

Hospitals Get Millions, Workers Get Retro Pay, But Lawmakers Clash Over Process and Priorities

The Senate approved Bill 36-0047 to fund \$22.5M in retroactive wages and \$13M for hospitals, but tension flared as Senator Heyliger Francis pushed back against rushed amendments and criticized the administration's handling of settlement funds.

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“This is a bandage and not the permanent cure,” said Senator Ray Fonseca, after fourteen of fifteen lawmakers voted in favor of a bill that would fund retroactive payments for active and government employees, and earmark monies for the territory’s hospitals, among other purposes.

Bill 36-0047 amends [Act 8920](#) – the initial legislation divvying up monies received from the settlement with the estate of Jeffrey Epstein – to appropriate “\$25,000,000 from the Southern

Trust Company Settlement Fund to pay retroactive wages for retired and active government employees, and for other purposes,” according to its short title. Under consideration was an amendment in the nature of a substitute, offered by Senator Novelle Francis.

A motion to waive the reading of the full amendment in favor of a summary of the changes, made by Senator Kurt Vialet, drew immediate opposition from Senator Alma Francis Heyliger. “I don’t know what half of these things are, because it was just given to us,” she complained. “I think it should be read so we know exactly what is being amended in this document.”

Senator Vialet’s response was curt. “If you want to know what is in the document, read it.” He argued that their colleague did not have to read the amendment “line by line for you to understand what is in the document.”

Based on the summary provided, taken together with the details of the [original version of Bill 36-0047](#), it appears that the legislation pulls back half of the \$20 million originally allocated to the Bureau of School Construction and Maintenance. The Department of Justice’s Crime Prevention/Prosecution Fund will now only receive \$4 million — a million dollars less than originally allocated.

Other cost-saving measures contemplated in the original version of Bill 36-0047 were not included in Senator Novelle Francis’s summary of his amendment-as-substitution, however. In a press briefing on Monday, Governor Albert Bryan Jr. seemed to have been expecting lawmakers to pull funding for the Estate Nazareth sports stadium, a project he has said [more than once](#) does not need to proceed in the face of more pressing obligations. Senator Novelle Francis did not mention the cancellation of the \$21.5 million allocated in that regard. The amendment offered by Francis also seems to preserve the allocation of funds for deposit into a high-yield investment account, up to a maximum of \$25 million. A sum of \$2.5 million to fund a low-interest loan program from the Virgin Islands Economic Development Authority for homeowners whose residential properties require repair, renovation, or rehabilitation has been similarly preserved by the amendment, whereas the original bill offered for consideration would have eliminated that provision from Act 8290.

Section 2 of the amended bill appropriates \$22.5 million “for the purpose of paying retroactivity to government employees, active and retired government employees by no later than May 30 of 2025.” Further, it provides for \$6 million to fund the “outstanding balance owed to the Pafford Medical Services by the Department of Health, the Virgin Islands Fire and Emergency Services [pursuant to a settlement agreement](#) negotiated between the Government of the Virgin Islands and Pafford Medical Services, Inc.”

The legislation also allocates \$5 million to the Virgin Islands Waste Management Authority for wastewater services and outstanding vendor payments to solid waste haulers. The Department of Human Services can expect to receive \$1.6 million “for the renovation, staffing, and supplies for the expansion of the Herbert Grigg Home for the Aged, to address the boarder situation, as well as to the waiting lists that continue to exist,” Senator Francis said in his summary.

The Juan F. Luis Hospital and Schneider Regional Medical Center will each receive \$6.5 million. According to Senator Francis, the amendment includes line items for how the money will be expended at each facility. “We also have some measures that allow for accountability and austerity measures by the hospital facilities,” he added. The Legislature is also proposing “billing system improvement for billing and collections for Medicaid, Medicare, as well as for MAP patients.”

Further, the bill appropriates \$5 million to the Port Authority in the current fiscal year for renovations to the Ann E. Abramson Pier and adjacent areas, including Frederiksted Beach. The School Maintenance and Construction Bureau will receive \$2.5 million for the resurfacing repairs, restoration and construction and maintenance of the Ivanna Eudora Kean High School track, a project not mentioned in the original iteration of the bill.

Bill 36-0047 also mandates that some \$10.5 million taken from the Southern Trust Company Settlement Fund and “utilized by the government of the Virgin Islands for vendor payments” be repaid into the settlement fund.

The first amendment was approved without objection, and a second amendment, this one moved by Senator Avery Lewis, was proposed. Senator Lewis proposed that a further \$7 million, taken from the GVI's line of credit, be appropriated and divided equally between both hospitals for outstanding amounts owed to vendors. “The hospital shall submit all invoices for payment to OMB for disbursement to the vendors,” Mr. Lewis added. He, too, received no objections from fellow lawmakers, and his amendment was adopted.

Duly amended, the substituted bill received fourteen yes votes, with Senator Francis Heyliger abstaining. “I am 100% in support of us giving money to the hospitals,” she said after the vote. However, she insisted that “as a member of this institution, I, in my opinion, can't be a fraud...This administration and this governor have consistently stomped on this Legislature by taking money out of the general fund.”

Senator Francis Heyliger expressed frustration that, despite the Legislature's vote to allocate funds from the Epstein Fund for the community, the administration independently spent \$33 million without oversight. “After this body voted to pass monies for this community out of the Epstein Fund, they, on their own, spent \$33 million,” she said. “And instead of us as a body collectively getting together and taking this administration to court to stop this lawless behavior,” she continued, her colleagues chose instead to respond through Bill 36-0047 by essentially asking the Governor to return the funds. “As much as I want to give and vote for this thing, there are certain things in there I cannot support,” she concluded.

Senator Ray Fonseca, who chairs the Committee on Health, Hospitals, and Human Services, nevertheless considered the bill incredibly necessary. “We have demonstrated today our 100% solid commitment to improving hospital services. We are paying down the most critical debt that the hospitals have identified.”

Senator Francis also looked on the proverbial brighter side. “We have waited quite some time to be able to move this retroactive legislation forward on behalf of the people...We're hoping that they could see the payment before May 30, as the law has indicated.” Switching gears to the matter of the hospitals, Francis assured that, “I'll continue to put in this work. Despite all of the hardship, we have provided some band-aid to the situation....There is much, much work to be done in order to address the collective quality of health care throughout this territory.”

Senator Angel Bolques Jr., who had debated the bill before the amendments, lamented the absence of consideration for the Myra Keating Smith Community Health Center of St. John. “It remains in a holding pattern too often and is also subjugated to the availability of supplies and resources from the Roy L. Schneider Hospital. This systematic delay leaves our people underserved.” He has been assured by SRMC's chief executive officer, Tina Commissiong, that funds will be shared with the health center.

For Senator Kurt Vialet, however, while the Legislature can continue to assist the hospitals financially, their challenges boil down to accountability. “There are excuses as to why billing isn't taking place on a regular basis. At some point, they got to be held responsible. Are we going to be back here six months and a year from now?” he wondered. “They have to come and sit and tell us how they're going to improve the accountability and the billing for the hospitals.”

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