

CHAPTER 88**(HCR 67)**

A CONCURRENT RESOLUTION establishing a task force on services and supports for individuals with acquired brain injuries.

WHEREAS, it is estimated that each year thousands of Kentuckians suffer from acquired brain injuries; and the physical, emotional, vocational, and rehabilitative needs of individuals with acquired brain injuries are complex and may involve a combination of issues and services, such as health care, employment, substance abuse, mental health, physical and sexual abuse, criminal behavior, emotional disabilities, developmental and learning disabilities, and behavior disorders; and

WHEREAS, there is a lack of public and professional recognition of acquired brain injury as a mental health condition; and

WHEREAS, individuals with acquired brain injuries and their families can plan fulfilling lives but may need life-long supports and services; and

WHEREAS, existing services are limited and unavailable in many areas of the state and do not provide life-long supports and services; and

WHEREAS, in this Commonwealth there are no intensive, inpatient services for adults with acquired brain injuries who are in need of specialized crisis stabilization, evaluation, and treatment; and

WHEREAS, the lack of services and supports, including treatment for behavior disorders may result in the arrest and incarceration of individuals with acquired brain injuries; and

WHEREAS, the provision of the appropriate level of care, treatment, and services is in the best interests of the individuals with acquired brain injuries, their families, their employers, their communities and the Commonwealth at large;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

Section 1. There shall be created a Task Force on Services and Supports for Individuals with Acquired Brain Injuries. The task force shall be charged to make recommendations regarding:

- (1) Mechanisms to make a more accurate assessment of the number of adults and children with acquired brain injuries that receive publicly funded services;
- (2) Changes to existing administrative regulations governing existing publicly funded programs that would increase access to existing services and supports for individuals with acquired brain injuries;
- (3) The elimination of barriers to the access to and provision of services;
- (4) Strategies to develop intensive inpatient services that provide crisis stabilization, specialized evaluation, and treatment for adults with acquired brain injuries;
- (5) Strategies for the decriminalization of individuals with acquired brain injuries; and

(6) Strategies to increase the employment of, vocational training and educational services to, and case management services for individuals with acquired brain injuries.

Section 2. The members of the task force shall include:

(1) One (1) member of the House of Representatives who shall serve as co-chair, appointed by the Speaker of the House;

(2) One (1) member of the Senate who shall serve as co-chair, appointed by the President of the Senate;

(3) One (1) individual with acquired brain injury and one (1) family member of an individual with acquired brain injury appointed by the Legislative Research Commission from two separate lists of three (3) names submitted by the Brain Injury Association of Kentucky;

(4) The chair of the Traumatic Brain Injury Trust Fund Board or the chair's designee;

(5) The executive director of the Brain Injury Association of Kentucky or the executive director's designee;

(6) The executive director of the Kentucky Hospital Association or the executive director's designee;

(7) The commissioner of the Department of Vocational Rehabilitation or designee;

(8) The secretary of the Justice Cabinet or the secretary's designee;

(9) The president of the Kentucky Jailers Association or the president's designee;

(10) The commissioner of the Department for Medicaid Services or designee;

(11) The commissioner of the Department for Mental Health and Mental Retardation Services who shall also recommend one (1) representative from the Division of Substance Abuse, one (1) representative from the Division of Mental Retardation and Developmental Disabilities, and two (2) representatives from the Division of Mental Health, one of whom shall be a representative from the Brain Injury Services Unit of the Division of Mental Health for appointment by the Legislative Research Commission; and

(12) One (1) representative from the Kentucky Association of Regional Programs and one (1) case manager with experience in the provision of community-based services to individuals with acquired brain injuries recommended by the secretary of the Cabinet for Health Services for appointment by the Legislative Research Commission.

Section 3. The task force shall make a final report of its findings and specific legislative recommendations to the Legislative Research Commission and the Governor no later than July 1, 2002.

Section 4. Provisions of this resolution to the contrary notwithstanding, the Legislative Research Commission shall have the authority to alternately assign the issues identified herein to an interim joint committee or subcommittee thereof, and to designate a study completion date.

Approved March 15, 2001