April 13, 2021

Novelle E. Francis, Jr.
Senator/Vice President
34th Legislature of the Virgin Islands

Via email: nfrancis@legvi.org; ccarty@legvi.org

Dear Sen. Francis:
Thank you for the invitation to appear before the committee on Health, Hospitals and Human Services of which you are the Chairperson. I also extend greetings to the members of this committee and other senators present. I am Evet Rivera, President of the Virgin Islands State Nurses Association; I offer testimony on Bill No. 34-0028 and Bill No. 34-0040

**Bill No. 34-0028 Pronouncement of Death**
The proposed language for addition of a new Section 870 to Chapter 19, V.I. Code introduces the pronouncement of death by a Registered Nurse, Physician’s Assistant, or certified Registered Nurse Practitioner employed by a Nursing Home, Hospice or a certified Home Health Agency, exclusive of other care settings. Our understanding of the current practice is that EMTs are called to verify the conditions listed in 19 V.I. Code, Section 869, when a death occurs in any of the health care settings listed above but, this is not written in the existing statute. The proposed language is also specific to “anticipated death” suggesting that the nurse(s) and physician assistant will have no pronouncement role in unanticipated death in these facilities. If any owners of the referenced facilities have been invited to testify maybe they can clarify the current practice(s). VISNA has no objection to the bill’s intent but there is the need to ask why this is coming for legislative regulation at this time. The certified Registered Nurse Practitioner should not require any additional skills based on the curriculum for such certification. The staff Registered Nurse may need to acquire the skills as outlined in Section 869. Advanced knowledge across the life span should always be welcomed by the professional nurse but compensation is also a consideration. **At this time** RNs working in these settings are not covered in the collective bargaining agreement under our Economic and General Welfare Commission of the professional association, but VISNA supports consideration of additional compensation for this assignment in the employment contract. To be clear, nurses would only be pronouncing that the anticipated death has occurred. The death certificate is signed by a physician as stated in the original bill.

**Bill No. 34-0040 Nursing Compact Licensure for the Virgin Islands**
Our position is that a significant amount of work is still needed with all relevant stakeholders before we formulate a position. A reference document from the American Nurses Association is
attached to this testimony for distribution. Additionally, Ms. Janet Haebler, Senior Associate Director, Policy & Governmental Affairs for the American Nurses Association, has been invited to be on the call as one of our subject matter experts.

Consideration has to be given to the following:
- the demand & rational for Compact Licensure in the Virgin Islands
- the financial impact for the VI Board of Nurse Licensure, its administrative capacity to implement this type of licensure and re-determination of its regulatory role
- the impact on the Nurse Practice Act
- the current process for increasing the workforce during a declared local or national emergency

Voices of the Professional Nurse Association (VISNA).
Protecting the nurses in the territory through labor representation and collective bargaining contracts is a voice that will be lessened. If this Compact Licensure is enacted, it can allow out of state (territory) nurses to easily replace Virgin Islands Nurses who are advocating for safe work environment and fair compensation.

VISNA believes that we should be recruiting and retaining our own nurses to remain in the territory, building our economy and most importantly representing the culture of our communities. VISNA is cognizant of the fact that we are a diverse community with different cultures. A concern about the public’s safety would be the influx of nurses, outside of an emergency such as a natural disaster or the pandemic that we are currently in, who are not familiar with the Virgin Islands Nurse Practice Act which, by the way, needs revision.

Further research is needed and we ask that this bill be tabled at this time.

Again, thank you for inviting the leadership of the Virgin Island State Nurses Association (VISNA) to testify on this matter. We ask that such invitations continue to be extended for all legislative matters pertinent to nurses and their practice. With me are other members of the VISNA Board who will assist in answering questions you may have.

Respectfully,

Evet Rivera
Evet Rivera, President

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