

s/AWCJR

**AMENDMENT TO BILL NO. 36-0003
Offered by Senator Angel L. Bolques, Jr.**

Bill No. 36-0003 is amended as follows:

(a) Section 1:

(1) In internal section 4122:

(A) insert the following new subsection (c):

“(c) A facility may not condition admission on prepayment or other financial guarantees for services covered under Medicaid or other public assistance programs.”

(B) re-designate subsections (c) through (f) as subsections (d) through (g)

and add the following subsections (h), (i) and (j):

“(h) For any item or service listed in subsection (d) that is not reimbursable under Medicaid or Medicare, the facility shall:

(1) notify the resident or the resident’s representative, in writing, that the item or service is not covered;

(2) provide the resident with an itemized list of the non-covered items or services, including the cost and the reason for non-coverage;

(3) offer the resident a choice to opt in or out of receiving the noncovered item or service without coercion or penalty; and

(4) ensure that the resident is not billed or financially burdened for noncovered services without prior written consent.

(i) A facility shall:

(1) inform prospective residents and their representatives, in writing, of all federal and territorial financial assistance programs available to help cover the cost of care, including Medicaid, Medicare, and any applicable local subsidies or grant programs administered by the Virgin Islands Department of Human Services;

(2) assist eligible residents in applying to the financial assistance programs as a condition of admission or continued stay when requested by the resident or their representative; and

(3) maintain a publicly accessible policy detailing the facility's procedures for admitting residents with limited financial means and submit the policy annually to the Virgin Islands Department of Human Services for review.

(j) The Virgin Islands Department of Human Services shall develop and maintain a current reference guide identifying items and services commonly reimbursable under Medicaid and Medicare to aid facilities in compliance and transparency.”

(2) Internal section 4124, subsection (f) is amended by re-designating paragraphs (1) through (4) as paragraphs (2) through (5) and inserting the following new paragraph (1):

“(1) A designation of a representative must be made in writing and supported by valid legal documentation, including a notarized Power of Attorney, a court order of guardianship, or a legally recognized healthcare proxy.”

(b) Add the following SECTION 2:

“SECTION 2. (a) Section 1, internal section 4121 of this act becomes effective 12 months after the effective date of this act.

(b) Within 90 days of the effective date of this act, a facility must submit a written compliance plan to the Virgin Islands Department of Human Services (“Department”), outlining steps and timelines for meeting each service requirement in section 1, internal section 4121.

(c) The Department shall provide technical assistance and monitoring to support facilities in achieving compliance with section 1, internal section 4121 by the effective date in subsection (a).

(d) Any facility that fails to comply with the effective date in subsection (a) shall be subject to penalties as prescribed by regulations promulgated by the Department.”

Amendment No. 36-406/June 6, 2025/GC