

COMMITTEE ON HEALTH, HOSPITAL, AND
HUMAN SERVICES

12/15/16-REPORTED OUT TO THE FLOOR

12/02/16-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 31-0392

Thirty-first Legislature of the Virgin Islands

August 18, 2016

An Act amending title 34 Virgin Islands Code adding chapter 16 to institute the “Silver Alert System” in the Virgin Islands

PROPOSED BY: Senators Justin Harrigan, Sr. and Kurt Violet
 Co Sponsor: Kenneth L. Gittens and Janette Millin Young

1 **WHEREAS**, there are an estimated 5.2 million Americans living with Alzheimer’s
2 disease in the United States alone; and

3 **WHEREAS**, more than 90 percent of Alzheimer’s population are over the age of 60;
4 and

5 **WHEREAS**, the Alzheimer’s population is expected to grow to as many as sixteen
6 million by the year 2050; and

7 **WHEREAS**, at least six out of ten people with Alzheimer’s disease or other dementia
8 will wander from their homes or care facilities and become lost at some point in their illness;
9 and

10 **WHEREAS**, if not found within 24 hours, up to half will suffer serious injury or death;
11 and

1 **WHEREAS**, thousands of Virgin Islands’ residents have other dementia-related
2 diseases that put them at similar risk; Now, Therefore,

3 ***Be it enacted by the Legislature of the Virgin Islands:***

4 **SECTION 1.** Title 34 Virgin Islands Code is amended by inserting a chapter 16 to
5 read as follows:

6 **“Chapter 16. Silver Alert Community Response System**

7 **§501.** As used in this chapter, the following words, unless the context clearly requires
8 otherwise, have the following meanings:

9 (1) “Commissioner” means the Commissioner of the Virgin Islands Department
10 of Human Services.

11 (2) “Department” means the Virgin Islands Department of Human Services.

12 (3) “EMS first responder”, means a person providing emergency medical services.

13 (4) “First responder” means police officer, fire firefighter, or a volunteer fire
14 fighter trained to administer first aid; but the term does not include a police officer, fire fighter,
15 or person engaged in police or fire work whose duties are primarily clerical or administrative.

16 (5) “Private safety organization” means an entity that provides emergency police,
17 fire, ambulance or medical services which is not a government agency.

18 (6) “Public safety department” means a functional division of a department or
19 agency of the Government of the Virgin Islands which provides firefighting, law enforcement,
20 and ambulance, medical or other emergency services.

21 (7) “Silver Alert System” means the Silver Alert Community Response System
22 established in section 502.

23 (8) “VITEMA” means the Virgin Islands Emergency Management Agency
24 established under 23 V.I.C. §1006.

1 **§502.** (a) The Silver Alert System is established within the Department of Human
2 Services. The Silver Alert System is used when appropriate, to alert other public safety
3 departments and private safety organizations, when an adult with serious memory impairment,
4 such as Alzheimer's disease or other dementia, is reported to the Virgin Islands Police
5 Department as a missing person.

6 (b) The Silver Alert System shall direct and focus law enforcement and other key
7 response resources in a cost-effective way within a geographic area consistent with the missing
8 person's last known location and in accordance with the best available research data related to
9 activities of persons with Alzheimer's disease or other dementia.

10 **§503.** The Commissioner, with the assistance of the Commissioner of Police and the
11 Attorney General, shall develop and implement the Silver Alert System notification plan for
12 the purpose of disseminating, as rapidly as possible, information about a missing person, so
13 that the Police Department, other law enforcement agencies, public safety departments, private
14 safety organizations and the citizens throughout the Virgin Islands may be aware and may
15 assist law enforcement with the safe return of missing persons with Alzheimer's disease or
16 other dementia. The notification plan must provide a procedure for notifying all appropriate
17 public and private agencies and the media that a Silver Alert has been declared.

18 **§504.** (a) In promulgating regulations to develop and implement the Silver Alert
19 System the Department shall consult with the Virgin Islands Police Department,
20 representatives of the Office of the Attorney General, VITEMA and any local chapter of the
21 National Alzheimer's Association.

22 (b) All first responders, EMS first responders, 911 operators and other appropriate
23 personnel, as determined by the Department, must be trained on the Silver Alert System
24 application and protocols. Re-training must be included in the in-service training curriculum

1 for such personnel. Training must include information relating to drivers whose memory
2 impairments may put them at high risk for accidents or becoming lost while driving.

3 **§505.** The Department in conjunction with VITEMA shall develop a plan to ensure that
4 the Silver Alert System uses a localized reverse 911 emergency phone system.

5 **§506.** (a) The Silver Alert Community Response System Fund is established in the
6 Treasury of the Government of the Virgin Islands. The Commissioner of Finance shall
7 administer this Fund as a separate and distinct fund in the Treasury of the Virgin Islands.

8 (b) The Fund consists of all sums appropriated by the Legislature, all public and
9 private grants, gifts, donations, bequests and devises.

10 (c) The Commissioner of Finance shall disburse money from the Fund at the
11 direction of the Commissioner of Human Services exclusively to implement and maintain the
12 Silver Alert Community Response System.

13 **BILL SUMMARY**

14 This bill creates the Silver Alert Community Response System. The Silver Alert System
15 will be used when appropriate to alert public safety departments and private safety departments,
16 when an adult with serious memory impairment such as Alzheimer's disease or other dementia
17 is reported to the Virgin Islands Police Department as a missing person. The bill establishes
18 the Silver Alert Community Response System Fund to implement and maintain the Silver Alert
19 System.
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22 **BR16-1177/May 19, 2016/ Reviewed YLT**
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