

36th Legislature of the U.S. Virgin Islands
Committee on Health, Hospitals & Human Services
Honorable Senator Ray Fonseca, Chairman
Tuesday, April 22, 2025

Hearing on the ABLE Bill

Bill No. 36-0035- An Act amending

Title 15 Virgin Islands Code, Article V to allow the Government of the Virgin Islands to implement the federal mandate of the Stephen J. Beck, Jr., Achieving Better Life Experiences, which provides for the establishment of savings accounts for persons with disabilities,

Testimony of
Christopher E. Finch
Advocate

Good afternoon Honorable Chairman Ray Fonseca, members of the Committee on Health, Hospitals and Human Services, other members of the 36th Legislature, Senate staff, fellow testifiers, and the listening and viewing audience.

I am Christopher Finch. I am testifying in support of Bill 36-0035 to implement the federal mandate of the Stephen J. Beck Jr. Achieving Better Life Experiences Act, commonly known as the Able Act. I thank the sponsor, the Honorable Senator Novelle E. Francis Jr. and co-sponsor, the Honorable Senator Marise C. James for bringing this legislation into consideration.

Over many years I have testified before the Senate representing Lutheran Social Services, the Department of Human Services, and the Virgin Islands Government Hospital and Health Facilities Corporation. Today, I am here privately as an advocate for a Virgin Islander, Ms.

Janeek Prince-Marasco, who uses ABLE Now Act services in Virginia and wants people with disabilities living in the Virgin Islands to enjoy the same benefits. Janeek is not able to be here today, so I am speaking on her behalf. I will share personal information and please be aware it is with her permission and blessing. She has read and approved this testimony.

I did not focus on the specific language of the Bill. I believe other testifiers have better knowledge to do that. I know that States have passed different versions to guide their enactment of the legislation. My goal today is to use one Virgin Islander's experience to describe the importance of passing this legislation.

Janeek Prince-Marasco was born in 1996 in the Juan Luis Hospital to a homeless mother. Janeek was immediately placed in the Queen Lousie Home for Children and I have known her since her birth. Janeek was born with physical disabilities and serious health challenges which she has lived with her whole life. Janeek grew up in the Queen Louise Home from birth until the age of 19. She went to Alexander Henderson Elementary School, the Kingshill School, and graduated high school from AZ Academy in 2014. In 2015, the Department of Human Services Vocational Rehabilitation program paid for her to enroll in the Woodrow Wilson Rehabilitation Center in Virginia. It was there she first received an electric scooter which greatly increased her mobility. She graduated from Woodrow Wilson after two years in 2017 and moved in with a family living in Virginia who had deep Queen Louise Home connections. She enrolled in Virginia Medicaid and SSI- Supplemental Security Income, a federal benefit program not extended to the VI. While visiting her there, I helped her apply online for the Virginia Able program. She has been enrolled in Virginia's Able Now program since 2017. The family she was then living with helped her set up a bank account and an investment account so she could use the Able Act benefits without her other benefits' eligibility being threatened.

In 2019, Janeek moved into her own apartment in Alexandria, Virginia. Now a 27-year-old woman, she continues to live independently in a rent-subsidized apartment as part of a non-profit's housing complex. She pays rent monthly with the amount set by her income. Her electric scooter gives her enough range to access a grocery store, pharmacy, and other shops. She gets to work and wherever she needs to go with paratransit public transportation. She works part-time as an office assistant and receptionist for another non-profit. She is limited by her benefit programs as to how much employment income she can have so she can only work three days a week. Along the way, Janeek was adopted as an adult by a family that she knew from St Croix and Queen Lousie Home days. That has given her a mother and sisters.

Janeek's ability to live independently is remarkable, especially considering her health issues and physical limitations. I am constantly inspired by what she has overcome and how positive and happy a person she is. She is highly dependent on Medicare/Medicaid, SSI, and housing assistance. My wife and I visited Janeek earlier this month. She showed me her Medicare statements from the most recent months. Her monthly medication costs are over \$6,000 a month. Her medicine is paid through the Virginia Medicare and Medicaid program. Janeek cannot do anything that threatens her eligibility for the benefit programs she uses. The provisions of the Able Act enable the families and friends who know and love her to be able to contribute to her expenses without her public benefits being affected and without causing her a tax liability. She has used the contributed funds for electric scooters, scooter repair and accessories, other mobility aids, food, emergency bills, and personal care. Without the allowance of an Able program, she would not be able to save money for such items as an electric scooter or many of the supplies she needs to support her independence and self-care because she would lose critical benefits.

Janeek told me to tell you that “Able is a great security. It helps tremendously when you need medical supplies, wheelchairs, crutches, scooters, and other unexpected emergencies.” Janeek is very appreciative of the financial support she receives from public benefit programs. She knows how dependent she is on these programs for her very life and certainly for her ability to live independently. However, each of these programs place strict income and asset limitations on their recipients. If a recipient exceeds the income or asset limitation they risk the complete loss of the benefit. The federal government recognized the need to give people with disabilities a work around to the strict eligibility requirements which would allow people to become more self-sufficient while retaining their eligibility for benefits. The federal government created the Able legislation to enable people like Janeek and so many more to be able to pay for their needs, save for uncovered expenses, and not have to remain in total poverty.

Janeek still considers St Croix to be home. She flies a Virgin Islands flag on the back of her electric scooter while motoring the sidewalks of Alexandria, Virginia. Should she ever want to move back home, the provisions of the Able Act would be essential.

The federal Able Act is one of the most bipartisan acts ever passed with 381 of 435 US Representatives and 78 of 100 US Senators as co-sponsors in the 113th Congress. It was signed into law by President Obama in 2014. The Act requires that each state and territory adopt its own version. I am very happy that the Virgin Islands is considering joining almost every state, the District of Columbia, Puerto Rico and Guam to have its own Able Act legislation. I urge you to pass this.

This concludes my testimony. Thank you for this opportunity to share Janeek’s story and the importance of this legislation. I am available to answer questions at the appropriate time.