

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1909

S.P. 709

May 16, 2007

An Act To Establish the Acquired Brain Injury Advisory Council

Reported by Senator BRANNIGAN of Cumberland for the Joint Standing Committee on Health and Human Services pursuant to Joint Order 2006, S.P. 699.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

1 Be it enacted by the People of the State of Maine as follows:

2 **Sec. 1. 5 MRSA §12004-I, sub-§47-G is enacted to read:**

3 47-G.

4 Human
5 Services

4 Human Acquired Brain
5 Services Injury Advisory
6 Council

4 Human Acquired Brain Expenses Only

| | | | | |
|---|-----------------|------------------------|----------------------|------------------|
| 4 | <u>Human</u> | <u>Acquired Brain</u> | <u>Expenses Only</u> | <u>34-B MRSA</u> |
| 5 | <u>Services</u> | <u>Injury Advisory</u> | | <u>§19001</u> |

7 Sec. 2. 34-B MRSA c. 19 is enacted to read:

8 **CHAPTER 19**9 **ADVISORY COUNCILS**

§19001. Acquired Brain Injury Advisory Council

11 **1. Council established.** The Acquired Brain Injury Advisory Council referred to in
12 **this section as "the council," is established to provide independent oversight and advice**
13 **and to make recommendations to the commissioner, the Director of the Office of Adults**
14 **with Cognitive and Physical Disability Services within the department, the Director of the**
15 **Maine Center for Disease Control and Prevention within the department and the Director**
16 **of the Office of MaineCare Services within the department.**

17 **2. Duties.** The council shall:

18 A. Identify issues related to brain injury, including prevention and the needs of
19 individuals with disabilities due to brain injuries and the needs of their families;

20 B. Recommend methods that will enhance health and well-being, promote
21 independence and self-sufficiency, protect and care for those at risk and provide
22 effective and efficient methods of prevention, service and support;

23 C. Seek information from the broadest range of stakeholders, including persons with
24 brain injuries, their families, rehabilitation experts, providers of services and the
25 public, and hold at least 2 public hearings annually, in different regions of the State,
26 to generate input on unmet needs;

D. Review the status and effectiveness of the array of brain injury programs, services and prevention efforts provided in this State and recommend to the commissioner priorities and criteria for disbursement of available appropriations; and

30 E. Meet at least 4 times per year and by January 15th of each year submit a report of
31 its activities and recommendations to the commissioner and to the Legislature.

32 **3. Administrative support.** The manager of brain injury services in the Office of
33 **Adults with Cognitive and Physical Disability Services** within the department shall
34 **provide administrative support to the council.**

4. Membership. The commissioner shall appoint 16 persons to serve as members of the council and shall annually appoint one person to serve as chair. Members serve 2-year terms. Members must represent the following persons and interests:

A. Two members with acquired brain injuries must represent persons with acquired brain injuries;

B. Two members must represent families of persons with acquired brain injuries;

C. Two members must represent advocates for persons with acquired brain injuries:

D. Five members must represent providers of services to persons with acquired brain injuries; and

E. Five members must represent state agencies with expertise in the areas of education, employment, prevention of brain injuries, homelessness, corrections and services to veterans. Members of the council who represent state agencies serve ex officio, without the right to vote, and shall provide data, information and expertise to the council.

5. Expenses. Members of the council serve without compensation but are entitled to reimbursement of reasonable expenses for attending meetings of and serving on the council.

Sec. 3. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 34-B, section 19001, subsection 4, 8 of the initial members appointed to the Acquired Brain Injury Advisory Council serve 2-year terms and 8 serve 3-year terms.

SUMMARY

This bill establishes the Acquired Brain Injury Advisory Council to provide oversight and advice and to make recommendations to the Commissioner of Health and Human Services and the Director of the Office of Adults with Cognitive and Physical Disability Services, the Director of the Maine Center for Disease Control and Prevention and the Director of the Office of MaineCare Services within the Department of Health and Human Services.

FISCAL NOTE REQUIRED
(See attached)



Approved: 05/07/07 *MAC*

123rd MAINE LEGISLATURE

LD

LR 2667(01)

An Act To Establish the Acquired Brain Injury Advisory Council

Fiscal Note for Original Bill
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services can be absorbed by the department utilizing existing budget resources.