
DIGEST

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Simon

HB No. 591

Abstract: Transitions certain functions of the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board to the Dept. of Health and Hospitals (DHH).

Present law provides that the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board (board) shall have policy and rulemaking functions within DHH. Proposed law revises present law to provide that the board shall have solely an advisory function within DHH.

Present law creates a special fund in the state treasury known as the Traumatic Head and Spinal Cord Injury Trust Fund (fund), and provides for an account for the monies of such fund within the DHH office of aging and adult services.

Present law creates and provides for the composition and duties of the board within the DHH office of aging and adult services.

Present law provides that disbursement of monies from the fund shall be made as determined by the board. Proposed law revises present law to provide that such disbursement of monies be made as determined by DHH, taking into account any recommendations by the board.

Proposed law provides that money in the fund may be used to match available federal funding in order to provide enhanced or expanded services to eligible persons; provided, however, that sufficient money be retained in the fund to provide payment for services for persons who are not eligible for services through federally funded sources.

Proposed law removes authority for the following duties from the board and provides such authority to DHH:

- (1) Determining eligibility of programs to receive funding.
- (2) Promulgating rules and regulations necessary to implement the provisions of present law and proposed law.
- (3) Establishing priorities and criteria for disbursement of the fund and acting to obtain maximum benefits available.
- (4) Investigating the needs of the head-injured and spinal cord-injured, identifying any gaps in services, and preparing and submitting an annual report with recommendations to the

legislature and the governor 60 days prior to each regular session of the legislature.

- (5) Monitoring, evaluating, and reviewing the development and quality of services and programs funded through the fund.
- (6) Arranging for full and accurate financial records to be maintained in compliance with law and making a full and complete report to the board quarterly.

Present law provides for composition of the 13-member board.

Proposed law removes the following members from the board:

- (1) The executive director of the La. Head Injury Foundation or his designee.
- (2) The executive director of the La. Spinal Cord Injury Association or his designee.
- (3) The president of the La. Dental Association or his designee.

Proposed law adds the following members to the board:

- (1) A representative of an organization recognized for its work in advocacy programs for persons with traumatic head injury appointed by the governor.
- (2) A representative of an organization recognized for its work in advocacy programs for persons with spinal cord injury appointed by the governor.
- (3) The director of La. Rehabilitation Services within the La. Workforce Commission.

Proposed law deletes requirement of present law that the board elect a treasurer from its membership.

Proposed law deletes present law providing that a majority of the individuals appointed to the board shall constitute a quorum.

Proposed law provides that the board shall serve in an advisory capacity to DHH in all phases of administration by the department of the fund.

Proposed law provides that administrative costs funded by the trust fund shall be those which are attributable to services provided by the trust fund program.

Present law provides that authorized expenditures for spinal cord injury care and head injury care may include but are not limited to post-acute medical care rehabilitation, therapies, medication, attendant care, and equipment necessary for activities of daily living. Proposed law retains present law and provides that authorized expenditures may also include home or vehicle accessibility modifications.

Proposed law provides that equipment necessary for activities of daily living must be related to the spinal cord injury or traumatic head injury in order to qualify as an authorized expenditure from the fund.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 36:259(T), 802 (intro. para.), and 901(A), R.S. 46:2633(D) and (E), 2634(B)(2), (3), (13), (D), and (H), and 2635(A), (B), and (C); Adds R.S. 46:2633(F))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the original bill.

1. Made changes in Title 36 (Organization of Executive Branch of State Government) as necessary to provide for the advisory function of the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board (board) within DHH.
2. Provided that DHH shall take into account any recommendations of the board in determining disbursement of monies in the Traumatic Head and Spinal Cord Injury Trust Fund (fund).
3. Specified that sufficient monies be retained in the fund to provide payment for services for persons who are not eligible for services through federally funded sources.
4. Changed schedule of DHH's required financial reporting to the board from annually to quarterly.
5. Deleted the president of the La. Physical Therapy Association or his designee as a board member and added as a board member a representative of an organization recognized for its work in advocacy programs for persons with traumatic head injury appointed by the governor.
6. Deleted the president of the La. Occupational Therapy Association or his designee as a board member and added as a board member a representative of an organization recognized for its work in advocacy programs for persons with spinal cord injury appointed by the governor.
7. Deleted present law providing that a majority of the individuals appointed to the board shall constitute a quorum.
8. Specified that administrative costs funded by the fund shall be those which are attributable to services provided by the trust fund program.