire runs, 70 percent of all fire calls are medical calls. So our need would be mostly in the medical part of it. We will not discriminate and say because you don't have firefighter but you're EMT. We will hire you on the spot.
SENATOR PAYNE: On the mainland are firefighters cross-trained, or they have the same set-up like what you all thinking about doing here?

ASST. DIRECTOR EVELYN: Correct. Some are dual role. It have dual role Firefighters, Firefighter/EMTs, and also Firefighter/Paramedics, and they do get incentives for having both certifications.

SENATOR PAYNE: Okay. Thanks for that.

DIRECTOR GEORGE: Our disadvantage, Senator, is the U.S. mainland most counties and states have academies where people go and do their training and that pool of individuals is what states are per recommendation. If I have a hundred firefighters needed in Miami, I might get some from this state, this county that are already trained with their certification and hired in another state.

THE TIMEKEEPER: One minute thirty seconds.

SENATOR PAYNE: Okay. One of my colleagues asked you earlier how many firefighters are interested in becoming EMS certified. You stated two who at Wheatley now?

DIRECTOR GEORGE: No. We have two in the EMT class right now, and we have several that have indicated that they interested in being EMT s. But as I said before, we waiting to get our training division
up to par and then those individuals. We also have some police officers who want to be EMTs also, have been in discussion with me.

**ASST. DIRECTOR EVELYN:** So, one of the reasons why we are offering the EMR to all the firefighters, it's a two-week course about 40 hours. So if you go into the EMR course -- EMR class course and you're successful and you want to progress to EMT then fine. So it's like an introduction to the EMS profession. If they are successful, and they say AD Evelyn I like this EMS thing I want to become an EMT, we'll provide that training for them. But the EMR is not the end point. Our end point is Advance EMT and Paramedic above.

**THE TIMEKEEPER:** Thirty seconds.

**SENATOR PAYNE:** Thank you very much. Attorney Springette, quickly eventually do you see a need for a new contract that would apply to all line employees for VIF/EMS.

**CHIEF NEG. SPRINGETTE:** Can you repeat your question.

**SENATOR PAYNE:** Eventually do you see a need in the future for a new contract that would apply to all line employees for VIF/EMS.

**CHIEF NEG. SPRINGETTE:** I do not see that at
this time.

SENATOR PAYNE: Do you think they should remain separate as far as contracts?

CHIEF NEG. SPRINGETTE: At this time, yes.

SENATOR PAYNE: Okay. And if one entity gets a raise and another entity gets a raise for the next 10 years you don't see that as creating some type of employee morale, serious employee morale within the institution itself?

THE TIMEKEEPER: Time.

CHIEF NEG. SPRINGETTE: If -- If there's an issue with increases one person getting a raise that may be because a contract is not current, but there's always ways to resolve those issues short of a full negotiation. But I wouldn't propose a contract for VIF/EMS at this time. There's three unions involved, and those three unions should remain at this time.

SENATOR PAYNE: Mr. President, just one wrap up. One to wrap up. This is basically we paying the Commissioner and the Director. The other thing that all Class III employees to include Police, Corrections, Fire should receive some type of emergency medical training beyond CPR. You know, police officers are out there in the field they might get shot, God forbid their partner could actually
render them aid until the EMS show up.

**ASST. DIRECTOR EVELYN:** I agree. I think that all first responders including police should be trained to the EMR level, because they are usually the first on scene. And sometimes they care -- they provide is not for the patient it could be for their own who are injured or shot. I know a lot of police units in areas in nationwide that have a high opioid problems. They have medical kits and AEDs in their vehicles, but they are trained to the minimal EMR level. As a matter of fact, I think previously that was a requirement for police recruits years back to be minimally trained to the first responder level.

**SENATOR PAYNE:** Thank you very much for your answers. Mr. Chair, thank you very much for the time.

**SENATOR FRANCIS:** Thank you very much, Senator Payne. And just for reference there is a letter of support from the Prince George's County Government, have been submitted by the Assistant Fire Chief Ernest Lindqvist that have made a part of the file that's available on the drive. In the essence of time, I will not read the correspondence that is available to all my colleagues as well the public.

Senator Marvin Blyden you're recognized for your seven minutes at this time. Senator Blyden is
recognized, Media.

SENATOR BLYDEN: Thank you so much, Mr. Chair. Good afternoon colleagues. Good afternoon --

DIRECTOR GEORGE: Good afternoon.

SENATOR BLYDEN: -- to the listening and viewing audience. Good afternoon testifiers and thank you so much for your testimonies.

I know that the -- these are plan in place. It is clear there's a plan in place, but the plan needs to be a little bit more detailed and there need to be further discussions with all stakeholders in reference to this integration plan. I do support an integration plan. But based on the discussion thus far, we have some more work to do to work out the kinks and make sure it's in the best interest of the people of this territory in terms of saving lives and a quicker respond time. And I do appreciate your passion Director George and other individuals there in trying to make this come to a reality.

Let me ask you, Mr. Director George, in terms of capacity. You said there is 10 fire stations. How many EMRs would you say based on a plan would be stationed at each of these facilities.

ASST. DIRECTOR EVELYN: The EMRs will be stationed in the outlying fire stations, right. Our
goal is to have ambulances at the main stations and to have a paramedic on on-call available 24 hours a day. If you think about Bordeaux, Dorothea you would have EMRs responding in quick response vehicles. So like for example, if there is a situation in Bordeaux, the ambulance will take approximately 30 minutes to get there. An EMR will respond in a quick response vehicle, stabilize, start CPR, give oxygen, heat for shock, stabilize while the ambulance is in route.

Ideally in the future if we have enough funding we can have ambulances in every station. But for right now our goal is to have an ambulance at the main stations and have an EMR response on the outlying -- to put in perspective there will be a medical response of each and every fire station.

SENATOR BLYDEN: Again my question is based on the plan that you have, how many EMRs do you see -- foresee in that plan per station?

ASST. DIRECTOR EVELYN: Right now we have 14 EMS providers in the Fire Service at different levels of EMS. So for example if an EMR is not available, we can put an EMT there in his place as well. But we do have enough staffing right now for that purpose.

SENATOR BLYDEN: Per shift?

ASST. DIRECTOR EVELYN: Per 24-hour shift.
SENATOR BLYDEN: Let me ask you the leadership at the fire station. Are those individuals, directors, etc., are they certified EMRs?

ASST. DIRECTOR EVELYN: Could you that repeat again.

SENATOR BLYDEN: Leadership, directors, captains, etc., are this certified EMRs?

ASST. DIRECTOR EVELYN: My deputy chief here --

SENATOR BLYDEN: Because I ask that question because they usually they have one -- there's usually one on each shift, correct, in terms of management?

DIRECTOR GEORGE: You mean the captains and lieutenants.

SENATOR BLYDEN: Exactly.

DIRECTOR GEORGE: No.

DEP. CHIEF STEPHENSON: In the St. Thomas -- let me interject. In the St. Thomas/St. John District right now we are certifying everyone at the BLS level, which is basic life support which is CPR. So we are in the process. We have already completed St. John and St. Thomas. We only have to do prevention and administration staff to complete this district, and we're going to do the same thing in St. Croix at some point.

SENATOR BLYDEN: Let me ask in reference to the
21 individuals that failed the test. When one is
certified or have completed a certification is there
any type of monetary in terms of raise for those
individuals when they are certified, and what's the
difference?

ASST. DIRECTOR EVELYN: Not for the EMR level.
Once you are trained -- if you're firefighter and
you're trained to the EMT level you get approximately
$5,000 per year extra 4500.

SENATOR BLYDEN: Speak into the mic, please.

ASST. DIRECTOR EVELYN: Okay. So 4500 and 500
to maintain the medical equipment, and it goes up
higher once you get more certifications like advance
EMT and paramedic level.

ASST. DIRECTOR STEVENS: Not advance but
paramedic.

SENATOR BLYDEN: Do you believe Director George
that has anything to do with several individuals being
hesitant in terms of being certified and not being
compensated?

DIRECTOR GEORGE: Say that again?

SENATOR BLYDEN: It's just a question.

DIRECTOR GEORGE: Say that again. I didn't
understand.

SENATOR BLYDEN: For the EMRs you said they
don't get any compensation, correct?

DIRECTOR GEORGE: EMRs at this time, no.

SENATOR BLYDEN: No, right. So do you believe -- see I'm trying to figure out what can be done, what we need to do, and what's the issue. Do you believe that have anything to do with individuals hesitating to do the training --

DIRECTOR GEORGE: No, sir.

SENATOR BLYDEN: Based on your --

DIRECTOR GEORGE: No.

SENATOR BLYDEN: -- experience?

DIRECTOR GEORGE: No.

SENATOR BLYDEN: No. So what do you believe it is besides -- so you believe it's all about the trainer?

DIRECTOR GEORGE: It's all about the training, Senator. If the individuals that we had in the past and right now if we get the training mechanism in place we'll be able to train up individuals to the EMT level. I'll put my head on a block for that one. That's a fact. It has been done before and we plan to do it again. It's not about -- it's not about anything else. We know we have compete individuals in the Fire Service who wants to do it, and who has tried to do ti but for whatever reason they didn't finish or
wasn't successful. We have individuals that did it twice, you know, went through the process twice and end up passing.

**THE TIMEKEEPER:** One minute thirty seconds.

**SENATOR BLYDEN:** They didn't finish or whatever; they went back and they did it, and they passed. So there's ways for us to make sure this process work, and I think that the way we have it in our mind to set out to do this project I think that given the opportunity I think it would work for the Territory.

**SENATOR BLYDEN:** And I do also agree with my colleagues in regards to the hospitals and them being affected in some way shape or form. What are you doing to address that?

**ASST. DIRECTOR EVELYN:** So let me clarify something that was said in terms of medical director. Each entity let's say Fire Service has it's own medical director. However, whenever an EMS provider goes on a call for a patient he or she has to basically get authority from the online medical director, which is the hospital physician. The hospital physician determines where that patient goes, and he determines the course of care for that patient. So there's online medical control, and there is standing medical orders.
So EMS provider follow standing protocols for how they treat their patients. However, they can still call the hospital physician, and he can say, you know, patient is okay. You gave him medication to treat his sugar he can stay home.

THE TIMEKEEPER: Thirty seconds.

ASST. DIRECTOR EVELYN: Or we recommend that he transported to the hospital. We as medical providers we can't treat on our own. We have to report to a medical director, whether if it's online or standing orders. So we're not doing this on our own. We work under the license of physician whether if it's our medical director or the hospital's ER physician.

SENATOR BLYDEN: I see -- I see some challenges with the whole structure, and I look forward to further discussion so we can get those challenges taken care of and make sure that we are on point, because this is a very good piece of legislation but like I said we have to make sure it's done right.

THE TIMEKEEPER: Time.

SENATOR BLYDEN: Thank you so much for your responses.

ASST. DIRECTOR EVELYN: And we love these discussions. We do. Thank you, sir.

SENATOR BLYDEN: Thank you so much and thank you
Mr. Chair for the time.

SENATOR FRANCIS: Thank you very much, Senator Blyden. Point of inquiry, Senator Gittens.

SENATOR GITTENS: Thank you, Mr. Chair. I did call a point of inquiry so we could get some clarity from the testifiers. Again, the previous speaker just asked two questions, and the talks in response was about 10 firehouses and 14 EMTs. Please do the breakdown for us because these numbers may sounds big, but people need to know how small they are because these are by districts. So if you could tell us the clarification that we need is your ten firehouses where are they located, and your 14 EMTs where are they located.

The Assistant Director is who spoke to that. So maybe you could give us that breakdown.

ASST. DIRECTOR EVELYN: Currently, we have -- currently, we have nine EMS providers in the St. Thomas/St. John District and five in the St. Croix District. In St. John we have --

SENATOR GITTENS: Before you go, those five so my colleagues could understand, too. Those five are operations? All five?

ASST. DIRECTOR EVELYN: Yes, Senator.

SENATOR GITTENS: Three of those five aren't in
administration?

DIRECTOR GEORGE: No.

ASST. DIRECTOR EVELYN: No, sir.

SENATOR GITTENS: Those are the paramedics.

ASST. DIRECTOR EVELYN: Those are EMTs and advance EMTs in the Fire Service.

SENATOR GITTENS: Okay. So --

ASST. DIRECTOR EVELYN: We're not discussing VIEMS. We're discussing Fire Service --

SENATOR GITTENS: Fire.

ASST. DIRECTOR EVELYN: -- personnel.

SENATOR GITTENS: My bad, yes. So go ahead with the breakdown.

ASST. DIRECTOR EVELYN: Nine in the St. Thomas/St. John District, five in St. Croix District. How many in St. John?

DEP. CHIEF STEPHENSON: Currently on St. John, we have four EMTs, one on each squad. So every shift in Coral Bay has an EMT. If they're not on, we call 911 and let them know we don't have an EMT today.

SENATOR GITTENS: Right. So what about firehouses?

ASST. DIRECTOR EVELYN: Presently, we do not --

SENATOR GITTENS: Let the Fire -- where are those 10 fire stations.
ASST. DIRECTOR STEVENS: So -- Antonio Stevens the Assistant Director Virgin Islands Fire Service. Senator, we have an A company which is East End, Cotton Valley. We have Richmond fire station, and this is in St. Croix I'm talking about and the Grove Place Fire Service, and F Company which is in Frederiksted. And St. John we have one fire station in Coral Bay and the other one is in Cruz Bay. And the St. Thomas district, we have Omar Brown which is right down here in Tannenberg and Tutu Fire Station; we have one at Dorothea and one out in Bordeaux.

SENATOR GITTENS: So that's nine.

ASST. DIRECTOR STEVENS: That's ten. Which did I miss, Senator?

SENATOR GITTENS: I don't know but I was counting and I got nine. But that's why I said that we would like to breakdown to know. But what I'm trying to show as well for St. Croix, when we are saying ten firehouse St. Croix is three?

ASST. DIRECTOR STEVENS: Four.

SENATOR GITTENS: Okay. You say East End, Richmond.

ASST. DIRECTOR STEVENS: Grove and Frederiksted.

SENATOR GITTENS: But I think you had miss one. Okay, so that's four on St. Croix.
SENATOR FRANCIS: Senator, please wrap it up. I got some colleagues that need to get to St. John.

SENATOR GITTENS: So what I'm saying is that the numbers may sound big by saying 10 firehouses and 14 EMTs. But that's not the breakdown by district because that's why we are trying to do the merger so that we can have proper personnel at each of those firehouses.

ASST. DIRECTOR STEVENS: That is correct.

SENATOR GITTENS: Thank you, Mr. Chair.

SENATOR FRANCIS: Thank you, Senator Gittens. Senator Sarauw, you're recognized for your seven minutes.

SENATOR SARAUW: Thank you. Thank you, Mr. Chair. For the record, I agree with the merger of EMS and Fire.

DIRECTOR GEORGE: Thank you.

SENATOR SARAUW: The intent, right. Now. I am not going to discuss testimony today, because testimony in many cases remains contrary to 50 something page bill. So what concerns me I guess Ms. Encarnacion, good your mic close by. So on Page 24 of the legislation, Subsection 4221 there is a board and the Board in A. "Shall create licensure requirements for advance emergency medical technician, emergency
medical responders, emergency medical technicians, and paramedics". And you promulgate those rules and regulations on the board we have that established, right. Good.

As we proceed --

**COMMISSIONER ENCARNACION:** Could you tell me what page you are on. I do apologize.

**SENATOR SARAUW:** Oh, I on 24 Line 12, Subsection 4221. Now, let's skip to page -- so we established that the Board creates licensure requirements for all of these folks and the rules and regs. As we get to Page 30 -- Page 4224, "Emergency medical response vehicles license or certification required. Accept as otherwise provided in this chapter," blah, blah, blah, and it says "Currently valid license having been issued by the Commissioner for that vehicle".

As you continue to go down it says in Section B, "Currently a valid certification having been issued by the Commissioner." Section C speaks about the establishment and the satisfaction of the Commissioner. We skip to Page 33G, and it says the Commissioner shall adopt classification of emergency medical services, personnel including permissible scopes of performance and certification requirements. As you go down to the last sentence the Commissioner
may adopt nationally recognized evaluations or develop
evaluations specific to the emergency medical service
needs of the Virgin Islands.

As you go and we continue to 240 rule making
section, "the Commissioner shall issue rules to
implement the provision of this chapter. One minimum
standards of operation for the Medical Director --"
blah, blah, blah. Then you go back and you issue the
standards of operation for the medical response folks.
So the Board has one duty and it seems to be
contradicted by your role in this legislation. You
understand the --

COMMISSIONER ENCARNACION: I know what you're
saying.

SENATOR SARAUW: You following me, okay. So
that's what we have so far. And then 4242, "Denial,
suspension, revocation of license and certification."
You the Commissioner now you have the right to deny,
issuance, renewal of suspend or revoke a license.
That's your role. And your role also is in 4245, you
also if the person objects to you suspending their
certifications license what's not, they come before
you again and they ask for you to review your
decision. And Section B says if requested, the
hearing shall be conducted by a neutral hearing
officer appointed by the Commissioner. This sounds like the Virgin Islands Carnival Committee.

So in this bill you are the Alpha and the Omega of everything. Where does the Board come in? How did you become so powerful and you lack checks and balances in this legislation? I can't go off the testimony. We have to go off of what we are here to and I read this in its entirety. Help me out. Do you agree?

COMMISSIONER ENCARNACION: The Commissioner of Health is the health official for the Territory. However, the Board will be guiding the operations of not just because remember --

SENATOR SARAUW: Hold a second. The Board will be guiding. In your opinion the Board will be guiding, but the legislation does not imply or say that straight out. So go ahead.

COMMISSIONER ENCARNACION: What I would say is that there's some recommendations that actually are going to be going back to discussion table and that's actually going to be one of them.

SENATOR SARAUW: Okay. And then let's go back to certifications. Well, Mr. Evelyn are you part of the national registry.

ASST. DIRECTOR EVELYN: Yes, Senator, we are --
SENATOR SARAUW: Good. So when we write legislations most times we will say a doctor has to be certified by the American Board of blah, blah. Why is that in here? Why are you reinventing the wheel and establishing -- you giving more work to yourself.

ASST. DIRECTOR EVELYN: May I answer that?

SENATOR SARAUW: Sure.

ASST. DIRECTOR EVELYN: So we can legislate --

MR. LEWIS: One minute thirty seconds.

ASST. DIRECTOR EVELYN: -- however we're giving the Board the decision to make to set minimal requirements.

SENATOR SARAUW: The Commissioner has the role actually in the legislation.

ASST. DIRECTOR EVELYN: She can say that the national registry is below our standards and she can have a higher standard, but we don't want to take that authority away from the Board. We have to decide what is the minimum and maximum certifications. But the Board will, I assume will keep national registry. However, if they decide that something is higher then they can assign that as well.

SENATOR SARAUW: So what you're saying on the mic is not conveyed in the legislation, and that is a
problem. So the public would believe that we're against the merger when we're against what is written, because what you are saying is not in the bill.

COMMISSIONER ENCARNACION: I think I need to as I said before there's certain things in speaking today this is a process the project plan -- the project is actually still ongoing in reference to solidifying the plan, and we need to get back to the table. There are certain things like I said we will be readdressing how is it that we want to make sure and everything has to come together like you said. So we have to go back to the table, discuss certain things, indicate what would be best not just for EMS, Fire integration that alone is what's best for the community. So that's the only thing in reference to regulation how we're going to actually regulate. That is responsibility of the --

THE TIMEKEEPER: Time.

COMMISSIONER ENCARNACION: -- Department of Health, and we take that responsibility very seriously. However, we're working with the team and gathering information from them as well as the national registry will allow us to make those best decision. And if I may --

SENATOR SARAUW: Quickly, I just wanted to wrap up, Mr. Chair, please if I can?
SENATOR FRANCIS: You may wrap up.

SENATOR SARAUW: Thank you. Just before you could conclude on the --

COMMISSIONER ENCARNAÇÃO: Thank you.

SENATOR SARAUW: -- Chair's time. But it's a recipe for disaster as it is written, and then even now you're the regulatory agency and then you're still billing as well. It's just not a good -- there's not checks and balance. And lastly, in the budget request during the budget season, there was $6 million that was requested additional for Fire. We didn't give it, because we didn't have the plan. We didn't give the increase, because we didn't have the enabling legislation and then you requested today some more -- some more I guess funding for positions that you have to fill. Would you have to request a supplemental appropriation from us or would you need to -- is the critical vacancy fund enough to meet your mandate?

COMMISSIONER ENCARNAÇÃO: For regulation? For regulatory?

SENATOR SARAUW: No. You have some -- you're requesting some of positions now.

COMMISSIONER ENCARNAÇÃO: Those for regulatory, yes. Actually I've already just spoke with the Director of OMB. That's a discussion we'll be having
with her. So we're not going to ask for a separate appropriation. We'll just work it with the budget that is going to be submitted to you.

SENATOR SARAUW: Thank you Mr. Chair for the latitude.

SENATOR FRANCIS: Thank you very much. Director George in respect to the infrastructure build out or accommodation, have you taken into consideration how will the both entities co-exist?

DIRECTOR GEORGE: Yes, Senator.

SENATOR FRANCIS: Can you speak to use one of the location as an example. Not the new substation but the others that currently exist, how do you propose to allow for the merger to occur within the infrastructure at the substations?

DIRECTOR GEORGE: One of the things that we took into consideration with all the projects we're doing is having unisex facilities. That's a requirement now through FEMA that you don't have males and females sleeping in the same dorms. Those are modifications we're going to have to use -- to do, sorry. Bathrooms no male and female bathrooms. We have to integrate. So all the new facilities that we build is going to have those amenities. The older one we're going to have to accommodate through our build outs that we
will be doing. So we have in place where the dorms will be co-share. We have enough space for everybody to co-share. All of that assessment has been done. That's why we are prepared for Frederiksted.

SENATOR FRANCIS: Are you saying that that would be moving forward? That doesn't currently exist? That's moving forward?

DIRECTOR GEORGE: In some of the facility that has been -- is existing.

SENATOR FRANCIS: You use Frederiksted as an example --

DIRECTOR GEORGE: No. I say Frederiksted we have an area where we could do males and females as we speak. We have two parts upstairs.

SENATOR FRANCIS: Okay. What about accommodations for the ambulances?

DIRECTOR GEORGE: Yes. We have a bay for the ambulance as we speak. We had these discussion, but again we just waiting for a roll out.

SENATOR FRANCIS: So we justifying the rationale that we should have an ambulance placed in the Frederiksted area?

DIRECTOR GEORGE: Senator, you know that has been my position from 10 years ago.

SENATOR FRANCIS: Very well. Senator Benta,
you're recognized for your seven minutes.

SENATOR BENTA: Thank you, Mr. Chair. I saw pause I hope he didn't think he had me address the testifier before. Good afternoon to each you.

THE TESTIFIERS: Good afternoon, sir.

COMMISSIONER ENCARNACION: Good afternoon.

SENATOR BENTA: Just for me, I know that there are several people at the table here. So I'm going to start from -- from my far -- the far end Deputy or Assistant Commissioner, right, and then the gentlemen next to you is? We don't want to hear you ain't send them today. We want to hear who you are.

ATTORNEY HENRY: Good evening. Good evening, Senator. Attorney Henry, I'm the chief counsel for the Department of Health.

SENATOR BENTA: I was wondering. I saw you sitting there on the wrong side. So I just wasn't sure what happened.

COMMISSIONER ENCARNACION: He is on right side, sir.

SENATOR BENTA: You're on the right side now.

ATTORNEY HENRY: You're not confused, senator.

SENATOR BENTA: Okay. Thank you. Thank you. And the young lady coming forward.

DEP. COMM. CHARLES: Deputy Commissioner
Hadiyah Charles, Department of Health.

SENATOR BENTA: Department of Health. Of course I know the other testifiers. The existing supervisor for EMS what's their future?

ASST. DIRECTOR EVELYN: As it relates to the current EMS employees and how they would fit into --

SENATOR BENTA: Rank and file structure once you start it.

ASST. DIRECTOR EVELYN: We're waiting to see how the Health Department structures their EMS office before we can decide which employees they will keep, and which ones will come to us pertaining to the administrative staff.

SENATOR BENTA: So there's an exchange. So not all of the EMT or EMS portion is coming over to Fire.

ASST. DIRECTOR EVELYN: Because the Health Department has to staff their EMS office with subject matter EMS experts. So they have to decide in terms of which EMS personnel will be staffing or managing and directing the state EMS office within the Health Department. And from there we can decide which individuals, by choice, want to come to Fire -- Fire -- Virgin Islands Fire/EMS Service.

SENATOR BENTA: Okay. Commissioner Encarnacion, have you began to work that out yet?
COMMISSIONER ENCARNACION: If I may, we've actually spoken to the EMTs that right now conducts the regulatory affairs of Department of Health. And some of them have actually expressed their interest to stay within Health. And of course we will be combining some of their responsibilities since they're not going to be going out in the field. So we're still working on that process, but I there have been some that have been identified to remain with Health already.

SENATOR BENTA: That's interesting and that's good. And those that want to move forward --

COMMISSIONER ENCARNACION: Of course.

SENATOR BENTA: -- the Fire Director any meetings held, had with --

ASST. DIRECTOR EVELYN: We're going to be having discussions with them. We kind of have to be careful how we have meetings because we don't to give to impression that we're trying interfere with EMS operations. So we have to really be careful in terms of what type of meetings we have. But once this goes through, and we're hoping that it will, we will sit down and meet with each and every individual EMT from rank and file to administration and see, you know, what are their plans and how best fit they are for the
V.I. Fire Service/EMS.

**COMMISSIONER ENCARNACION:** May I? May I? Just for the record Director George and I spoke, and I actually am in favor and encourage Mr. Lyle Evelyn to continue meeting with our EMTs. However, I ask that the meetings be something that we are knowledgeable of and that we are collaboration with. And so once that occurs of course I think it's critical for us to be able to meet together, because that's actually is going to foster and encourage that collaboration; and I think present a better front for integration.

**SENATOR BENTA:** Very well. I'm very happy to hear that because communication is the key.

**COMMISSIONER ENCARNACION:** Yeah.

**SENATOR BENTA:** And once slight, shun or hide from or hide our hand in many ways after we throw a stone, then you got to confront and talk with these same old people who become the subject matters as a human being attached to those agencies or that part of performance, and then they feel left out. So it's good to have that incorporation. And I know you're being a little restrained in what you say, yes, but they need to be brought into the communication, continue to be a part of the communication. That's one of the things that you heard them say they don't
know what's going on. They know plans are being made, but they haven't had that sit down or understanding once we get there what's going to happen to me as the human being, as the person in charge of the household alike and their life going forward what's going to happen to me. I am a supervisor here. What's going to happen to me when I go on the other side.

So I think in all fairness those discussions should be had quite early if you and commissioner you all get together and whatever it is have been worked out as far as where who is going where and then you know those who have volunteered already discussion should be ongoing so that it's a smooth transition, all right. We dealing with different union at the same time too. But I'll deviate a little bit because I think my colleagues have done a great job with a lot of the questions, and I look forward to -- I know that's not going to be something that's going to be done today but going forward I do believe the communication will enlighten everyone pretty much in the Territory as far as us moving forward.

To Personnel, Division of Personnel, how many trainings for -- the last time we were here --

THE TIMEKEEPER: One minute thirty seconds.

SENATOR BENTA: -- we talked about sexual
harassment in the workplace. How many training or are you conducting trainings throughout the government agencies still?

DIRECTOR CLENDIDEN: We do do sexual harassment training throughout the Government request as well, and we've made it a part of our orientation process. So as on board new employees, they start the Monday of every payday we have orientation, we do sexual harassment training as a part of that as well.

SENATOR BENTA: And that covers all the government agencies?

DIRECTOR CLENDIDEN: Yes.

SENATOR BENTA: So my question is going to go directly to Department of Health. There is an employee who is out. Who filed a claim and investigation is ongoing or have been completed or have been decided on, but the employee who filed the complaint is out on leave, leave with pay. But the person who perpetrated the act remains on staff while the employee who filed the complaint is out.

COMMISSIONER ENCARNACION: Senator Benta, I do apologize but because it is an issue of personnel nature, I'm not allowed to speak --

SENATOR BENTA: I do understand that. But I want to take it back to the training to understand
that the victim cannot become the victim twice. Person who has been violate and made the complaint should not feel like they have done something wrong by way of being placed in a position --

THE TIMEKEEPER: Time.

COMMISSIONER ENCARNACION: I'm -- if I may --
I'm actually willing to speak to you about this off line, but I am really not permitted to speak --

SENATOR BENTA: Mr. Chair, if I may? Let me explain why I'm talking about it today, all right. Because when I sit and I listen and hear and understand that we have protocols in place for these types of activities with the training but we're not following the process, when it comes to employees when it happens, then of course it takes into another category where there are other things that can come out of it.

So I see the time has been called but at the same time this is -- because I really don't go into matters pending. But this one I'm mentioning here now I hope that going forward that it doesn't happen again.

COMMISSIONER ENCARNACION: Acknowledged.

SENATOR BENTA: Thank you, Mr. Chair.

SENATOR FRANCIS: Thank you very much, Senator
Benta. Assistant Director, you made reference to the fact that individuals be determined how fit they are to join the VIFEMS. Your -- the legislation clearly indicated that no employee could be denied in the transfer, and that no action should be taken against them, no demotion and that they should be considered transferred with all rights and privileges that they had prior to. So I want to be clear that, you know, you talk about this fitness.

**ASST. DIRECTOR EVELYN:** No. I said best fit for them whether they want to go V.I. Fire/EMS or stay with the Health Department, which two entities are the best fit for them. So they have to decide I prefer to stay with the State EMS or go to Fire Service. Not fitness but the best fit for them. They will decide in terms of where it's best fit for them if stay at the EMS office or Fire Service.

**SENATOR FRANCIS:** But that would be decided prior to the transfer. That wouldn't -- the transfer wouldn't occur outside of that. I mean that determination will be made prior to them coming over?

**ASST. DIRECTOR EVELYN:** Determination of where they will be going?

**SENATOR FRANCIS:** Yes.

**ASST. DIRECTOR EVELYN:** That's why I said that
the Health Department has to staff their State EMS
Office so they will decide which EMS employees will
stay with them or which one will come to us.

SENATOR FRANCIS: Very well.

ASST. DIRECTOR EVELYN: Good.

SENATOR FRANCIS: The Department of Health to
make that determination not VIFEMS.

ASST. DIRECTOR EVELYN: That is correct.

SENATOR FRANCIS: Very well, thank you. I just
wanted to clarify that issue.

DIRECTOR CLENDIDEN: I just needed to clarify if
I think I was hearing correctly again. We are working
collaboratively all of us together to make those type
decisions as to the best suited for whatever entity or
what's happening within that agency. So we are
working together. So, we don't want employees at this
point to be afraid or very fearful. We are really
looking out for their best interest as well, which is
why we are part of it --

SENATOR FRANCIS: That's the message that we
need to convey, because you know all eyes are on this
hearing, and they're listening; and they're picking on
every single word and opportunity that you're
discussing here today. So I want to make sure that we
clarify that issue as well. So thank you for that.
Senator Jackson, you're recognized for your seven minutes.

SENATOR JACKSON: Thank you very much, Mr. Chair. And I want to thank you for holding this hearing and good evening to my colleagues, and good evening to all of the testifiers those -- and those viewing and listening audience.

The discussion today was needed and as been very educational on both sides of the aisles and fence in this regard in reference to this particular or these two measures that we have before us today as it relates to emergency response here in the Territory and the merger of the EMTs or EMT and Fire to perform duties here in the Territory. So I'm going to start with Mr. Evelyn, and Mr. Evelyn good evening. And welcome to the new team that you're on.

ASST. DIRECTOR EVELYN: Thank you, Senator.

SENATOR JACKSON: I know that you come highly qualified and well experienced. And so I look forward to your contribution as we move forward in these two particular measure that are before us that at the end we will have an entity that truly serves the needs of our community, and that we don't have the bureaucracy and the failure of bigger pie in the sky so to speak but that we become more effective in responding to the
needs of our community especially as it relates to what we're discussing this evening, emergency response.

So in that regards, some are trying to figure out how we move from where we are presently. You call 911, and you get the ambulance deployed to your home or to the site or the scene that's required. Then, you get to the hospital and there's engagement with the emergency and medical team to include doctors, nurse, and other medical professionals and in some cases the Police Department and whoever else might be even Fire or emergency response -- other responders to that particular situation.

Can you walk us through how it's going to be structured under the new merger? Let's start with the call from the person in need.

**ASST. DIRECTOR EVELYN:** Okay. Thank you for that question. When the call is received from 911, it depends upon where the call is for. Let's say the call is for someone that got injured in Tutu. In that case, the unit that will be assigned at the fire station in the east will respond. If the call requires additional help, let's say it patient is a needed CPR and need additional help, firefighters can also responded to provide assistance as well. The
patient is then transported to the hospital. The patient is then transferred to the nurse unit with stocks, and goes back to their station in — at the fire station. That's the short answer.

SENATOR JACKSON: So you don't see any breakdown from what we have existing outside of that we are creating a greater response to the zones that have been or will be created to respond to emergencies. You understand the question?

ASST. DIRECTOR EVELYN: So there will be an enhance response in terms of let's say there's a -- the ambulance out on a call, and there's a call, an existing call at Bordeaux. In that case, the quick response vehicle which is -- will be staffed by minimal emergency medical responder can respond to that call and provide life saving interventions until the ambulances is available to go there and transport that patient. So there will not be a delay in care arriving to that patient in Bordeaux.

SENATOR JACKSON: How is that different from --

DIRECTOR GEORGE: And the method of response is going to be same as it is, Senator. The process through 911 will determine the call at what station is going to be dispatched.

SENATOR JACKSON: Okay, thank you.
ASST. DIRECTOR EVELYN: The timeliness of medical crews arriving will be enhanced, will be greater.

SENATOR JACKSON: So that does no exist presently? Question, does it?

ASST. DIRECTOR EVELYN: Well, EMS right now is short staffed. So I think there is some gaps with response. Yes, so.

SENATOR JACKSON: You do not see, and I am going to move to the Commissioner of Health. You do not see any breakdown in the relationship between the hospital and the new merger in the process.

COMMISSIONER ENCARNACION: I honestly don't see -- I don't see the breakdown between that. I do acknowledge that they should be at as stakeholder, and there are certain meetings that I think they can be in so that we can actually get --

THE TIMEKEEPER: One minute thirty seconds.

COMMISSIONER ENCARNACION: -- the feedback. But I don't see a breakdown within at all.

SENATOR JACKSON: All right. So the EMT -- how many paramedics do we presently have and EMTs within the Territory. Let's take them by island district.

COMMISSIONER ENCARNACION: Yes. In the Department of Health we currently have five
paramedics, five paramedics on either island -- on
district I should say.

SENATOR JACKSON:  You have five --

COMMISSIONER ENCARNACION:  Five paramedics we
have.

SENATOR JACKSON:  Between St. Thomas and St.
John and St. Croix?

COMMISSIONER ENCARNACION:  Between St. Thomas
St. John we have five. On St. Croix we have five.

SENATOR JACKSON:  Okay. And then EMTs?

COMMISSIONER ENCARNACION:  EMTs?

SENATOR JACKSON:  Yes.

COMMISSIONER ENCARNACION:  Give me one second.

SENATOR JACKSON:  All right. So while you get
that response, let's go to the issues not the issue
but most of the state -- from state to state it varies
in terms of training and eligibility, and I've found
four major steps.

1. Meet the eligibility requirements or the
prerequisite for attending an EMT or paramedic course
that's one.

2. Attend and successfully complete and
approve EMT or paramedic education course.

3. Take and pass the national registry of
emergency medical technicians, EMT or paramedic --
THE TIMEKEEPER: Time.

SENATOR JACKSON: -- computer-based exam -- may I complete? May I complete?

SENATOR FRANCIS: Yes, you may.

SENATOR JACKSON: Computer-based exam and;

4. Apply and obtain for certification within the two years of being issued a course completion certificate.

Are any of the steps that I just outlined part of the existing requirements for EMTs and paramedics?

ASST. DIRECTOR EVELYN: Yes, sir it is. Especially the one that applies to national registry. So after you -- so the difference between licensure and certification, certification applies to being certified by our governing body like national registry or a registered nurse. The licensure component is usually issued by the state.

SENATOR JACKSON: Okay, very well. So we have some work to do. I think we all agree that today is the beginning at least from this side of the fence and that we are looking for the necessary amendments and for the strengthening of the language of the bill to really serve the needs of our communities. So I want to commends all of you for being here this evening and work that you do. Thank you very much, Mr. Chair.
ASST. DIRECTOR EVELYN: Thank you.

COMMISSIONER ENCARNACION: May I please answer his question in reference to the numbers?

SENATOR FRANCIS: You may.

COMMISSIONER ENCARNACION: On St. Croix, we have 28 active on -- yes 25 active EMTs on St. Croix and 28 on St. Thomas. In St. Thomas of course we also have because of St. John we also one boatman, one parts man and of course we have administrative staff on both islands.

SENATOR JACKSON: Thank you.

SENATOR FRANCIS: Very well. I think that, again, we've had a full round on this particular issue. And I just want to wrap up by indicating that regardless of the -- rapid fire round? I think it's important that we understand that our Virgin Islands Fire Service, our EMS and our Virgin Islands Police Department are the guardians of our safety. And whatever we do we got to continue to make sure that there is a synergy among all of those first responders and that they're working collectively in the best interest of this community. And, you know, I believe that there could be a smooth transition, but we have to get this right.

I know even in some instances where
firefighters don't want to go into certain areas, because the police is not there. And that will continue even if you have EMS with you. You know, I believe that we have to develop this cohesive working relationship that we all are out first responders know that they have each others back, and we are our brother's keeper when we respond to these calls for service.

So, you know, I don't want us to be able to pit us against each. EMS against Fire, Fire against EMS, you know, but there must be some mechanism by which we able to cohesively bring these entities together in best interest of the community. I know that the Governor has, you know, his idea about this merger. We have not -- this is not new to us. We've had this discussion before. I've been a rescuer. In my days I have been a law enforcement officer, and I understand. I've been in the trenches. I understand what it takes. Some of us gets territorial and we want our own space, but there's truly an opportunity here where we can you know work collectively in the best interest of this community; but we have to get it right.

So I'll give each of you --

SENATOR HODGE: Point of information.

SENATOR FRANCIS: Say again?
SENATOR HODGE: Point of information.

SENATOR FRANCIS: It's the back door approach.

Go ahead Brother Hodge.

SENATOR HODGE: I just want to share some information --

SENATOR FRANCIS: I was just trying to get my seven minute but it was just cut short. So go ahead you're recognized.

SENATOR HODGE: Thank you, Mr. Chairman. I just want to share some information relative to discriminatory practices in the Territory. The -- an employee has 300 days to file a charge of discrimination. And when the employee that's impacted we allow them to go out on leave rather than the person who should be suspended pending investigation even if you're going to pay them they should be out on leave, because then what we looking at is pain and suffering and other impacts.

In our government we have leadership who terminate employees when they're out on sick leave. We have leadership that they just want the employee gone, and they're not eligible to file a wrongful discharge and many times they don't know who to go to because we don't have a HR Department that's neutral and objective.
Even currently if an employees is sexually harassed in the workplace, the policies that the Division of Personnel has to be notified in five days of said action, and the Division of Personnel has to sends out an investigator. But all those investigators who do EEOC -- EEOC certification training A number years ago, they are nowhere to be found, and at the same time they don't have the experience because they're not dealing with it on a day to day basis.

Information. I'm a certification EEOC investigator working in the Department of Labor for eight years. My very first 13 cases were either dismissed or a cause finding and after that I was batting a hundred percent. So I'm not wrong. There's a lot of shortfalls and at the end of the day it cost the government money. The only employee in all of government that can sue or that can sue or hold a person personally liable is a solider Virgin Islands National Guard under Title 23, and the Department head shall suspend or terminate that employee.

So if we have to -- of this body decides that we have to go ahead and amend the law so that every leader in government is it subject to that or the employee that causes action it's not good. It's not
going to be good financially for our organization. That's my point of information.

**SENATOR FRANCIS:** Thank you very much. Senator Hodge. Senator DeGraff, you're recognized for you have a follow up question? Two minutes on the clock for Senator DeGraff.

**SENATOR DEGRAFF:** Thank you, Mr. Chair. Director Clendiden what would the job description look like for a merger once it has been completed?

**DIRECTOR CLENDIDEN:** I believe we do have one on file that I could actually send to you that we've been using together marries some medical and some fire. I'll be happy to share that with you if you would like me to.

**SENATOR DEGRAFF:** Okay. And for the EMS section, what would happen to the present EMS personnel, the coordinators, the trainers, and different things like that. What would happen to them at this time point? Who been in there longevity and different things like that.

**COMMISSIONER ENCARNACION:** So right now the current EMTs that there are paramedics we do have some positions open for regulatory. Some will stay within those positions and then the others will be transferred out to Fire.
SENATOR DEGRAFF: Okay. And maybe finally St. John seems to have the model as to what's working, and yes and that's good to hear. What would you say is the recipe on St. John for their success?

DEP. CHIEF STEPHENSON: Everybody been repeating today communication. The thing what makes Coral Bay, St. John unique is that we have real good relationship with EMS. Some of us used to moonlight with EMS. So we have -- we used work together me and AD Evelyn worked together at EMS. Mr. Chesterfield was my instructor when I came in. So we have a real --

MS. BRAITHWAITE: Thirty seconds.

DEP. CHIEF STEPHENSON: -- relationship with the -- we are one family already so that's why it's working so good on St. John.

SENATOR DEGRAFF: Okay. And finally Mr. Evelyn in regards to if this happen tomorrow, timeframe what would the rollout look like? Timeframe how long would it take, you know, to let the people know?

ASST. DIRECTOR EVELYN: If it happens right now nothing will change from an operations standpoint. We will still be responding to 911 calls. That won't change. However, when it comes to different things like training, enhancing the training program that would take a few more months. But right now --
THE TIMEKEEPER: Time.

ASST. DIRECTOR EVELYN: -- it will not change
the operations and the response to 911 calls.

SENATOR DEGRAFF: Thank you, Mr. Chair.

SENATOR FRANCIS: Thank you very much, Senator
DeGraff. Senator Gittens, you're recognized for your
two minutes.

SENATOR GITTENS: Thank you, Mr. Chair. Okay,
since it's only two minutes let me go to my little
note I write down here. Earlier you heard me talk
about the agencies being in need of expansion and that
the increasing demands of our emergency services are
struggling to meet these demands. I after saying
that, after speaking about the struggle, we've had --
good thing we've not had any fires to my recollection
at any gas stations in recent times.

Again, look at the demand because the demand is
going to be there. Because I don't know where they
getting these permission to build all these gas
stations next to each other. And with all these gas
stations coming so close in proximity with each other,
I'm thinking that they just setting some kind of chain
reaction thing. We need to pay attention to it, okay?
Fire, we need to pay attention to it. And if you all
are not in the loop when it comes to these fire
stations being placed throughout the Territory then
start talking with your colleagues.

**DIRECTOR GEORGE:** You mean gas station.

**SENATOR GITTENS:** Yes, gas station. Sorry.

What did I say?

**THE TIMEKEEPER:** Thirty seconds.

**DIRECTOR GEORGE:** Fire station.

**SENATOR GITTENS:** Gas station, sorry. And I
also say that to say while we're discussing this
today, my office also got a call from a concern
citizen keep our eyes on what's going on with the gas
station being built there on Rhymer Highway, because
they look like they want to put some merging lane
there to turn into the gas station. If you going to
put a merging lane there without expanding --

**THE TIMEKEEPER:** Time.

**SENATOR GITTENS:** -- the road you know what
means, right? More accidents. So that means EMS
side, again, the demand is there. The demands
continue to come, and we are struggling. Get involved
so that we can put a stop to some of these things. I
got colleagues that telling me they preempt me with
the gas station to stop these gas station from being
built. I forget the fancy word, but it is high time
-- say that? The moratorium, yes. It's high time for
us to put a stop to this. A gas station going up every 10 feet. Fire, that is going to be a concern to you just now. I hope I ain't calling how you does say it calling goat mouth, but thank you all for your input today.

You know I am support this merger wholeheartedly in it's concept. We have some work to do. Let's work together, iron out the kinks and move this piece of legislation forward. Ain't time for the Executive Branch to be blaming the Legislative Branch that we ain't ambulance in Frederiksted because with we holding up the bill. In the interim, we need to put centralize the ambulance services on St. Croix. And again think about it, the modular should have never been placed out to Richmond and it could move.

Thank you.

SENATOR FRANCIS: Thank you very much Senator Gittens. Senator Benta, you're recognized for your two minutes.

SENATOR BENTA: Thank you. Thank you, Mr. Chair. In the merger the mobile integration, Commissioner, the mobile integration would stay with you with the seniors under EMS that you had going, that wonderful program.

COMMISSIONER ENCARNACION: That's actually not
just for seniors but for home care as well and it's
actually been very good for the community. That would
actually be shifted to the EMTs, with the EMTs. So
would be under the manner.

SENATOR BENTA: Over at Fire.

COMMISSIONER ENCARNACION: Yes, it will be.
Because remember it's actually the EMTs actually run
it right now.

SENATOR BENTA: Correct. Correct. But you
keeping some you said, right?

COMMISSIONER ENCARNACION: But I'm keeping
regulatory, not the clinical portion of it.

SENATOR BENTA: Okay. What about emergency
management grant program for children side of it?

COMMISSIONER ENCARNACION: That actually because
it's a grant and it's a grant and was given to awarded
to the Department of Health that stays with us.

SENATOR BENTA: Okay. Mr. Chair, I hope that
this is a sign to the Committee of Jurisdiction for
further vetting. There is so much more -- sorry, I
didn't hear that. I didn't hear that. So I wasn't
here. There's so much more for us to pretty much vet
on this. So thank you, Mr. Chair.

SENATOR FRANCIS: This will be in your hands in
the very near future. Senator Hodge, you're
recognized for your two minutes.

SENATOR HODGE: Thank you. Thank you, Mr. Chair. I am definitely in support of the legislation. It just need some a little bit of amending. I'm really glad that we're going to zones so that will actually cut down on the response time even right now relative to the for those type of vehicles the Fire Service we refer to. So that's win win.

Ms. Encarnacion, I have a question for you. In the testimony you spoke to the relative to the proposed legislation and the responsibility for regulatory duties. Have you been work on those already or your waiting until the legislation actually passes to be develop them, the duties and responsibilities and/or criteria?

COMMISSIONER ENCARANCI: It's going to be expanded because in a short answer yes we are working on them. We currently operating from a regulatory prospective in EMS. However, we need to do an expansion in regulating the private vehicles as well as the providers of those vehicles. So that would be an expansion. So we have to now develop SOPs, and we haven't done that. Currently, we'll be working on those.

SENATOR HODGE: Okay. Very good. The only
thing I want to offer is suggestion. The Assistant
Attorney General for Labor, previously we had someone
that was in that capacity a number of years ago --

THE TIMEKEEPER: Thirty seconds.

SENATOR HODGE: -- who was a very good, very
good at what they did. But agencies would not even
listen to them, and ultimately guess who has to
represent government agencies? So please reach out to
them, okay. Thank you.

SENATOR FRANCIS: Thank you very much Senator
Hodge. Senator Jackson, you're recognized for two
minutes.

SENATOR JACKSON: Thank you Mr. President.
Commissioner.

COMMISSIONER ENCARNACION: Yes, sir.

SENATOR JACKSON: The make up of the Board is
comprised of seven members. I'm not sure that that's
the magic number. However, it breaks down how those
members, the qualification for those members and I
notice that they shall be a paramedic just one, and I
would suggested that we look at that particular issue
in terms of the St. Thomas, St. John, and St. Croix
district in that I do feel that you should have at
least two members who shall be board certified
emergency physicians. One should be coming out of the
District of St. Croix, and one out of the district of St. Thomas. That's just my thought, and you could respond accordingly to that.

The other area that I had concern about was the established model procedures for patient management in out of hospital medical emergencies that do not limit the authority of law enforcement and fire protection personnel to manage the scene during an out of hospital medical emergency. So between yourself and the Fire Director, you may respond.

**THE TIMEKEEPER:** Thirty seconds.

**ASST. DIRECTOR EVELYN:** In reference to that, a medical director as well as the online, if I'm saying that correctly, physician out of the Emergency Room will actually be the ones who will be drafting protocols. The approval of those protocols will be submitted to the Board. However, it's a combination of things that would actually be done.

**DIRECTOR GEORGE:** Can you repeat?

**SENATOR JACKSON:** It's in reference to the establishing of the --

**THE TIMEKEEPER:** Time.

**SENATOR JACKSON:** -- model procedures as listed in the legislation, proposed legislation. It speaks to law enforcement, fire protection personnel to
manage the scene during an out of hospital medical emergency. It's on Page 23 of the bill. If you can't respond --

**ASST. DIRECTOR EVELYN:** All of the -- all of -- anything that occurs out of hospital that is medically inclined, once this is passed will be managed by the V.I. Fire Service, because we're moving towards all hazard response.

**SENATOR FRANCIS:** Thank you very much. It's been a long day. You guys have been here since after 9:00 this morning. This bill once again there is some amendments, and I know there is an opportunity for us to go back to the drawing board and look at some of the discussion that have been had here today. That's why it was important to do this in the Committee of the Whole so that bill could certainly least be strengthen, and we could also give an opportunity to hear from some of the stakeholders once again, as well as the unions and others, because we really need some buy-in on this. Of course we're not going to have a hundred percent, but, nevertheless, you know, I think that it will be favorable in moving this forward once we are able to amend and make that we're closing loop on some of the issues that have been discussed here today. I'll allow you, Department of Health, Fire
Service, and maybe the Assistant Director to make some final comments. Personnel, you want to make some comments too.

**DIRECTOR CLENDIDEN:** I want responded to, if I may, to Senator Hodge who said some very hash words. But I wanted him to know just for the audience as well not only at Department of Personnel but throughout government we have very very capable, competent, and responsive staff in HR, and I have a very very highly qualified, highly qualified Strategy and Organizational Development Officer that does those types of investigations where there's sexual harassment, etc. She totally unbiased and by the book. Her name is Kurell Hodge.

So I don't want the listening public to walk away thinking that we do not have capable and compete staff that plays only into favoritism. We are not about that. Thank you.

**SENATOR FRANCIS:** Thank you very much. Chief Negotiator, you have any closing?

**CHIEF NEG. SPRINGETTE:** No, Senator.

**SENATOR FRANCIS:** Very well. We didn't hear much from the Assistant Commissioner today Dr. Syms, but we always hear from her anyway so no problem. Ms. Charles we didn't hear much from you today, but we
know that you're a part of this process Deputy Commissioner. So we appreciate you. At this time we'll allow for the Assistant Director --

ASST. DIRECTOR EVELYN: Yes, Senator.

SENATOR FRANCIS: -- of EMS am.

ASST. DIRECTOR EVELYN: Thank you for allowing us the time to present before you. And we got a lot of information, a lot of feedback. Just want to reiterate that we are creating a system based upon mandates and federal guidelines, and we're using recommendations for example National EMS Advisory Council, and all those recommendations to really create a wonderful system. And I do agree that we need to always have feedback and buy-in from all the players involved. But our goal is to really create a system and to enhance patient care access in the Territory beyond -- now and beyond as well.

SENATOR FRANCIS: Very well thank you.

Assistant Director of Fire.

ASST. DIRECTOR STEVENS: I would like to pass to Director Darryl George.

SENATOR FRANCIS: Director.

DIRECTOR GEORGE: Thank you for the opportunity to come in here today and plead our case. I think we did a job, the Team did an excellent job today. Some
of the issues that I heard today I agree with some I don't. There's many things that, you know, we can see but on this other side we know we did a thorough vetting process of some of the employees who wanted to be part. We know we have a large amount of employees support this initiative that ain't going to come to forefront, and I hope that down the line when we get to the Committee of Jurisdiction we have a favorable support. I think this is something the Territory wants and need, and I hope that this body takes this into serious consideration to make this happen.

SENIOR FRANCIS: Very well thank you.

Commissioner Encarnacion.

COMMISSIONER ENCARNACION: Well, good evening everyone. It really has been to me a pleasure to actually sit here today, because it's something that I think that is going to benefit the community, and listening -- sitting and listening to all senators and hearing the pros and cons and having to answer those questions, is only going to allow us to go back to the table and create a bill that we know for sure we can present to you that's going to be passed. So I just want to thank you for having us here today.

SENIOR FRANCIS: Thank you very much. And in conclusion again I want to commend you for your
presentation here today and being able to answer the
questions that have been posed by colleagues. The
next time you're hearing this bill it will be assigned
to the Committee of Jurisdiction, which is Health,
Hospitals, and Human Services. Thank you for spending
all day with us, because it was important for us to be
able to flush this out and you know give the
stakeholders some prospective as well. There's one
thing when it's written on paper but being able to
have a dialog, an open dialog I think would just add
again to a strengthening of the bill.

The Committee -- very quick point of personal
privilege, Senator Gittens.

SENATOR GITTENS: Thank you, Mr. Chair. Mr.
Chair and testifiers and people of the Virgin Islands
I'll be remiss if I didn't say a special Happy
Birthday to one of the best governors we've had in
this territory, my former boss, the Honorable Charles
Wesley Turnbull. I neglected to say that earlier
today, and I would like to live to see the age that
he's lived to today; and I just want to wish him well.
And hopefully when you saw see him you extend your
best wishes as well. Happy Birthday to Governor
Charles Wesley Turnbull. I wouldn't say his age.

Thank you.
SENATOR FRANCIS: Happy 85th birthday to you Dr. Turnbull. Nothing to be ashamed of. Eighty-five years young that's serious and significant milestone. There's no secret of your age. It's available on Google so, you know. Senator Jackson you're recognized.

SENATOR JACKSON: Thank you. Thank you.

SENATOR FRANCIS: Senator Jackson is recognized.

SENATOR JACKSON: Thank you very much, Mr. Chair. And I also wanted to join with my other colleagues in wishing Governor Turnbull a blessed and Happy Birthday. And I have to say that I trust that this administration will finally dedicate the building that has been named for him, which is the Charles Wesley Turnbull Regional Library that's long overdue. In two now going into three administration and did not have the formal dedication of the building. It's now time thank you very much Mr. Chair.

SENATOR FRANCIS: Thank you to everyone. Thank you to central staff, and everyone please get home safely. The Committee of the Whole of February 5, 2020 is hereby adjourned.

(The Committee of the Whole meeting held on February 5, 2020 is hereby adjourned.)
WHEREUPON, I, Nataya A. Melchior-Munoz,
transcribed the foregoing February 5, 2020 draft
transcript to the best of my ability.