



**36TH LEGISLATURE OF THE VIRGIN ISLANDS
COMMITTEE ON HOMELAND SECURITY, JUSTICE AND PUBLIC SAFETY**

Honorable Senator Clifford A. Joseph, Sr.
Chair

Testimony Presented By
The Honorable Justa Encarnacion, RN, BSN, MBA/HCM
Commissioner of Health

On

Bill 36-0346

An act amending title 19 Virgin Islands Code creating the

Emergency Medical Services System

(Sponsored by: Senators Marise C. James and Clifford A. Joseph, Sr.)

1 Good day, Honorable Clifford A. Joseph, Sr., Chair of the Committee on Homeland Security,
2 Justice and Public Safety; Honorable Ray Fonseca, Vice Chair; Committee members; all non-
3 committee members; and, of course, the viewing and listening audience. I am Justa Encarnacion,
4 Commissioner of Health for the Virgin Islands Department of Health. Joining me today are Dr.
5 Nicole Craigwell-Syms, Assistant Commissioner; Mackiesh Taylor-Jones, Chief Legal Counsel;
6 Hadiyah C. Charles. Deputy Commissioner. Acting Director Jacqueline Greenidge-Payne is
7 joining us virtually.

8
9 On behalf of the Department, I thank this Committee for the opportunity to provide testimony on
10 Bill No. 36-0346, an act amending Title 19 of the Virgin Islands Code to establish a comprehensive
11 Emergency Medical Services System throughout the Territory sponsored by Senators Marise C.
12 James and Clifford A. Joseph, Sr. The Virgin Islands Department of Health recognizes the
13 significance of Bill No. 36-0346 and commends the Legislature and the bill's sponsor for
14 advancing this important measure to strengthen the regulation, coordination, quality, and
15 accountability of emergency medical services throughout the Territory.

16
17 Emergency medical services is a critical component of our healthcare and public safety
18 infrastructure; thus, ensuring that we have a codified "system" will strengthen our regulatory
19 authority. Bill No. 36-0346 recognizes the need for a comprehensive, coordinated EMS regulatory
20 framework. Residents and visitors must have confidence that emergency responders are
21 professionally trained, appropriately licensed, medically supervised, and equipped to deliver safe
22 and effective care. These are not merely administrative requirements; they are essential safeguards
23 that protect lives and strengthen public trust. Given the Virgin Islands' unique geography, inter-
24 island transportation requirements, varying healthcare resources, workforce challenges, and
25 vulnerability to natural disasters, this legislation represents an important step toward establishing
26 a more consistent, accountable, and responsive territorial emergency medical services system.

27 **Establishing Clear Regulatory Authority**

28 Nationwide Emergency Medical Services is regulated through the National Transportation
29 Highway Safety Administration. The Office of EMS Regulatory utilizes the state model rules for
30 the regulation of ground and air medical services under the National Association of State EMS

1 Officials. A central provision of Bill No. 36-0346 is the designation of the Department of Health,
2 through its EMS regulatory division, as the lead agency responsible for regulating emergency
3 medical services in the Territory. **Section 4205** authorizes the Department to coordinate system
4 development, establish regulatory standards, collect standardized patient-care data, approve
5 training programs, inspect EMS agencies, administer grants, oversee quality improvement,
6 investigate complaints, and undertake appropriate enforcement actions. This authority establishes
7 a comprehensive approach to regulatory oversight extending beyond licensure and certification to
8 include professional competency, agency compliance, vehicle and equipment standards, medical
9 direction, emergency preparedness, and continuous quality improvement. The Department
10 recognizes the importance of clearly distinguishing its regulatory responsibilities from the
11 operational functions of the Virgin Islands Fire and Emergency Medical Services and other
12 emergency response entities. Continued interagency collaboration will be essential to ensure
13 clearly defined responsibilities, effective coordination, and uninterrupted emergency medical
14 services throughout the Territory.

16 **Professional Licensure and Workforce Standards**

17 The Department recognizes the importance of establishing consistent professional licensing,
18 certification, and competency requirements for EMS personnel. **Section 4212** requires individuals
19 to possess the appropriate license and prohibits practice beyond their authorized classification. It
20 also establishes education, training, competency, continuing education, and recertification
21 requirements, while allowing the adoption of nationally recognized standards that reflect the
22 Territory's unique needs. Maintaining high professional standards must also be balanced with
23 workforce recruitment and retention challenges. **Sections 4206, 4214, and 4222** provide
24 mechanisms for temporary licensure, recognition of applicable military training and experience,
25 and reciprocity for qualified professionals from other jurisdictions. These provisions support
26 workforce development while maintaining patient safety. Ensuring access to appropriate training,
27 continuing education, and certification opportunities will be essential to sustaining a qualified
28 EMS workforce.

1 **Regulation of EMS Agencies, Ambulances, and Medical Transportation**

2 The Department supports the establishment of uniform standards governing EMS agencies,
3 ambulance services, emergency medical response vehicles, and non-emergent medical
4 transportation. **Sections 4209, 4210, and 4211** establish requirements for agency authorization,
5 vehicle certification, equipment, sanitation, safety, staffing, and operational standards. The
6 legislation also requires appropriate medical oversight through licensed medical directors. These
7 provisions strengthen accountability and public confidence by establishing regulatory expectations
8 for EMS providers operating throughout the Territory, whether public or private, subject to
9 applicable statutory requirements and exemptions. As implementation progresses, clarification of
10 the distinctions among certificates of need, agency licenses, vehicle certifications, and non-
11 emergent transportation requirements will support consistent administration, reduce duplication,
12 and ensure operational effectiveness.

13 **Data Collection, Accountability, and Quality Improvement**

14 Bill No. 36-0346 places important emphasis on standardized data collection and continuous quality
15 improvement. **Section 4205** authorizes the collection of patient-care data using the National
16 Emergency Medical Services Information System (NEMSIS), while **Section 4207** establishes
17 electronic reporting requirements and **Section 4208** directs the use of EMS data for planning,
18 evaluation, and system improvement. These provisions support evidence-based decision-making
19 by enabling the Department to evaluate response activity, patient outcomes, workforce capacity,
20 compliance trends, geographic coverage, and overall system performance. Reliable data will
21 strengthen the Department's ability to identify service gaps, assess effectiveness, and guide
22 resource allocation. The legislation also establishes safeguards for patient confidentiality and
23 compliance with applicable federal law. Currently, the OEMS Regulatory shares a secured EMS
24 documentation system with VI FEMS. Successful implementation will depend on ensuring our
25 current secure information systems, trained personnel, and coordinated reporting among EMS
26 agencies and healthcare institutions.

27 **Development of a Comprehensive Territorial EMS System Plan**

28 **Section 4208** requires the development of a comprehensive Territorial EMS System Plan that
29 includes an inventory of resources, an assessment of existing services, measurable performance
30 objectives, implementation strategies, timelines, monitoring mechanisms, and estimated costs. The

1 legislation also requires annual reporting, while **Section 3** establishes a one-year deadline for
2 completing the plan and provides bi-annual updates. This planning framework is particularly
3 important given the Territory's geographic and logistical challenges, including inter-island
4 transportation, workforce distribution, disaster preparedness, and access to specialized medical
5 care. A comprehensive plan will provide a coordinated roadmap for strengthening emergency
6 response capacity, improving service accessibility, allocating resources, and measuring progress
7 across St. Croix, St. Thomas, St. John, and Water Island. Collaboration among the Department of
8 Health, Fire and Emergency Medical Services, healthcare institutions, and emergency
9 preparedness partners will be essential to developing a plan that reflects the needs of the entire
10 Territory. Thus far we have accomplished the following:

- 11 • EMS State Treatment Protocol - 04-01-24
- 12 • Providing data to NEMSIS and having a NEMSIS DATA USE Agreement - 11-15-24
- 13 • Priority Dispatch Medical Director Authorization agreement with VITEMA - 12-20-22
- 14 • Created Functions requirement of the Office of EMS - 2021
- 15 • Member of the National Association of State Emergency Medical Services Offices - 2018
- 16 • State Model Rules for the Regulation of Air Medical Service - 2022
- 17 • State Model Rule for the Regulation of the organization, staffing, and function of State
- 18 EMS Offices – 2022 Along with Out-of-State Verification, the forms.
- 19 • EMSC guidance for operations completed - 2022 – updated 2024
- 20 • Approval for Institutes to provide EMS Education – Institutes approved are:
 - 21 1. UVI Medical Simulation Center
 - 22 2. VIFEMS
 - 23 3. Wheatley Skill Center
 - 24 4. St. John Rescue
 - 25 5. Responder Safety and Health Concepts
 - 26 6. St. Croix EMS Training Institute
 - 27 7. St. Thomas EMS Training Institute
 - 28

29 **Sustainability of the EMS Regulatory Program**

30 The Department acknowledges the importance of **Section 4218**, which authorizes the collection
31 of regulatory fees to recover costs associated with overseeing EMS agencies, emergency response
32 vehicles, providers, training facilities, and instructors. This provision offers a mechanism for
33 supporting the long-term sustainability of the regulatory program. However, successful
34 implementation will require adequate staffing, technology, training, inspection capacity, data

1 infrastructure, administrative support, and operating resources. While regulatory fees may support
2 ongoing operations, initial implementation costs and recurring financial obligations must also be
3 considered. The Department welcomes continued collaboration with the Legislature to assess these
4 requirements and ensure that the Territorial Office of Emergency Medical Services has the
5 institutional capacity and resources necessary to fulfill its statutory responsibilities.

6 **Conclusion**

7 In closing, we would like to thank the dedicated staff of the Office of EMS Regulatory and all
8 other VIDOH team members. Special appreciation goes to Acting Director Jaqueline Greenidge-
9 Payne. Continued appreciation goes to the Honorable Governor Albert Bryan Jr, and the Honorable
10 Lt. Governor Tragenza Roach, Esq., and my colleagues in the Cabinet.

11 Honorable Senators, the Virgin Islands Department of Health extends its sincere appreciation to
12 the 36th Legislature for advancing Bill No. 36-0346 and recognizing the importance of
13 strengthening emergency medical services throughout the Territory. This legislation establishes a
14 foundation for greater coordination, consistent professional standards, stronger regulatory
15 accountability, and continuous improvement in emergency medical care. When individuals seek
16 emergency medical assistance, often during the most vulnerable moments of their lives, they
17 should have confidence that qualified professionals, properly equipped vehicles, appropriate
18 medical oversight, and established safety standards are in place. Ensuring that confidence is a
19 shared responsibility requiring effective regulation, interagency collaboration, and sustained
20 institutional support.

21 The Department of Health supports the intent and passage of Bill No. 36-0346, subject to
22 appropriate technical and operational amendments, and stands ready to work collaboratively with
23 the Legislature, public safety partners, EMS professionals, healthcare institutions, and other
24 stakeholders toward its successful implementation. We thank the Legislature for its leadership and
25 continued commitment to protecting the health and safety of the people of the Virgin Islands.

26 Thank you for the opportunity to provide testimony. I remain available to answer any questions
27 the Committee may have.