

# FINAL BILL REPORT

## 2SHB 2055

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Synopsis as Enacted

**Brief Description:** Concerning traumatic brain injuries.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Flannigan, Ahern, McCoy, Ormsby and Santos).

**House Committee on Human Services**

**House Committee on Appropriations**

**Senate Committee on Health & Long-Term Care**

**Senate Committee on Ways & Means**

### **Background:**

Traumatic brain injury (TBI) occurs when a sudden trauma causes damage to the brain. A TBI can result when the head suddenly and violently hits an object, or when an object pierces the skull and enters brain tissue. Symptoms of a TBI can be mild, moderate, or severe, depending on the extent of the damage to the brain.

Traumatic brain injury can cause a wide range of functional changes. Disabilities resulting from a TBI depend upon the severity of the injury, the location of the injury, and the age and general health of the individual. Some common disabilities include problems with cognition (thinking, memory, and reasoning), sensory processing (sight, hearing, touch, taste, and smell), communication (expression and understanding), and behavior or mental health.

The federal Centers for Disease Control and Prevention (CDC) estimates that at least 5.3 million Americans, approximately 2 percent of the U.S. population, currently have a long-term or lifelong need for help to perform activities of daily living as a result of a TBI. Traumatic brain injuries contribute to a substantial number of deaths and cases of permanent disability annually.

According to the CDC, of the 1.4 million who sustain a TBI each year in the United States:

- 50,000 die;
- 235,000 are hospitalized; and
- 1.1 million are treated and released from an emergency department.

Among children under 14 years of age, TBI results in an estimated:

- 2,685 deaths;
- 37,000 hospitalizations; and
- 435,000 emergency department visits annually.

The federal government created the Traumatic Brain Injury Program (Program) to improve access to health and other services regarding TBI. The Program competitively awards state

planning, implementation, and post-demonstration grants. Washington has received grants under this Program in the amount of \$100,000 for the purpose of building the system and the infrastructure to deliver services to individuals with TBI. The Program is being administered through the Aging and Disability Services Administration in the Department of Social and Health Services (DSHS).

**Summary:**

New Chapter.

Laws relating to TBI are to consolidate under one new chapter.

Advisory Council.

The Washington Traumatic Brain Injury Strategic Partnership Advisory Council (Council) is established as an advisory council to the Governor, Legislature, and Secretary of the DSHS. The Council consists of a wide variety of individuals who are appointed by the Governor. The Council includes representatives from several state agencies, non-profit agencies working with individuals with TBI, medical specialists, rehabilitation and vocational specialists, social workers, veterans, the National Guard, a Washington Native American Indian Tribe, the Washington Protection and Advocacy System, individuals with TBI, and family members of persons with TBI.

The initial appointments to the Council will be made by September 1, 2007, and the terms will run for three years. The Council will annually elect a chairperson.

The duties of the Council include the following:

- (1) collaborate with the Department to develop a comprehensive statewide plan to address the needs of individuals with TBIs;
- (2) provide recommendations to the Department on criteria to be used to select programs facilitating support groups by November 1, 2007;
- (3) submit a report to the Legislature and the Governor by December 1, 2007, on the following:
  - (a) the development of a comprehensive statewide information and referral network for individuals with TBIs;
  - (b) the development of a statewide registry to collect data regarding individuals with TBIs;
  - (c) the efforts of the Department to provide services for individuals with TBIs; and
- (4) review the preliminary comprehensive statewide plan developed by the Department and submit a report to the Legislature and the Governor containing comments and recommendations regarding the plan by December 30, 2007.

Department Responsibilities.

The following are responsibilities of the Department:

- (1) to designate a staff person who is responsible for the following:
  - (a) coordinating policies, programs, and services for individuals with TBIs; and

- (b) providing staff support to the Council, which may be funded through the TBI account;
- (2) to provide data and information to the Council that is requested by the Council and is in the possession or control of the Department;
- (3) by December 1, 2007, to provide a preliminary report to the Legislature and the Governor and a final report by December 1, 2008, containing recommendations for a comprehensive statewide plan to address the needs of individuals with TBIs, that consider the following:
  - (a) building provider capacity and provider training;
  - (b) improving the coordination of services;
  - (c) the feasibility of establishing agreements with private sector agencies to develop services for individuals with TBIs; and
  - (d) other areas the advisory council deems appropriate;
- (4) by December 1, 2007, to:
  - (a) provide information and referral services to individuals with TBI until the statewide referral and information network is developed. The referral services may be funded from the TBI account; and
  - (b) encourage and facilitate the following:
    - (i) collaboration among state agencies that provide services to individuals with TBIs;
    - (ii) collaboration among organizations and entities that provide services to individuals with TBIs; and
    - (iii) community participation in program implementation; and
- (5) by December 1, 2007, and by December 1 each year thereafter, to issue a report to the Governor and the Legislature containing the following:
  - (a) a summary of action taken by the Department to meet the needs of individuals with TBIs; and
  - (b) recommendations for improvements in services to address the needs of individuals with TBIs.

#### Program Development.

By December 1, 2007, the Department is required to institute, in collaboration with the Council, a public awareness campaign that utilizes state or federal funding to leverage a private advertising campaign to promote awareness of TBIs through all forms of media including television, radio, and print.

By March 1, 2008, the Department is also required to provide funding to programs that facilitate support groups for individuals with TBIs and their families. The Department must use a request for proposal process to select the programs to receive funding. The Council must provide recommendations to the Department on the criteria to be used in selecting the programs. The public awareness campaign and the support groups will be funded from the TBI account, to the extent that funds are available.

#### Traumatic Brain Injury Account.

The Traumatic Brain Injury Account (TBI Account) is created with the State Treasurer. The TBI Account is funded by an additional \$2 fee on traffic infractions. The Department may authorize spending from the TBI Account on information and services related to the public awareness campaign, support groups, information and referral services, and staffing for the council.

**Votes on Final Passage:**

House	96	2	
Senate	46	0	(Senate amended)
House	96	2	(House concurred)

**Effective:** July 22, 2007