



Committee on Health Hospital and Human Services | October 18, 2021

Legislature USVI

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- 0:00:00 We'll be right back. We'll be right back. Thank you. Thank you. We'll be right back. Thank you. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. Good morning, good morning, good morning. The Committee of Health, Hospitals and Human Services is hereby called to order. Madam Clerk, please read today's agenda into the record.
- 0:12:51 The Committee on Health, Hospitals and Human Services has scheduled a hearing for Monday, October 18th, 2021, at 10 a.m. in the Fritz E. Lowe's Legislative Conference Room on St. Croix to receive testimony on the following bill. Bill number 34-0101, an act amending the Virgin Islands Code Title III, Chapters I and 15, Title 23, Chapter 7, and Title 33, Section 3032 to create a new Virgin Islands Fire and Emergency Medical Services to provide fire prevention services, fire suppression services, emergency medical services, and for the protection of life and property, sponsored by Senator Donna A. Fred Gregory by request of the governor. Invited testifiers, the Honorable Justa E. Encarnacion, Commissioner, Virgin Islands Department of Health. Mr. Darrell A. George, Director, VI Fire Service. Mr. Lyle Evelyn, Assistant Director, VI Fire Service. Mr. Clarence Stevenson, St. John Deputy Chief, VI Fire Service. Ms. Jennifer O'Neill, Director, Office of Management and Budget. Joss Springett Esquire, Chief Negotiator, Office of Collective Bargaining. Maurice James Esquire, Former Policy Advisor for Justice and Public Safety, Office of the Governor. Ms. Harella Goodwin, Private Citizen. Thank you very much, Madam Clerk, and as you can see, we have a full agenda today. So we'll be getting started momentarily.
- 0:14:56 And at this time, we'll take a quick recess, and when we reconvene, we'll do a roll call as well as hear from our testifiers. The Committee of Health, Hospital and Human Services stand in recess for a couple of minutes. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. We'll be

right back. Thank you. We'll be right back. We'll be right back. Thank you. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. We're out of recess, and once again, good morning to all listening and viewing. Today the Committee of Health, Hospital and Human Services Committee has convened to consider

0:27:56 Bill 34-01, a bill which seeks to integrate the fire services with the emergency medical services. The second bill scheduled for today's agenda, Bill 34-0055, which created the Responsible Fatherhood Act was removed at the request of the bill's sponsor. The issue of the fire and EMS merger is not new to the Legislature. This most recent iteration of this proposal was forwarded to the 33rd Legislature by Governor Bryan on October 23, 2019. And heard before the Committee of the Whole in February of last year, Governor Bryan resubmitted a proposal to the 34th Legislature on November 23, 2020, and this same matter was discussed in the Committee of the Whole in April of this year.

0:28:54 Today's Committee meeting presents yet another opportunity for a balanced discussion and analysis of the proposed legislation. As a senator, I have both led and participated in meetings of the merger of fire and EMS since my freshman term in the 31st Legislature. Today you will hear testifiers confirm that this continues to be a highly charged discussion. However, I think everyone present will agree that all parties are committed to providing the best quality of care and service to the Virgin Islands community. So today, while I anticipate a focus on the big picture, the long-planned merger of fire and EMS, let's not also forget the details that are critical to the progress.

0:29:41 I want to ask all that's in attendance to either turn your cell phones off or silent not to interrupt today's proceedings. And all the testifiers, you're asked to put your devices on mute unless you're speaking at any given time. Madam Clerk please call the roll. Senator Marvin A. Blyden. Senator Blyden, present. Senator Samuel Carrion. Senator Carrion, present. Senator Kenneth L. Gittins.

0:30:20 Senator Gittins present. Senator Alma Francis Heiliger. Present. Senator Francis Heiliger present. Senator Janelle K. Saro. Senator Saro absent. Senator Kurt A. Violet. Senator Violet present. Senator Novell E. Francis, Jr. Senator Francis, Jr., present. Mr. Chair, you have six members present, one absent. Very well, thank you very much, Madam Clerk. I also wanted to advise the community that today we're moaning the passing of General Colin Powell. Of course, he was the former Secretary of State as well, And, you know, we're deeply saddened by his passing, and as the media have been reporting, he had complications with COVID. So we want to, again, pay homage to the contribution of General Moorhead, General Colin Powell, and certainly, you know, we moan his passing at this time. Madam Clerk, any correspondence to be read into the record?

0:31:47 Yes, Mr. Chair. Please proceed and read all our correspondence. Honorable Novell E. Francis, Jr., 34th Legislature of the Virgin Islands, 3022 Estate Golden Rock, Christianstead, St. Croix, Virgin Islands, 00820. Dear Chairman Francis, this letter serves to inform you that due to a previously scheduled out-of-territory obligation, i will be absent to the committee on health hospitals and human services meeting scheduled for monday october 18th 2021 in the fritz e louettes conference room in saint croix please excuse my absence and i do hope you have a very productive meeting respectfully submitted Janelle K. Saro. Thank you, Madam Clerk. Please record Senator Saro as excused. Any other correspondence to be read? No, Mr. Chairman. Very well. Thank you very much. And before we have the bill presented by Senator Villalee on behalf of the bill's sponsor, I wanted to give you the rules of engagement in terms of the testifiers list. We will take a recess for one minute.

0:33:08 We'll see you next time. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We are now, we are now. We'll be right back. Thank you. We are out of recess at this time we want to give the list of testifier and the order of the testifiers and we are starting out this morning with attorney Maurice James. Then we'll go to the Virgin Islands Fire Service Director, Daryl George. Virgin Islands Fire Service Assistant Director of EMS, Lyle Evelyn. Virgin Islands Fire Service and John Deputy Chief Clarence Stevenson.

0:38:17 We also have a recorded testimony from Ms. Horella Goodwin, a private citizen, Department of Health Commissioner, Huston Encarnacion, Office of Collective Bargaining Chief Negotiator, Josh Springett. and Office of Management and Business Director, Jennifer O'Neill. Also will be available for questioning will be the Virgin Islands Fire Service Training Director, James Bolton, Virgin Islands Fire Service Medical Director, Dr. Robin Illitt, and Department of Personnel Assistant Director, Florine Hassel and Millicent Obain will also be available for questioning and discussion. We also have a letter of support that will be read into the record by former Governor John P. DeYoung, Jr. At this time, we'll go to the presentation of the bill.

0:39:15 And Senator Viola, you're recognized for a presentation of Bill 34-0101. Thank you, Mr. Chair. Good morning to the people of the Virgin Islands. Bill No. 34-0101 is an Accomendant of Virgin Islands Code, Title III, Chapters 1 and 15,

Title 23, Chapter 7, and Title 33, Section 3032, to create a new Virgin Islands Fire and Emergency Medical Services, to provide fire prevention services, fire suppression services, emergency medical services, and for the protection of life and property. This bill was sent down by Governor Albert Brand and is proposed by Senator Donna Efret Gregory on his behalf. This bill seeks to remove the emergency medical services from under the Department of Health and place the entity under the Virgin Island Fire Service and to rename the fire service from Virgin Islands Fire Services of Virgin Island Fire and Emergency Medical Services. It is based on what is literally taking place nationwide in which most of the emergency medical services units are contained within the fire division. We have heard this proposal on multiple occasions and have made recommendations as to the path moving forward, and we do see that this particular bill that is before us speaks more to the merger and less to the regulatory side. So we look forward to hearing this bill as proposed. We know that the overall intent of the bill is good, and the overall intent of the measure is one that we definitely need to move in that particular direction. So the job now is to just get the bill right so we can move it forward. Thank you, Mr. Chair.

- 0:41:13 Thank you very much, Senator Viale, and before we go to the testimony, I wanted to make sure that we have a device check from all of the testifiers for today's proceedings, and we'll start out with Attorney Maurice James. Good morning, Senator Novel Francis. Morning. Director Darryl George. Good morning, Senator.
- 0:41:41 Morning. Francis. Director of EMS, Lyles Evelyn. Good morning, Honorable Chairman, Lyles Evelyn. Good morning. Deputy Chief Stephenson. Good morning, Senator. Good morning. Ms. Jarella Goodwin will bypass her for now. Commissioner Husta Tita Incarnacion. Good morning, Senator. Good morning. Chief Negotiator Josh Springett. Good morning, Senator.
- 0:42:16 Good morning, Attorney. Office of Management and Budget, Director, Jennifer O'Neill. Good morning. That's a little typer here, no worries. And, of course, we have the Assistant Director, Florine Hassell. Good morning. Good morning, Senator Francis. morning and um we also have um mr bolton uh training director james bolton mic check good morning good morning senator morning medical director dr illett morning senator on end okay i think we have everyone pretty much online at this time um so before we we go into the testimony i want to say that i have not heard any complaint lately and i want to take this opportunity to thank all of those that was instrumental in placing the um ambulance and project said uh and having profit down there i have not had any complaints recently regarding response time which is which is good news so um commissioner and kind of seong i want to thank you and all of those that was instrumental in making that happen yeah mute commissioner it was my pleasure it was a collaboration between of course director george of course pathford and ad evelyn so thank you so much very well thank you um at this time um attorney maurice james you're recognized for your testimony
- 0:44:15 good morning senator noble e francis jr chairperson of the committee on health hospital and human services other committee members and non-committee members in attendance and residents of the u.s virgin islands i am maurice james an attorney and mediator practicing on the island of st croix with me today our director daryl george assistant director lyle evelyn and deputy fire chief clarence stevenson all of the virgin islands fire service director jennifer o'neil of the office of management and budget attorney just bring it of the Office of Collective Bargaining, and Commissioner Hustan Canaseung of the Department of Health. I was employed with the Office of the Governor as Policy Advisor for Justice and Public Safety, which included the Virgin Islands Fire Service. The first task I received in February 2019 was overseeing the expansion of the capacity and capability of the fire services in providing emergency medical services the governor's policy decision was that we can enhance the delivery of emergency medical services to the people of the virgin islands through a capabilities driven and capacity building strategy of transferring the approximately 30 highly skilled ems personnel from the department of health to the virgin islands fire service with a workforce of 243 personnel capable of becoming EMS providers at all levels through appropriate training and education in emergency medical services. By further increasing the EMS capability of the fire service, we expand capacity. We increase the
- 0:46:11 number of ems providers responding to medical calls and the intent of this legislation is simple emergency medical services is about responding in time to save the lives of our people in time that's very important the virgin the fire services transition to a fire-based ems system began with the training of firefighters on the operation of the automatic external defibrillator, the AED, a valuable piece of equipment for the delivery of EMS and the placement of AEDs on fire engines and trucks. And I want to point out that fire service has been providing, if you if you just think about the use of AED, they have been providing EMS. The next move then was the requirement that new firefighters obtain EMT certification, which boosted interest in serving the community as certified firefighters EMTs and will increase the number of EMS personnel responding to emergency medical calls when the Virgin Islands fire and emergency medical services is legally established, which this legislation seeks to do. I quickly scheduled a meeting within two weeks with both entities and Commissioner Hustine Kanaseung, Mrs. Jacqueline Greenidge, Mr. Avon Chesterfield from Health, and Assistant

Director Antonio Stevens and Mrs. Charmaine Hewlett from FIRE attended. It was so emotionally charged that both parties left the meeting thinking I agreed with the other side's position on the integration in fact I realized that I would have to learn as much as I could about both fire and emergency medical services if I was to persuade anyone especially those who view the integration through the lens of a winner and loser or us versus them spectrum that Governor Albert Brand's policy decision to transfer the delivery of emergency medical services

0:48:29 from the Department of Health to the VI Fire Service is the right thing to do for our residents and visitors. I researched legislation and read literature on fire-based systems. I focused on fire departments that transition to a fire-based EMS system to learn of their experience and the issues and effects on personnel. The Office of the Governor established a transition team made up of members from the Division of Personnel, Office of Collective Bargaining, VI Fire Service, the Department of Health, the Governor's Chief Legal Counsel, and the three policy advisors who oversaw the agencies and departments that would be impacted by the transition to a fire-based EMS system. The primary focus was given to addressing the human side of a transition to a fire-based EMS system and we did that especially with the EMS personnel who would be leaving the department of health to integrate the fire service two of the last meetings of 2019 were hosted by Governor Brian himself in December on St. Croix and St. Thomas and were well attended by EMS personnel at those meetings I learned of their anxiety of being displaced the effect on their pay and labor agreements and their fear of change when they integrate with fire service but I also learned of their frustration their injuries from the work they did the stress and burnout due to the present circumstances and conditions of practicing in their field we follow the national fire academy's change management model which outlines a systematic

0:50:22 four-phase process analysis planning implementation and evaluation or institution excuse me institutionalism the analysis phase is an overall needs assessment and I don't think any of us in the Virgin Islands can argue that there is a need for a change from the status quo and the planning phase involved us developing a vision of the change defining goals objectives methods and strategies to achieve that vision we have done that you can plan all you want you can't do anything until you implement and the implementation phase requires the enactment of the proposed legislation before you today so here I am 18 months after that first meeting in 2019 and the many more meetings with stakeholders that followed ready to convince you that it is in the best interest of the Virgin Islands community the almost 100,000 people in the Virgin Islands for us to transition from DOH provided EMS to a fire-based delivery of EMS in the Virgin Islands that was and still is my focus in my presentation to you today the welfare or well-being of the general public at the same time I am aware of what the author John P. Cutter said in his book the heart of change people change what they do less because they are given analysis that shifts their thinking than because they are shown a truth a truth that influences their feelings so I will begin with a misperception I had heard from the very beginning I will begin by the spelling a misperception false narrative and even a myth that was repeated throughout the many meetings we had during 2019 and I still hear today that firefighters are not able to or cannot provide emergency medical services. In fact, the modern day EMS began with firefighters responding to

0:52:41 emergency medical calls. In the 1960s, most ambulance service was provided by a variety of tow truck operators hospital supply companies and funeral homes approximately 50 of the first ambulance service providers were trained morticians whose funeral hearses could accommodate transportation of patients as they were the only public conveyance that could transport a patient horizontally on a stretcher it's kind of sad to think about the funeral hearses doing this because ultimately most people died because there was no provision of emergency medical care during the transport from the scene to the hospital so the early development of the modern EMS system grew out of concerns regarding the epidemic of highway deaths in the 1960s in 1966 President Lyndon B. Johnson signed into law the National Highway Safety Act among its many provisions this act created an EMS program within the Department of Transportation and is seen as the first federal commitment to EMS thus while EMS is a medical discipline the National Highway Traffic Safety Administration became its first federal home and it has remained the informal lead agency for EMS ever since during the 1960s There were physicians, pioneers in emergency medicine who took it upon themselves to design and establish pre-hospital EMS systems. Dr. Eugene Nigel in Miami developed the idea of using specially trained firefighters to carry out radio-transmitted orders given by a hospital-based physician. Similar programs were developed in Los Angeles Columbus and Seattle in 1969 Dr. Michael Creely started a mobile life support program using rescue vehicles and firefighters from the Los Angeles County Fire Department likewise in Columbus the heart mobile staff with a physician of firefighters from the Columbus Fire Department were went into service the Seattle EMS also

0:55:08 originated in 1969 when Dr. Leonard Cobb set out to design a city-wide system for handling out of hospital emergencies training nine Seattle firefighters to do the job in support of the a growing EMS community, the Federal Department of Transportation produced the first emergency

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke · only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

6x	Senator Novelle Francis the surname alone also matches: Novel E. Francis Jr.; Navelle Francis Jr. heard in this transcript as: Francis, Francis Jr., Novel Francis, Novell E. Francis Jr.
4x	Senator Janelle K. Saro heard in this transcript as: Saro
4x	Senator Kurt Vialet heard in this transcript as: Kurt A. Vialet, Viale, Vialet
3x	Governor Albert Bryan Jr heard in this transcript as: Bryan
3x	Senator Alma Francis-Heyliger heard in this transcript as: Alma Francis Heiliger, Francis Heiliger
3x	Senator Kenneth L. Gittens heard in this transcript as: Gittins, Kenneth L. Gittins
3x	Senator Marvin Blyden heard in this transcript as: Blyden, Marvin A. Blyden
3x	Senator Samuel Carrion heard in this transcript as: Carrion
2x	Senator Donna A. Frett-Gregory heard in this transcript as: Donna A. Fred Gregory, Donna Efret Gregory
2x	Senator Kurt Viola heard in this transcript as: Viola
1x	Senator Donna Frett-Gregory heard in this transcript as: Donna A. Frett-Gregory

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

Bill 34-0101	Act 8545 · March 24, 2022 · An Act amending the Virgin Islands Code title 3, chapters 1, 15 and 25; title 23, chapter 7; and title 33, section 3032 to add a unit within the existing Virgin Islands Fire Service for emergency medical services, and to establish the Virgin Islands Fire and Emergency Medical Services to provide fire prevention services, fire suppression services, emergency medical services, and for the protection of life and property; to require the Fire Service and the Emergency Medical Services to develop and merger plan; and to provide for the transfer of employees from the Fire Service and the Emergency Medical Services to the Virgin Islands Fire and Emergency Medical Services; to provide for other rela
Bill 34-0055	Act 8546 · March 24, 2022 · An Act amending title 34 Virgin Islands Code by adding a chapter 4 to be known as ·The Responsible Fatherhood Act of 2022·
Act 8545	Act 8545 · March 24, 2022 · An Act amending the Virgin Islands Code title 3, chapters 1, 15 and 25; title 23, chapter 7; and title 33, section 3032 to add a unit within the existing Virgin Islands Fire Service for emergency medical services, and to establish the Virgin Islands Fire and Emergency Medical Services to provide fire prevention services, fire suppression services, emergency medical services, and for the protection of life and property; to require the Fire Service and the Emergency Medical Services to develop and merger plan; and to provide for the transfer of employees from the Fire Service and the Emergency Medical Services to the Virgin Islands Fire and Emergency Medical Services; to provide for other rela
Act 8546	Act 8546 · March 24, 2022 · An Act amending title 34 Virgin Islands Code by adding a chapter 4 to be known as ·The Responsible Fatherhood Act of 2022·