

**Proposed Substitute
Bill No. 5249**

LCO No. 2483

**AN ACT ESTABLISHING THE CONNECTICUT TRAUMATIC BRAIN
INJURY ADVISORY BOARD.**

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

1 Section 1. (NEW) (*Effective July 1, 2016*) (a) As used in this section,
2 "traumatic brain injury" or "TBI" means damage to the brain tissue and
3 any combination of focal and diffuse central nervous system
4 dysfunction, immediate or delayed, at the brain stem level and above,
5 sustained through external forces including, but not limited to, blows
6 to the head, falls, vehicular crashes, assaults, sports accidents,
7 intrauterine and birth injuries and violent movement of the body.

8 (b) There is established a Connecticut Traumatic Brain Injury
9 Advisory Board to address the needs of persons with traumatic brain
10 injuries. The board shall make recommendations to the Commissioners
11 of Public Health and Social Services for the implementation of a state-
12 wide plan to address the needs of TBI survivors, including, but not
13 limited to: (1) Increasing efforts for prevention of and community
14 education about TBI; (2) increasing provider capacity and provider
15 competency, skills and knowledge; (3) improving the coordination of
16 services for TBI survivors; (4) opening a dialogue with private
17 community-based agencies to develop services for TBI survivors; (5)
18 assessing and identifying methods to expand programs and services
19 for TBI survivors, (6) addressing the needs of TBI survivors not

20 covered by existing services; and (7) assisting with the establishment of
21 a comprehensive TBI tracking system, pursuant to section 19a-6e of the
22 general statutes, to collect data on incidence, patient demographics,
23 nature of injury, cause of injury, injury locale, details on severity of
24 injury and outcomes.

25 (c) The board shall consist of the following members:

26 (1) Three appointed by the speaker of the House of Representatives,
27 who shall be TBI survivors;

28 (2) Three appointed by the president pro tempore of the Senate,
29 who shall be relatives of TBI survivors;

30 (3) Three appointed by the majority leader of the House of
31 Representatives, two of whom shall be representatives of private
32 provider agencies currently providing support for TBI survivors and
33 one of whom shall be a representative of the Brain Injury Alliance of
34 Connecticut;

35 (4) Three appointed by the majority leader of the Senate, two of
36 whom shall be representatives from the medical community, such as a
37 pediatrician, a neurologist, a physiatrist or a neuropsychologist, with
38 experience working with persons with TBI, and one of whom shall be a
39 representative from the educational community, such as a school
40 nurse, a school guidance counselor, an educator or a representative
41 from special education, with experience working with persons with
42 TBI;

43 (5) Two appointed by the minority leader of the House of
44 Representatives, who shall be licensed health care professionals, such
45 as a clinical social worker, rehabilitation specialist, speech pathologist,
46 vocational rehabilitation counselor, occupational therapist or physical
47 therapist, with experience working with TBI survivors;

48 (6) Two appointed by the minority leader of the Senate, who shall
49 be licensed health care professionals, such as a clinical social worker,
50 rehabilitation specialist, speech pathologist, vocational rehabilitation

51 counselor, occupational therapist or physical therapist, with experience
52 working with persons with TBI; and

53 (7) The Commissioners of Children and Families, Correction,
54 Developmental Services, Education, Mental Health and Addiction
55 Services, Public Health, Rehabilitation Services, Social Services and
56 Veterans' Affairs, or the commissioners' designees, the Labor
57 Commissioner or the commissioner's designee, and the executive
58 director of the Office of Protection and Advocacy for Persons with
59 Disabilities, or the executive director's designee.

60 (d) All appointments to the board shall be made not later than
61 September 1, 2016. Any vacancy shall be filled by the appointing
62 authority. Members of the board shall serve without compensation for
63 terms as set forth in the bylaws adopted pursuant to subsection (e) of
64 this section.

65 (e) The speaker of the House of Representatives and the president
66 pro tempore of the Senate shall select the chairpersons and secretary of
67 the board from among the members of the board. Such chairpersons
68 shall schedule the first meeting of the board, which shall be held not
69 later than October 1, 2016. The chairpersons and secretary shall
70 conduct the affairs of the board and draft bylaws to be approved by
71 the board. A majority of the board may amend the bylaws or
72 recommend to the appointing authority removal of a board member
73 for cause. For purposes of this subsection, "cause" means gross
74 dereliction of duty, excessive absenteeism or undisclosed conflicts of
75 interest involving paid providers of services.

76 (f) On or before June thirtieth of each year, the board shall report, in
77 accordance with the provisions of section 11-4a of the general statutes,
78 to the Governor and the joint standing committees of the General
79 Assembly having cognizance of matters relating to human services and
80 public health. The annual report shall include, but not be limited to: (1)
81 The incidence and geographical distribution of TBI in Connecticut; (2)
82 demographic data concerning TBI survivors; (3) a review of the use of
83 public-private partnerships to serve TBI survivors; (4) assessment of

84 current services from both public and private providers; and (5)
85 identification of gaps or deficits in programs and services for TBI
86 survivors.

87 (g) The board's transmission, storage and dissemination of data and
88 records related to persons with TBI shall be in accordance with federal
89 and state law and regulations concerning the privacy, security,
90 confidentiality and safeguarding of individually identifiable
91 information, including, but not limited to, the provisions of section
92 19a-25f of the general statutes concerning electronic health information
93 and the Health Insurance Portability and Accountability Act of 1996,
94 P.L. 104-191 (HIPAA), as amended from time to time, and the Family
95 Educational Rights and Privacy Act of 1974, 20 USC 1232g, (FERPA),
96 as amended from time to time, and any regulations promulgated
97 thereunder.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	New section