

COMMITTEE ON HEALTH, HOSPITAL AND
HUMAN SERVICES

05/04/16-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 31-0305

Thirty-first Legislature of the Virgin Islands

February 12, 2016

An Act amending Title 27 Virgin Islands Code, adding chapter 4a requiring the Virgin Islands Board of Medical Examiners, Board of Dental Examiners, Board of Nurse Licensure, Board of Pharmacy, Board of Optometrical Examiners, Board of Physical Therapy, Board of Chiropractic Examiners, Board of Podiatry Examiners, Board of Psychology Examiners, Board of Veterinary Medicine and Board of Naturopathic Physicians to perform criminal background checks on applicants seeking professional licenses, requiring the Board of Nurse Licensure to regulate certified nursing assistants, and making technical amendments

PROPOSED BY: Senator Kurt A. Violet

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 27 Virgin Islands Code is amended in the following instances:

(a) Chapter 1 is amended as follows:

(1) Subchapter I, section 7 is amended in the first sentence in subsection (a) by inserting “establish” before “regulations”; and

(2) Subchapter IV, section 93 is amended in paragraph (4) by striking “Nurses” and inserting “Nursing,” in paragraphs (19) and (20) by striking “Nurses” and inserting “Nursing”, and by adding paragraph (21) to read as follows:

“(21) Regulate Certified Nursing Assistants.”

1 **SECTION 2.** Title 27 Virgin Islands Code is amended by adding chapter 4B to read as
2 follows:

3 **“Chapter 4B Mandatory Criminal Background Checks for applicants licensed by**
4 **the Boards of Medical Examiners, Dental Examiners, Nurse Licensure, Pharmacy,**
5 **Optometrical Examiners, Physical Therapy, Chiropractic Examiners, Podiatry Examiners,**
6 **Psychology Examiners, Board of Veterinary Medicine and Naturopathic Physicians**
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8 **§221.** (a) The Virgin Islands Board of Medical Examiners, the Board of Dental
9 Examiners, the Board of Nurse Licensure, the Board of Pharmacy, Board of Optometrical
10 Examiners, the Board of Physical Therapy, the Board of Chiropractic Examiners, the Board of
11 Podiatry Examiners, the Board of Psychology Examiners, Board of Veterinary Medicine and the
12 Board of Naturopathic Physicians shall conduct, with the assistance of the Virgin Islands Police
13 Department, a criminal background check by exchanging fingerprint data with and receiving
14 criminal history record information from the Federal Bureau of Investigation for every applicant
15 licensed by the respective board, and every such applicant who is seeking an initial license under
16 this title must pass a criminal background check as a condition of licensure.

17 (b) The requirement to pass a criminal background check also applies to dental
18 assistants regulated by the Board of Dental Examiners under chapter 1, subchapter III and
19 certified nursing assistants regulated by the Board of Nurse Licensure under chapter 1,
20 subchapter IV.

21 (c) All information obtained as a result of the criminal background check made under
22 subsection (a) must be used for official governmental purposes only. The information must be
23 kept confidential and may not be disseminated to or shared with any private entity for any
24 purpose.”

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BILL SUMMARY

This bill amends 27 Virgin Islands Code, chapters 1, 2, and 4 by requiring the Virgin Islands Board of Medical Examiners, Board of Dental Examiners, Board of Nurse Licensure, Board of Pharmacy, Board of Optometrical Examiners, Board of Physical Therapy, Board of Chiropractic Examiners, Board of Podiatry Examiners, Board of Psychology Examiners, Board of Veterinary Medicine and the Board of Naturopathic Physicians to perform criminal background checks on applicants seeking professional licenses, requiring the Board of Nurse Licensure to regulate certified nursing assistants and making technical amendments.

BR15-0831/November 04, 2015/GC