
A BILL FOR AN ACT

RELATING TO NEUROTRAUMA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In 2002, the legislature passed Act 160,
2 Session Laws of Hawaii, which recognized the needs of
3 individuals who suffer from the physical, cognitive, and
4 behavioral consequences of neurotrauma. A funding mechanism was
5 established to provide for neurotrauma education, assistance to
6 individuals and families to identify and obtain access to
7 services, and the creation of a neurotrauma registry within the
8 State.

9 While there was no provision in the measure to fund direct
10 services to neurotrauma survivors, the conference committee
11 report noted that the department of health and the neurotrauma
12 advisory board would gather data to determine the extent to
13 which direct services could reasonably be funded within the
14 limits of the resources available in the special fund. The
15 conference committee report also noted that this information
16 would be presented during the next legislative session so that
17 the issue could be revisited.



1 The legislature finds that the neurotrauma special fund has
2 collected nearly \$1,000,000 since the fund began in January
3 2003. Based upon that finding as well as the need for services
4 that exists among individuals with neurotrauma, the legislature
5 finds that it is appropriate to permit that funds from the
6 neurotrauma special fund be used to pay for direct services to
7 individuals suffering from neurotrauma.

8 The legislature also finds that monies from the neurotrauma
9 fund should be appropriated to obtain federal and private grant
10 matching funds and create a "traumatic brain injury waiver."
11 The legislature believes that state funds should be used to
12 maximize the receipt of federal funds whenever feasible.

13 The purpose of this Act is to amend the law relating to the
14 neurotraumatic special fund and allow part of the fund to be
15 used to pay for the direct services to neurotraumatic survivors.
16 Additionally, the law will now require that money from the fund
17 be appropriated to obtain federal and private grant matching
18 funds.

19 SECTION 2. Section 321H-4, Hawaii Revised Statutes, is
20 amended by amending subsections (b) and (c) to read as follows:

21 "(b) The fund shall be used for the purpose of funding and
22 contracting for services relating to neurotrauma as follows:



- 1 (1) Education on neurotrauma;
- 2 (2) Assistance to individuals and families to identify and
- 3 obtain access to services;
- 4 (3) Creation of a registry of neurotrauma injuries within
- 5 the State to identify incidence, prevalence,
- 6 individual needs, and related information; [~~and~~]
- 7 (4) Services that assist individuals with neurotraumatic
- 8 injuries, including but not limited to cognitive
- 9 therapy, personal assistance, respite care, and day
- 10 health programs; and
- 11 [~~(4)~~] (5) Necessary administrative expenses to carry out
- 12 this chapter not to exceed two per cent of the total
- 13 amount collected.

14 (c) Moneys in the neurotrauma special fund [~~may~~] shall be

15 used for the purposes of subsection (b) and shall also be

16 appropriated to obtain federal and private grant matching funds,

17 subject to section 321H-4(a)(2)."

18 SECTION 3. The department of human services shall apply

19 for a traumatic brain injury waiver no later than December 31,

20 2006.

21 SECTION 4. Statutory material to be repealed is bracketed

1 and stricken. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

3

INTRODUCED BY: Shianne Chun Oakland
Rosalyn H Baker
Bob Rogue



SB. NO. 2727

Report Title:

Neurotrauma Special Fund

Description:

Allows money from the neurotrauma special fund to be used for direct services to individuals with neurotrauma. Requires that the fund to be used to obtain federal and private grant matching funds.

