



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES
Department of Human Services

Office of the Commissioner

December 1, 2015

Honorable Janette Millin Young
Senator, 31st Legislature of the Virgin Islands
Chairperson, Committee on Economic Development,
Agriculture and Planning
St. Thomas, U.S. Virgin Islands 00804

VIA: Email (iwilliams@legvi.org) & Hand Delivery

Dear Senator Millin Young:

We are in receipt of your invitation to provide **Testimony before the Committee on Economic Development, Agriculture and Planning on Bill No. 31-0226: An Act amending Title 9, Virgin Islands Code, Chapter 11 adding Subchapter II enacting “The Virgin Islands Multiple Person Accounts Act.”** I am unable to attend tomorrow's hearing in person to provide Testimony at the Earl B. Ottley Conference Room in St. Thomas and as a result request to be excused.

I respectfully request however, that in my absence **Mr. Duane Howell, Deputy Commissioner of Grants Administration** be allowed to provide the attached written Testimony as the Department's input in regards to **Bill No. 31-0226** before the Committee on Economic Development, Agriculture and Planning. I am confident that Deputy Commissioner Howell will be able to provide accurate Testimony and engage in meaningful dialogue on behalf of the Department and the identified bill before the Committee. We wish to say “Thank You” to you and the Committee for the opportunity for the Department of Human Services to provide Testimony on **Bill No. 31-0226** and look forward to working together to meet the needs of our community.

Respectfully submitted,



Vivian I. Ebbesen-Fludd BSN, MS
Commissioner

Cc: D. Howell, Deputy Commissioner – Grants Administration



**TESTIMONY
DEPARTMENT OF HUMAN SERVICES**

**BEFORE THE
COMMITTEE ON COMMITTEE ON DEVELOPMENT, AGRICULTURE AND
PLANNING**

DECEMBER 4, 2015

EARLE B. OTTLEY LEGISLATIVE HALL

Bill No. 31-0226: An Act amending Title 9, Virgin Islands Code, Chapter 11 adding Subchapter II enacting “The Virgin Islands Multiple Person Accounts Act.”

Good Morning Senator Janette Millin Young, chairperson of the Committee on Economic Development, Agriculture and Planning, committee and non-committee members, fellow testifiers, listening and viewing audience. My name is Duane Howell, Deputy Commissioner of Grants Administration for the Department of Human Services. As communicated in the transmittal of our testimony, Commissioner Vivian I. Ebbesen-Fludd, is unable to attend today’s hearing and has respectfully requested I be allowed to provide testimony on behalf of the Department of Human Services. I sit before you this morning to testify on Bill number 31-0226, an Act amending title 9 Virgin Islands Code, chapter 11 adding subchapter II enacting the “Virgin Islands Multiple Person’s Account.”

As understood, Bill Number 31-0226 is being adopted from the Uniform Law Commission’s Uniform Multiple Accounts Act. The bill would ease the transfer of accounts to beneficiaries upon death of the account owner. The proposed bill also allows for clear definition

of the owners intention of their account especially when multiple persons are listed on the account. It allows multiple account holders to designate a POD (payable on death) beneficiary and clarification on survivorship beneficiaries between parties. The intention as read, is to create greater protection to a traditional joint account.

The Department of Human Services commends the sponsor for the efforts taken to protect the financial accounts for persons in our community. There are no objections to the proposed bill as presented. As we previously testified on Bill Number 31-0227, the department welcomes any measure which will protect the most vulnerable in our community. We believe this measure will provide some protection to curtail the exploitation of our more senior residents in the community. Over the past four years, the Office of Aging and Adult Services has investigated more than 85 cases of financial exploitation against the aging and vulnerable adults in the territory. These investigations have included exploitation originating from the establishment of joint accounts, as a necessity for ease of access upon death. It is believed the POD designation option will aid our elderly and vulnerable adults in the protection of their assets throughout their lifetime.

The Department of Human Services continues to advocate for the protection of all including the aging and vulnerable population of our community. We thank the sponsor for the efforts to ensure the financial assets of all persons, especially the aged and most vulnerable in our community is protected.

Thank you for the opportunity to place on record testimony for the aforementioned bill. I stand ready to answer any questions at the appropriate time.