



TESTIMONY BEFORE THE 36TH LEGISLATURE

Government of the Virgin Islands

Department of Licensing and Consumer Affairs

Serving Businesses & Assisting, Educating, and Protecting Consumers

H. Nathalie Hodge

Commissioner

Hon. Carla J. Joseph (Chair)

Committee on Rules and Judiciary

Bill Nos. 36-0141 and 36-0142

October 23, 2025

Good afternoon Honorable Senator Carla J. Joseph, Chair of the Committee on Rules & Judiciary, esteemed members of the 36th Legislature of the Virgin Islands, committee members, non-committee members present, and the listening and viewing audience. My name is Nathalie Hodge, Commissioner of the Department of Licensing and Consumer Affairs (DLCA). Appearing with me today are Mr. Horace Graham, Assistant Commissioner, and Ms. Sarah Maynard, the Director of the DLCA's Office of Boards and Commissions.

We are here today in support of Bill Numbers 36-0141 and 36-0142. Bill No. 36-0141 seeks to recognize and strengthen the profession of physical therapy within the Virgin Islands. Physical therapists are essential to the recovery, rehabilitation, and long-term wellness of our residents. Their work enhances mobility, independence, and quality of life for countless individuals across our Territory.

For the record, I wish to clarify the scope of the DLCA's regulatory authority as it pertains to Bill No. 36-0141. While the DLCA is responsible for issuing business licenses, this Department does not certify physical therapists or other healthcare professionals. The Virgin Islands Board of Physical Therapy is responsible for overseeing physical therapy licensure and related regulations within the territory. The DLCA interacts with the Office of Professional Licensure and Health Planning to clarify that the qualifications and standards required for physical therapists and physical therapist assistants to obtain licensure in the Virgin Islands are met. Only then do the DLCA process and issue the initial or renewal business license.

However, it is important to note that I believe by adding language to the statute stating that "all board members are appointed to a three-year term and may serve until their successor is appointed," helps ensure continuity of operations and maintains stability in the oversight and regulatory functions of territorial boards. The DLCA remains committed to interagency collaboration and stands ready to support the Department of Health and the Legislature in promoting safe and lawful professional practices throughout the Virgin Islands.

Today, we are also appearing before you in support of Bill No. 36-0142, which seeks to change the maximum number of members that can reside in any district to three members for the Board of Licensing of Barbering and Cosmetology.

Pursuant to 27 V.I.C. § 451a(b), the Virgin Islands Code currently provides that, “The Board shall consist of seven (7) members to be appointed by the Governor, two of whom shall be licensed barbers, three of whom shall be licensed beauticians, and two shall be licensed estheticians. Not more than two members may reside on any one **island**.” This structure was originally designed to ensure balanced representation across the Virgin Islands. However, as the administrative and legislative framework of the Territory has evolved, the existing restriction based on “*island*” has become outdated and impractical.

The proposed amendment replaces the word “island” with “district” and increases the allowable number of members who may reside within any one district from two to three. This modernization will provide greater appointment flexibility, improve operational continuity, and ensure equitable representation that aligns with the current governance structure.

The “*island*” restriction often limits the Governor’s ability to appoint qualified candidates when licensed practitioners reside more on one island than another. At times, this limitation has delayed appointments and prevented the Board from meeting quorum, hindering the timely processing of licenses and examinations.

Replacing “*island*” with “*district*” aligns the statute with this modern administrative reality, promoting consistency across government agencies and boards while ensuring representation reflects current jurisdictional boundaries. Redefining membership eligibility by “district,” allows for a broader pool of qualified professionals to select from within each district, ensuring full Board composition and uninterrupted operations.

Further, the Department of Licensing and Consumer Affairs currently records the following active licenses under the Board for the licensing of Barbering and Cosmetology:

License Type	Total	St. Croix	St. Thomas	St. John
Cosmetologist	175	70	99	6
Barber	88	42	42	4
Esthetician	64	24	36	4
	327	136	177	14

The previous data show that keeping an “island-based” membership restriction for the Barbering and Cosmetology Board is impractical. St. John has only 14 licensed professionals, while St. Croix has 136 and St. Thomas has 177, which makes fair representation difficult under the current setup. Moving to a “district-based” model would combine the professional pools of St. Thomas and St. John, increasing the number of qualified candidates and allowing vacancies to be filled more quickly. This change would improve operational continuity, ensure quorum, and promote fair representation that reflects where industry professionals are concentrated, while still including smaller islands.

In conclusion, Bill No. 36-0142 is a simple yet significant improvement that strengthens the capacity and fairness of the Board for the Licensing of Barbering and Cosmetology. By replacing the word “island” with “district” and increasing the allowable membership per district, the Legislature will ensure modernized governance, equitable representation, and improved operational continuity.

I commend Senator Avery L. Lewis for sponsoring these measures, and I thank Honorable Governor Albert Bryan, Jr., the Committee, and the 36th Legislature for its thoughtful consideration. On behalf of the Department of Licensing and Consumer Affairs, I respectfully urge your favorable support of Bill Number 36-0142. Thank you, Madam Chair, for the opportunity to testify and I am happy to answer any questions the Committee may have.