

1 It is the intent of the Oklahoma Legislature to provide
2 preventive education and other preventive actions concerning
3 traumatic brain injuries. It is also the intent of the Legislature
4 to ensure referral to the appropriate public and private entities
5 and agencies of those individuals suffering from debilitating
6 traumatic brain injuries so those persons can be rehabilitated to
7 their highest potential. Further, it is the intent of the
8 Legislature that rehabilitation and preventive education be
9 facilitated through the use of mandatory reporting of traumatic
10 brain injuries. The intent of the Legislature shall be effected
11 through the use of an advisory council to provide guidelines and
12 advice to agencies and private entities to carry out the legislative
13 intent.

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

17 A. There is hereby established within the State Department of
18 Health an Advisory Council on Traumatic Brain Injury. The Council
19 shall consist of eleven (11) members and shall include:

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

22 2. Five other individuals from professional groups, health
23 institutions, community groups, and private industry.

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

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

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

13 1. To provide advice and expertise to the State Department of
14 Health in preparation, implementation and periodic review of a
15 coordinated rehabilitation system for individuals suffering from
16 traumatic brain injuries in Oklahoma by November 1, 2021;

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

22 3. To study and review current prevention, evaluation, care,
23 treatment and rehabilitation technologies and recommend appropriate
24 preparation, training, retraining and distribution of manpower and

1 resources in the provision of services to brain-injured persons
2 through private and public residential facilities, day programs and
3 other specialized services;

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

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

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

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

14 D. An annual summary of recommendations shall be provided by
15 the Council to the Governor, the President Pro Tempore of the
16 Senate, the Speaker of the House of Representatives and the
17 Commissioner of Health not later than the tenth legislative day of
18 each session of the Legislature.

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

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

1 1. Every public and private health and social agency and
2 attending physician shall report to the State Department of Health
3 within seven (7) working days after the identification of any person
4 suffering a traumatic brain injury.

5 2. The State Medical Examiner shall report to the Department of
6 Health within seven (7) working days any individual who dies as a
7 result of suffering a traumatic brain injury.

8 3. The report shall contain the name, age, residence and the
9 type and extent of the traumatic brain injury and any other
10 additional information as may be deemed necessary by the Department.
11 The report shall be required of all public and private health and
12 social agencies and attending physicians beginning November 1, 2022.

13 B. An annual summary of the compiled statistics shall be
14 forwarded to the Advisory Council on Traumatic Brain Injury by
15 November 1 of each year.

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

19 Beginning January 1, 2021, the State Department of Health shall
20 conduct an annual survey of nursing homes in the state to determine
21 the number of individuals fifty-five (55) years of age and under who
22 reside in such homes due to traumatic brain injury. The immediate
23 family members and guardians of all individuals identified in such a
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1 survey shall be informed about rehabilitation opportunities that
2 exist through public and private entities.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1-291.12 of Title 63, unless
5 there is created a duplication in numbering, reads as follows:

6 It shall be the duty of the State Department of Health, the
7 Department of Human Services and the Department of Transportation
8 Highway Safety Division to implement programs for assistance,
9 education and other preventive programs recommended by the Advisory
10 Council on Traumatic Brain Injury.

11 SECTION 6. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1-291.13 of Title 63, unless
13 there is created a duplication in numbering, reads as follows:

14 The Advisory Council on Traumatic Brain Injury shall cease to
15 exist on December 31, 2026.

16 SECTION 7. This act shall become effective November 1, 2020.

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18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/26/2020 -
19 DO PASS, As Amended and Coauthored.

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