

BILL NO. 36-0012

Thirty-Sixth Legislature of the Virgin Islands

February 27, 2025

An Act amending title 3 Virgin Islands Code, chapter 27 to streamline the GERS disability annuity approval procedures and for other related issues

PROPOSED BY: Senator Milton E. Potter

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 3 Virgin Islands Code, chapter 27 is amended as follows:

(1) In section 708 (a) (1) by inserting the following at the end:

“Provided, however, that if all the physicians designated by that Board have provided proper proof that the member is mentally or physically incapacitated, or totally and permanently disabled, the member shall automatically be entitled to duty disability annuity and the member’s disability application need not be presented to the Committee of Medical Review pursuant to § 710a herein.”

(2) In section 710 (c) by inserting the following at the end:

“Provided, however, if at least two licensed and practicing physicians, selected by the Board, as provided herein, certify that the member is totally and likely to be permanently disabled, notwithstanding 3 V.I.C. §710a, the member’s application need not be submitted to the Committee of Medical Review.”

(3) In section 710a After the first sentence the following is added “Claims for duty and nonduty disability, pursuant to 3 V.I.C. § 708 and 710, need not be submitted to

1 the Committee if the appropriate number of doctors designated or selected pursuant to
2 §708 and §710, have opined that the member is totally or permanently disabled or
3 mentally or physically incapacitated.”

4 (4) In section §757(a)(1) the following is added at the end “Provided, however,
5 that if all the physicians designated by that Board have provided proper proof that the
6 member is mentally or physically incapacitated, or totally and permanently disabled, the
7 member shall automatically be entitled to duty disability annuity and the member’s
8 disability application need not be presented to the Committee of Medical Review
9 pursuant to § 710a herein.”

10 (5) In section §759(c), at the end of the paragraph the following is added,
11 “Provided, however, if at least two licensed and practicing physicians, selected by
12 the Board, as provided herein, certify that the member is totally and likely to be
13 permanently disabled, notwithstanding 3 V.I.C.§710a, the member’s application
14 need not be submitted to the Committee of Medical Review.”

15 **BILL SUMMARY**

16 This bill amends sections 708 (a) 710(c), 710a, 757 (a) (1) and 759 (c) of chapter 27 of
17 title 3 of the Virgin Islands Code to streamline the GERS annuity approval procedures to give
18 more clarity as to how disability claims are to be approved.

19 **BR25-0100/February 7, 2025/AA**