

# S.B. NO. 2854

JAN 23 2014

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## A BILL FOR AN ACT

RELATING TO THE NEUROTRAUMA ADVISORY BOARD.

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

1           SECTION 1. Section 321H-3, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "~~§321H-3~~ **Neurotrauma advisory board.** (a) There is  
4 established within the department a neurotrauma advisory board  
5 to advise the director in implementing this chapter.  
6           (b) The board shall consist of [~~twenty-one~~] at least  
7 eleven members to be appointed by the director. The director  
8 shall designate a member to be the chairperson of the advisory  
9 board. The director or a designee shall serve as an ex officio  
10 nonvoting member of the advisory board. The director may also  
11 appoint up to three state and county representatives whose work  
12 relates to neurotrauma to be ex officio non-voting members of  
13 the board. The members shall serve for a term of four years;  
14 provided that upon the initial appointment of members, [~~five~~]  
15 two shall be appointed for a term of one year, [~~five~~] three for  
16 a term of two years, [~~five~~] three for a term of three years, and  
17 [~~six~~] three for a term of four years. In establishing the  
18 advisory board, the director shall appoint:

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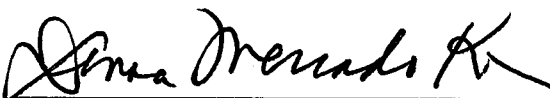
- 1 (1) [~~Five~~] Two survivors of neurotrauma or their family  
2 members (~~[two]~~one [~~each~~] for traumatic brain injuries  
3 and one for spinal cord injuries);
- 4 (2) [~~Two members~~] One member of the Brain Injury  
5 Association of Hawaii;
- 6 (3) One member representing the state traumatic brain  
7 injury advisory board;
- 8 (4) [~~Three~~] Two members representing private sector  
9 businesses that provide services for neurotrauma  
10 survivors;
- 11 (5) One member representing trauma centers that provide  
12 services for neurotrauma survivors;
- 13 [~~(6) Two members of the Spinal Cord Association;~~  
14 ~~(7) Two representatives for persons with stroke;~~]
- 15 (6) One member representing the American Stroke  
16 Association; and
- 17 [~~(8)]~~ (7) [~~Five~~] Three at-large members.
- 18 (c) The members shall serve without compensation but shall  
19 be reimbursed for actual expenses, including travel expenses  
20 that are necessary for the performance of their duties.
- 21 (d) The number of members necessary to constitute a quorum  
22 to do business shall consist of a majority of all the voting  
23 members who have been appointed by the director and have

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1 accepted that appointment. When a quorum is in attendance, the  
2 concurrence of a majority of the voting members in attendance  
3 shall make any action of the board valid."

4 SECTION 2. Statutory material to be repealed is bracketed.  
5 New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

7  
8 INTRODUCED BY: 

9 BY REQUEST

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**Report Title:**

Neurotrauma Advisory Board

**Description:**

Revises the total number of Neurotrauma Advisory Board from 21 to 11 members while still maintaining representation of all existing parties.

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## JUSTIFICATION SHEET

DEPARTMENT: HEALTH

TITLE: A BILL FOR AN ACT RELATING TO THE  
NEUROTRAUMA ADVISORY BOARD.

PURPOSE: To change the minimum number of members on the neurotrauma advisory board (NTAB) from 21 to 11 members as appointed by the Director of Health. The smaller number of members will allow the board to have quorum on a regular basis to fulfill the functions of the board.

The bill proposes to delete representation from the Spinal Cord Injury Association because this association is no longer in operation. A spinal cord injury survivor or family member will be represented on the NTAB.

This measure also allows the Director to appoint up to three state and county ex officio non-voting members to the NTAB such as the Emergency Medical Services & Injury Prevention System Branch (EMSIPSB). Partnerships and collaboration with such entities will provide a more coordinated effort for NTAB initiatives.

MEANS: Amend Section 321H-3, Hawaii Revised Statutes.

JUSTIFICATION: A 21 member statewide NTAB is unwieldy as it requires the department of health to make available 2 video conference sites on Oahu for board members to attend meetings and requires additional personnel resources to staff a second video conferencing site. The NTAB will have a much greater chance of obtaining quorum with an 11 member board. The number of members necessary to

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constitute a quorum to do business shall consist of a majority of all the voting members who have been appointed by the director and have accepted that appointment. When a quorum is in attendance, the concurrence of a majority of the voting members in attendance shall make any action of the board valid.

Impact on the public: No negative impact to the public anticipated with the amendment to section 321H-3, HRS. All advocacy and disability groups representing stroke, spinal cord injury, and traumatic brain injury will continue to be represented on a statewide basis. The proposed eleven member Neurotrauma Advisory Board will address goals, and attain quorum to make decisions and advisory recommendations to the Department of Health (DOH).

Impact on the department and other agencies: By attaining quorum on a more consistent basis, the Board will be in a position to effectuate change through its advisory recommendations to the Director of Health. The DOH does not anticipate any negative impact to other public and private agencies.

GENERAL FUND: N/A

OTHER FUNDS: Neurotrauma Special Fund

PPBS PROGRAM  
DESIGNATION: HTH-501

OTHER AFFECTED  
AGENCIES: None. All advisory board meetings are open to the public and in compliance with chapter 92, HRS.

EFFECTIVE DATE: Upon approval.