

STATE OF ST. MAARTEN
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St. Maarten Medical Center Foundation

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To: the Parliamentary Committee for Health Care
Parliament of St. Maarten
Wilhelminastraat 1
Philipsburg, St. Maarten
Att. Mr. lic J D. Semeleer
Secretary General

Cay Hill, August 31, 2012

Dear Mr. Semeleer,

In your letters of August 21, 22 and 27, 2012 you have invited the Supervisory Board of Directors [sic] of the Sint Maarten Medical Center Foundation ("SMMC") and the medical practioner(s)/surgeon(s) involved in the alleged cases of negligence, featured in the recent media for an urgent meeting with the Permanent Committee of Health Care, Social Development and Labor (the "Committee"). The agenda for the meeting suggested by the Committee is to discuss with the Supervisory Board of Directors [sic] the following matters:

1. Progress expansion SMMC;
2. Alleged cases of medical negligence at the SMMC and actions by the SMMC to address this matter;
3. Reporting on medical incidents and contagious disease;
4. Compilation and legality of the board.

It is unclear to whom your letter is addressed as the SMMC does not have a Supervisory Board of Directors. According to its articles of association, SMMC has two corporate bodies being a Board of Directors (*raad van bestuur*) and a Supervisory Council (*raad van toezicht*). For now we will assume that your letters are addressed to both these corporate bodies. If a meeting with the Committee is to occur, both the Supervisory Council and the Board of Directors shall at any rate be present as the SMMC is managed by the Board of Directors under the supervision of the Supervisory Council.

As you are aware, a previous meeting between SMMC and the Committee took place on December 12, 2011. SMMC was then invited to have a; 'Discussion with the Sint Maarten Medical Center en Health Department concerning the organizational and operational aspects the medicalcenter.' SMMC spend much time and effort to prepare for the meeting, but was unpleasantly surprised to find that at the meeting only numerous unannounced matters were raised by the Committee, which - in the opinion of SMMC - were irrelevant to health care. To ensure that a constructive meeting is held, SMMC is willing to meet again with the Committee, provided that an agenda is agreed upon prior to the meeting, the Committee agrees that at the meeting only those matters listed on the agenda will be discussed and an independent chairman / chairwoman will chair the meeting to ensure that the meeting will be properly conducted.



St. Maarten Medical Center Foundation

If a meeting is to take place, we kindly request the Committee to provide the following information in order for SMMC to properly prepare:

1. Please specify the exact purpose / objective per agenda point and scope of the meeting;
2. Please provide us with a more detailed agenda, in particular with respect to items 2,3 and 4 of your suggested agenda and specify why the Committee wishes to discuss these agenda points.

Please note that recently several new members have been appointed on the Supervisory Council of the SMMC. These new members are currently being updated on all relevant matters in order for them to properly conduct their tasks and duties. As soon as SMMC has received the requested information and confirmations as stated above and the new members have been properly updated, we will contact the Committee to schedule a meeting on a date of mutual convenience.

We look forward to a reply at your earliest convenience.

Kind regards,

Dr. G.A.M. Scot
President of the Board of Directors and General Director of SMMC

Dr. I. Gerstenbluth
Interim Chairman of the Supervisory Council of SMMC