

MAR 14 2007

## SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO  
COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY  
WAIVER.

1 WHEREAS, every year approximately 1.9 million people in the  
2 United States experience traumatic brain injuries; and

3  
4 WHEREAS, the physical consequences of a traumatic brain  
5 injury include impaired speech, vision and hearing loss,  
6 headaches, muscle spasticity, paralysis, and seizure disorders;  
7 and

8  
9 WHEREAS, the cognitive consequences of a traumatic brain  
10 injury include memory deficits, limited concentration, impaired  
11 perception and communication, and difficulty reading, writing,  
12 planning, and with judgment; and

13  
14 WHEREAS, the psycho, social, behavioral, and emotional  
15 consequences of a traumatic brain injury include fatigue, mood  
16 swings, denial, anxiety, depression, lack of motivation, and  
17 problems with interpersonal skills; and

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19 WHEREAS, advances in neurosurgery and rehabilitation  
20 therapy have dramatically increased the number of traumatic  
21 brain injury survivors, but little has been accomplished to help  
22 them adjust to their lives after experiencing a traumatic brain  
23 injury; and

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25 WHEREAS, there is a large community of individuals who are  
26 affected by traumatic brain injuries in Hawaii; and

27  
28 WHEREAS, the State lacks effective, affordable treatment  
29 and rehabilitation programs and community support for these  
30 individuals, their families, and their caregivers that could  
31 facilitate their independent living; and  
32



1 WHEREAS, in 1997, the Legislature passed Act 333, Session  
2 Laws of Hawaii, establishing the Traumatic Brain Injury Advisory  
3 Board to help the Department of Health develop and implement a  
4 comprehensive plan to address the needs of persons affected by  
5 traumatic brain injuries; and

6  
7 WHEREAS, in 2002, the Legislature passed Act 160, Session  
8 Laws of Hawaii (Act 160), which recognized the needs of  
9 individuals who suffer from the physical, cognitive, and  
10 behavioral consequences of neurotrauma, which includes traumatic  
11 brain injuries; and

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13 WHEREAS, the Neurotrauma Special fund was established to  
14 provide education, to help individuals and families identify and  
15 obtain access to services, and to create a neurotrauma registry;  
16 and

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18 WHEREAS, while there was no specific provision in Act 160  
19 to fund direct services to neurotrauma survivors, the Conference  
20 Committee Report for Act 160 noted that the Department of Health  
21 and the Neurotrauma Advisory Board would gather data to  
22 determine the extent to which direct services could reasonably  
23 be funded within the limits of the resources in the special  
24 fund; and

25  
26 WHEREAS, in 2006, the Governor vetoed a measure that was  
27 passed by the Legislature that directed moneys from the special  
28 fund be used by the Departments of Health and Human Services to  
29 apply for a federal waiver; and

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31 WHEREAS, if the Departments of Health and Human Services  
32 apply for and receive a federal traumatic brain injury waiver,  
33 the State would be able to match federal funds; and

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35 WHEREAS, this federal revenue maximization would yield  
36 approximately twice as much money for the provision of needed  
37 traumatic brain injury services; and

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39 WHEREAS, the Departments of Health and Human Services  
40 should collaborate and apply for a federal traumatic brain  
41 injury waiver; now, therefore,

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43 BE IT RESOLVED by the Senate of the Twenty-fourth  
44 Legislature of the State of Hawaii, Regular Session of 2007, the  
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1 House of Representatives concurring, that the Departments of  
2 Health and Human Services are requested to collaborate and apply  
3 for a federal traumatic brain injury waiver no later than  
4 December 31, 2008; and  
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6 BE IT FURTHER RESOLVED that in formulating an application  
7 for a federal traumatic brain injury waiver, the Departments of  
8 Health and Human Services are requested to consult with  
9 community stakeholders, such as the Traumatic Brain Injury  
10 Advisory Board and the Neurotrauma Advisory Board, to determine  
11 services that need to be included in the waiver; and  
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13 BE IT FURTHER RESOLVED that the Departments of Health and  
14 Human Services are requested to submit an interim report to the  
15 Legislature no later than twenty days prior to the convening of  
16 the 2008 Regular Session, and a final report to the Legislature  
17 no later than twenty days prior to the convening of the 2009  
18 Regular Session; and  
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20 BE IT FURTHER RESOLVED that the interim report include:  
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- 22 (1) A detailed time line for completion of the waiver  
23 application;  
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- 25 (2) The number of individuals expected to be served by the  
26 waiver;  
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- 28 (3) The services that will be included in the waiver; and  
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- 30 (4) A recommendation regarding whether the State's portion  
31 of the waiver's financial commitment should be funded  
32 exclusively by general fund appropriations or using  
33 some portion of moneys from the Neurotrauma Special  
34 Fund; and  
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36 BE IT FURTHER RESOLVED that the Departments of Health and  
37 Human Services should include sufficient appropriations to meet  
38 the financial requirements under the terms of the waiver in  
39 their Executive Budget requests; and  
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41 BE IT FURTHER RESOLVED that certified copies of this  
42 Concurrent Resolution be transmitted to the Director of Health,



1 Director of Human Services, Chair of the Traumatic Brain Injury  
2 Advisory Board, and Chair of the Neurotrauma Advisory Board.  
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4  
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OFFERED BY: Shiranne Chun aakuland

*For the  
Nominating  
Committee  
Rosalyn de Boer*

