



Senate

General Assembly

File No. 127

February Session, 2010

Substitute Senate Bill No. 189

Senate, March 25, 2010

The Committee on Human Services reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING AN ADVISORY COUNCIL ON SERVICES FOR PERSONS WITH TRAUMATIC BRAIN INJURY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2010*) (a) As used in this section
2 "traumatic brain injury" means an injury to the brain caused by
3 physical trauma that may include a collision, fall or physical assault
4 and that is of sufficient severity to result in impairment in one or more
5 of the following areas: Cognition; language; attention; reasoning;
6 abstract thinking; judgment; problem solving; sensory, perceptual and
7 motor abilities; psychosocial behavior; physical functions; information
8 processing or memory. "Traumatic brain injury" does not include a
9 brain injury that is congenital, degenerative or induced by birth
10 trauma.

11 (b) (1) There is established an advisory council to the Governor and
12 the Commissioner of Social Services to address the needs of persons
13 with traumatic brain injury. The council shall consist of the following
14 members: (A) The Commissioner of Social Services or the

15 commissioner's designee; (B) four representatives of the Department of
16 Social Services, who are appointed by the commissioner not later than
17 October 1, 2010, (i) one who shall have expertise in the area of
18 children's services; (ii) one who shall have expertise in the area of
19 mental health; (iii) one who shall have expertise in the area of public
20 health; and (iv) one who shall have expertise in the area of vocational
21 rehabilitation; (C) the Commissioner of Veterans' Affairs or the
22 commissioner's designee; (D) the Commissioner of Correction or the
23 commissioner's designee; (E) the Commissioner of Economic and
24 Community Development or the commissioner's designee; (F) the
25 Adjutant General of the Connecticut National Guard or the Adjutant
26 General's designee; (G) the executive director of the Office of
27 Protection and Advocacy for Persons with Disabilities or the executive
28 director's designee; and (H) the executive director of the Brain Injury
29 Association of Connecticut or the executive director's designee.

30 (2) The council shall also consist of the following members, each
31 appointed by the Governor not later than October 1, 2010: (A) A
32 representative from an organization serving veterans; (B) a
33 representative of a federally-recognized tribe located in Connecticut;
34 (C) a neuropsychologist who has experience working with persons
35 with traumatic brain injury; (D) a social worker or clinical psychologist
36 who has experience working with persons with traumatic brain injury;
37 (E) a rehabilitation specialist, such as a speech pathologist, vocational
38 rehabilitation counselor, occupational therapist or physical therapist,
39 who has experience working with persons with traumatic brain injury;
40 (F) a person with traumatic brain injury; (G) a family member of a
41 person with traumatic brain injury; and (H) a member of the public
42 who has experience with issues related to the causes of traumatic brain
43 injury. Each member appointed by the Governor under this
44 subdivision shall be appointed, to the extent practicable, to represent
45 both rural and urban areas of the state.

46 (c) The advisory council shall elect, by a majority vote, a chairperson
47 from among its members. Members of the advisory council shall serve
48 without compensation, except for necessary expenses incurred in the

49 performance of their duties.

50 (d) The duties of the council shall include, but not be limited to,
51 developing a comprehensive plan to address the needs of persons with
52 traumatic brain injury. In developing such plan, the council shall
53 consider: (1) Increasing provider capacity and provider training; (2)
54 improving the coordination of services for persons with traumatic
55 brain injury; (3) establishing agreements with private community-
56 based agencies to develop services for persons with traumatic brain
57 injury; and (4) making recommendations to address the needs of
58 persons with traumatic brain injury.

59 (e) (1) Not later than December 1, 2010, the council shall submit a
60 preliminary report, in accordance with section 11-4a of the general
61 statutes, to the Governor and the joint standing committee of the
62 General Assembly having cognizance of matters relating to human
63 services. The preliminary report shall include, but not be limited to, an
64 assessment of the use of public-private partnerships to serve persons
65 with traumatic brain injury.

66 (2) Not later than December 1, 2011, the council shall submit a final
67 report, in accordance with section 11-4a of the general statutes, to the
68 Governor and the joint standing committee of the General Assembly
69 having cognizance of matters relating to human services. The final
70 report shall include a comprehensive state-wide plan to address the
71 needs of persons with traumatic brain injury.

72 (f) Commencing January 1, 2012, the council shall meet with the
73 Commissioner of Social Services not less than one time per year to
74 make recommendations to address the needs of persons with
75 traumatic brain injury.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	New section

Statement of Legislative Commissioners:

In the last sentence of subdivision (b)(2), "subsection" was changed to "subdivision" for accuracy. In the first sentence of subsection (c), "one chairperson" was changed to "a chairperson" for internal consistency. In subdivision (d)(2), after "services", "for persons with traumatic brain injury" was inserted for consistency. In subdivision (d)(4), "making" was inserted before "recommendations" for clarity. In the second sentence of subdivision (e)(1), "an assessment of" was inserted before "the use of public-private partnerships" for clarity.

HS *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 189*****AN ACT ESTABLISHING AN ADVISORY COUNCIL ON SERVICES FOR PERSONS WITH TRAUMATIC BRAIN INJURY.*****SUMMARY:**

This bill establishes a 19-member, permanent traumatic brain injury (TBI) advisory council to the governor and the Department of Social Services (DSS). The council is charged with developing a comprehensive plan to address the needs of people with TBI. It must report twice on its efforts to the Human Services Committee, and must meet at least once a year with the DSS commissioner beginning in 2012.

EFFECTIVE DATE: July 1, 2010

ADVISORY COUNCIL***Membership***

The council consists of agency heads (or their designees), DSS representatives with relevant expertise, and members the governor appoints. To the extent possible, the governor's appointees must be from the state's rural and urban areas. The appointments must be made by October 1, 2010.

<i>Member</i>	<i>Appointing Authority/Expertise</i>
DSS commissioner	
DSS representative	DSS commissioner/children's services

DSS representative	DSS commissioner/mental health
DSS representative	DSS commissioner/public health
DSS representative	DSS commissioner/vocational rehabilitation
Veteran's Affairs commissioner	
Correction commissioner	
Economic and Community Development commissioner	
Executive director of the Office of Protection and Advocacy for Persons with Disabilities	
Executive director of the Brain Injury Association of Connecticut	
Adjutant general of Connecticut National Guard or his or her designee	
Representative from an organization serving veterans	Governor
Representative of a federally recognized tribe located in the state	Governor
Neuropsychologist with experience working with persons with TBI	Governor
Social worker or clinical psychologist with experience	Governor

working with a TBI	
Rehabilitation specialist, such as speech pathologist, vocational rehabilitation counselor, occupational therapist, or physical therapist experienced working with persons with TBI	Governor
Person with TBI and a family member	Governor
Member of public with experience with issues related to causes of TBI	Governor

The council elects, by majority vote, a chairperson from among its members. Members serve without compensation except for expenses incurred carrying out their duties.

Council Duties

The bill requires the council, at a minimum, to develop a comprehensive plan to address the needs of people with TBI. In doing so, it must consider:

1. increasing provider capacity and training,
2. improving service coordination,
3. establishing agreements with private community-based agencies to develop services for people with TBI, and
4. recommendations to address these needs.

Reports and Ongoing Activity

The bill requires the council to submit a preliminary report to the governor and the Human Services Committee by December 1, 2010,

which must include the use of public private partnerships to serve people with TBI. (It appears this requires the report to include suggestions for how these partnerships can be developed to serve the target population.)

The council must submit a final report to the governor and Human Services Committee by December 1, 2011. It must include the comprehensive plan, which must be statewide.

The bill requires the council, beginning January 1, 2012, to meet with the DSS commissioner at least once a year to make recommendations to address the needs of individuals with TBI.

Definition of TBI

The bill defines TBI as an injury to the brain (1) caused by physical trauma from a collision, fall, or physical assault and (2) of sufficient severity to result in impairment in at least one of the following areas: cognition; language; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; or memory.

TBI does not include a brain injury that is congenital, degenerative, or induced by birth trauma.

BACKGROUND

Related Bill

HB 5353, favorably reported by the Veteran's Affairs and Human Services committees, establishes a 12-member task force to study TBI.

TBI Planning Grant and Formation of Advisory Board

In 2004, DSS was awarded a federal TBI planning grant to begin developing an integrated and coordinated system of care for people with TBI. One of the objectives was to establish a TBI Advisory Board. The board formed and became responsible for overseeing the data collection and analysis of TBI services in Connecticut and gaps therein. It also reviewed and guided the production of the Statewide Action Plan for TBI to address these gaps. In 2005, DSS received a subsequent

federal grant to continue the work of establishing the system of care.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 19 Nay 0 (03/11/2010)