

An Act

ENROLLED HOUSE
BILL NO. 1010

By: Ranson of the House

and

Rader of the Senate

An Act relating to traumatic brain injury; stating legislative intent; creating the Advisory Council on Traumatic Brain Injury for specified time period; providing for membership, appointment, terms and selection of officers; requiring quorum; providing for travel reimbursement; stating duties and responsibilities; requiring submission of annual summary of recommendations; requiring certain registry and reporting thereto; authorizing specified agencies to implement certain programs; providing for codification; and providing an effective date.

SUBJECT: Traumatic brain injury

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-291.8 of Title 63, unless there is created a duplication in numbering, reads as follows:

It is the intent of the Oklahoma Legislature to provide preventive education and other preventive actions concerning traumatic brain injuries. It is also the intent of the Legislature to ensure referral to the appropriate public and private entities and agencies of those persons suffering from debilitating traumatic brain injuries so those persons can be rehabilitated to their highest potential. Further, it is the intent of the Legislature that rehabilitation and preventive education be facilitated through the use of mandatory reporting of traumatic brain injuries. The intent of the Legislature shall be effected through the use of an

advisory council to provide guidelines and advice to agencies and private entities to carry out the legislative intent.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-291.9 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established until December 31, 2027, within the State Department of Health an Advisory Council on Traumatic Brain Injury. The Council shall consist of eleven (11) members and shall include:

1. Six persons with brain injuries or relatives of persons with brain injuries; and

2. Five other persons from professional groups, health institutions, community groups and private industry.

B. 1. Members of the Council shall be appointed by the Governor and shall serve for terms of four (4) years. The Council shall meet at least two times annually.

2. The Council shall select from among its membership a chair and vice-chair and such other officers as the members of the Council deem necessary. A majority of the members of the Council shall constitute a quorum to transact business but no vacancy shall impair the right of the remaining members to perform the duties and responsibilities of the Council. Members of the Council shall not receive a salary but shall be allowed reimbursement for expenses pursuant to the State Travel Reimbursement Act.

C. The duties and responsibilities of the Council shall be:

1. To provide advice and expertise to the State Department of Health including but not limited to:

a. identifying, reviewing and promoting rehabilitation opportunities for persons suffering from traumatic brain injuries,

b. assisting the State Department of Health in determining the number of persons fifty-five (55) years of age and under who reside in a long-term care facility due to traumatic brain injury, and

- c. ensuring immediate family members and guardians of all persons identified as residing in a long-term care facility due to traumatic brain injury are informed about rehabilitation opportunities;

2. To promote meetings and programs for the discussion of reducing the debilitating effects of brain injuries and disseminate information in cooperation with any other department, agency or entity on the prevention, evaluation, care, treatment and rehabilitation of persons affected by brain injuries;

3. To study and review current prevention, evaluation, care, treatment and rehabilitation technologies and recommend appropriate preparation, training, retraining and distribution of manpower and resources in the provision of services to brain-injured persons through private and public residential facilities, day programs and other specialized services;

4. To report to the Governor and Legislature of the needs of persons with brain injuries and family members of persons with brain injuries and to recommend policies and practices to meet those needs;

5. To encourage research into the causes, prevention and treatment of brain injuries;

6. To promote brain injury prevention and awareness throughout the state; and

7. To perform additional duties as may be deemed necessary by the State Department of Health.

D. The Council shall provide an annual summary of recommendations to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the State Commissioner of Health not later than the tenth legislative day of each session of the Legislature.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-291.10 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. 1. The State Department of Health shall establish and maintain a central registry of persons who die or are hospitalized from traumatic brain injuries.

2. Beginning on November 1, 2023, all hospitals and related institutions licensed under Section 1-702 of Title 63 of the Oklahoma Statutes shall report to the State Department of Health after the identification of any person suffering a traumatic brain injury the name, age and residence of the person, the type and extent of the traumatic brain injury and any other additional information as may be deemed necessary by the Department.

3. The Office of the Chief Medical Examiner shall report to the State Department of Health any person who dies as a result of suffering a traumatic brain injury.

B. The State Department of Health shall forward to the Advisory Council on Traumatic Brain Injury by November 1 of each year an annual summary of the compiled statistics from information reported under this section.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-291.11 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Department of Health, the Department of Human Services and the Oklahoma Highway Safety Office of the Department of Public Safety, giving consideration to the recommendations of the Advisory Council on Traumatic Brain Injury, may implement programs for assistance, education and other preventive programs.

SECTION 5. This act shall become effective November 1, 2021.

Passed the House of Representatives the 24th day of May, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 13th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____