

Prior law provided that the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board (board) shall have policy and rulemaking functions within the Dept. of Health and Hospitals (DHH). New law provides that the board shall have solely an advisory function within DHH.

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

Prior law provided that disbursement of monies from the fund shall be made as determined by the board. New law provides that such disbursement of monies be made as determined by DHH, taking into account any recommendations by the board.

New 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.

New 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 new law and existing law.
- (3) Establishing priorities and criteria for disbursement of monies 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.

New law otherwise retains prior law providing for composition of the 13-member board.

New law deletes requirement of prior law that the board elect a treasurer from its membership.

New law deletes prior law which provided that a majority of the individuals appointed to the board shall constitute a quorum.

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

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

Existing 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. New law retains existing law and provides that authorized expenditures may also include home or vehicle accessibility modifications.

New 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 (May 25, 2012).

(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))