

D R A F T

SUMMARY

Directs Department of Human Services to provide specified services to individuals with brain injuries and to convene Traumatic Brain Injury Advisory Committee. Requires department to report to Legislative Assembly during odd-numbered years of regular sessions on services provided and number of individuals served.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to brain injuries; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “brain injury” means damage to the brain from an internal or external source that occurs after birth and is not congenital, degenerative or hereditary, that results in total or partial impairment in critical functions, including but not limited to attention, memory, reasoning, problem solving, processing speed, decision-making, learning, perception, sensing, speech and language, motor and physical function or psychosocial behavior and is of sufficient severity to produce partial or total disability.

(2)(a) The Department of Human Services shall provide the following services to individuals with brain injuries, delivered in a person-centered manner and in collaboration with the individual:

(A) Service coordination;

(B) Resource facilitation;

(C) Advocacy; and

(D) Options counseling.

1 (b) Services provided under this subsection may not include
2 institutionalization, hospitalization or medication.

3 (3) The department is authorized, but not required, to contract with
4 or provide grants to third parties to provide services described in
5 subsection (2) of this section.

6 (4)(a) The department shall convene a Traumatic Brain Injury Ad-
7 visory Committee to advise the department in the development of
8 traumatic brain injury programs, services described in subsection (2)
9 of this section and other activities that the department may develop
10 to address the needs of individuals with traumatic brain injuries.

11 (b) The membership of the advisory committee must consist of be-
12 tween six and 12 individuals with experience in traumatic brain inju-
13 ries and be broadly representative of the geographic areas of this state.
14 At least one-third of the members must have a traumatic brain injury.

15 (c) Members of the advisory committee are entitled to compen-
16 sation and actual and necessary travel or other expenses incurred in
17 the performance of their official duties as specified for qualified
18 members of boards or commissions in ORS 292.495.

19 SECTION 2. During each regular session of the Legislative Assem-
20 bly in odd-numbered years, the Department of Human Services shall
21 report to the Joint Committee on Ways and Means and the committees
22 of the Legislative Assembly related to health or human services, in the
23 manner provided in ORS 192.245, on the:

24 (1) Types of services provided under section 1 of this 2022 Act;

25 (2) Number of individuals with brain injuries who received services
26 described in section 1 (2) of this 2022 Act;

27 (3) Barriers faced by individuals with traumatic brain injuries in
28 accessing needed services; and

29 (4) Needs of individuals with traumatic brain injuries that are not
30 being met by any known provider or other entity in this state.

31 SECTION 3. In addition to and not in lieu of any other appropri-

1 ation, there is appropriated to the Department of Human Services, for
2 the biennium ending June 30, 2023, out of the General Fund, the
3 amount of \$_____, which may be expended to carry out the provisions
4 of section 1 of this 2022 Act.

5 SECTION 4. This 2022 Act being necessary for the immediate pres-
6 ervation of the public peace, health and safety, an emergency is de-
7 clared to exist, and this 2022 Act takes effect on its passage.

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