



36<sup>TH</sup> LEGISLATURE OF THE VIRGIN ISLANDS  
COMMITTEE ON HEALTH, HOSPITALS, AND HUMAN SERVICES  
THE HONORABLE RAY FONSECA

*BILL NO.*

36-0035

TESTIMONY

**JULIEN E. HENLEY SR.**

TERRITORIAL ADA COORDINATOR

APRIL 22, 2025

**BILL 36-0035**  
**PRESENTATION**  
**OFFICE OF THE GOVERNOR**  
**Submitted by:**  
**Julien E. Henley Sr.**  
**Territorial ADA Coordinator**

1 Good afternoon, Honorable Chairman Ray Fonseca, members of the Committee on Health,  
2 Hospitals, and Human Services, other esteemed Senators present, my fellow testifiers, and the  
3 listening and viewing public.

4 I am Julien E. Henley Sr., Territorial ADA Coordinator for the Government of the Virgin  
5 Islands. I thank you for the invitation to provide testimony today regarding Bill No. 36-0035,  
6 which seeks to implement the federal Stephen J. Beck, Jr. Achieving a Better Life Experience  
7 (ABLE) Act here in the Virgin Islands.

8 This proposed legislation is not only timely—it is transformational. The ABLE Act allows  
9 eligible individuals to open tax-advantaged savings or checking accounts for qualified disability  
10 expenses (QDEs). This addresses a long-standing financial bias faced by individuals with  
11 disabilities: the inability to save for their future without jeopardizing access to critical federal  
12 benefits. It empowers individuals with disabilities to begin planning and securing their financial  
13 future with greater independence and confidence.

14 It is important to note that not all qualified disability expenses are directly disability specific.  
15 Rather, they can go beyond an account owner’s medical needs and offer flexibility for family,  
16 encompassing a wide range of services that improve the quality of life, independence, and  
17 overall wellbeing of a qualified person with a disability. QDEs should be broadly understood as  
18 “basic living expenses,” including financial management, medical care, housing, transportation,  
19 training and support, assistive technology, education, legal services, funeral expenses and more.

20 Eligibility may be established in one of two ways: either through current receipt of Social  
21 Security Disability Insurance (SSDI) qualifying documents or by obtaining a certificate from a  
22 licensed physician confirming the diagnosis and attesting that the individual has a severe  
23 functional limitation with an onset before age 26.

24 ABLE account candidates must have a disability that began before the age of 26. However,  
25 beginning January 1, 2026, that eligibility threshold will be raised to age 46, expanding access to  
26 more individuals. This adjustment increases the importance of our timely passage and  
27 implementation of this bill.

28 While I recognize the Department of Finance's central role in managing government funds, I  
29 would respectfully express my reservations regarding its serving as the primary administrator for  
30 the ABLE program. Administering such a program goes beyond transactional oversight, and  
31 considering the current state of affairs, capacity might be an issue. Further clarity is needed on  
32 the number of staff and the management structure that will be required to carry out this  
33 responsibility effectively.

34 Because ABLE accounts will contain sensitive personal and medical information, it is essential  
35 that privacy protections are clearly defined and strictly enforced. This includes restricting access  
36 to authorized personnel only and ensuring that all staff who interact with ABLE participants  
37 receive appropriate disability sensitivity training.

38 As the Territorial ADA Coordinator, I also want to emphasize the importance of ensuring a  
39 dignified and supportive experience for ABLE account holders. Many individuals qualified for  
40 this program may be first-time banking customers. They may be unfamiliar with savings  
41 products or investment terms. As such, our local institutions and government must offer  
42 accessible education, simplified materials, and customer service that reflects patience, respect,  
43 and understanding.

44 Once an ABLE account is established, family and friends can contribute to the account, provided  
45 contributions do not exceed the annual limit set by the federal government. These accounts may  
46 also include investment options, depending on the financial institution managing the account.

47 In conclusion, I commend Senator Novelle Francis, Jr. and Co-Sponsor Senator Marise James for  
48 their vision and leadership on this matter. By passing Bill No. 36-0035, the Virgin Islands sends  
49 a clear message: that we recognize the rights of persons with disabilities not only to live  
50 independently but also to plan financially for their future with dignity.

51 With a clearly structured plan, I believe the Virgin Islands can implement a successful  
52 ABLE program. Thank you for your attention and for your continued commitment to an  
53 inclusive Virgin Islands, and I am available to answer any questions you may have.