

Department of Legislative Services
 Maryland General Assembly
 2000 Session

FISCAL NOTE

House Bill 635 (Delegate Mohorovic. *et al.*)

Environmental Matters

Mental Hygiene Administration - Traumatic Brain Injury Rehabilitation Fund

This bill establishes the Traumatic Brain Injury Rehabilitation Fund within the Mental Hygiene Administration (MHA) to assist Maryland residents over age 21 who have suffered traumatic brain injury. The bill alters the distribution of tobacco tax revenue by requiring that \$5 million be distributed to the fund each year. As the payer of last resort, the fund will help to pay for services and products not covered by insurance or other benefits that will increase and enhance the individual's opportunity for independence and a productive lifestyle.

Fiscal Summary

State Effect: General fund revenues decrease by \$5 million and special fund revenues and expenditures increase by \$5 million beginning in FY 2001. Future year revenues and expenditures would remain constant.

(in millions)	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
GF Revenues	(\$5.0)	(\$5.0)	(\$5.0)	(\$5.0)	(\$5.0)
SF Revenues	5.0	5.0	5.0	5.0	5.0
GF Expenditures	0	0	0	0	0
SF Expenditures	5.0	5.0	5.0	5.0	5.0
Net Effect	(\$5.0)	(\$5.0)	(\$5.0)	(\$5.0)	(\$5.0)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - =indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: A traumatic brain injury is an insult to the brain caused by an external physical force producing a diminished or altered state of consciousness that impairs or disturbs cognitive, physical, behavioral, or emotional functioning. A traumatic brain injury does not include an insult to the brain caused by a congenital or degenerative disorder.

The traumatic brain injury fund is a special, continuing, non-lapsing fund consisting of moneys distributed to the fund from tobacco tax revenue, investment earnings, and federal matching funds received by the State for traumatic brain injury treatment or assistance.

MHA will use the fund for: (1) case management; (2) rehabilitative therapies and services; (3) attendant care; (4) home accessibility modifications; (5) equipment necessary for activities; (6) family support services; (7) providing State matching funds to qualify for federal funds; and (8) paying traumatic brain injury fund administration costs.

MHA must adopt regulations addressing priorities for fund use, application procedures, eligibility criteria, income criteria using a sliding-scale, and requiring that the presence of a traumatic brain injury be established by documented medical evidence. MHA must develop a list of approved providers of products and services for individuals with traumatic brain injuries.

Current Law: None applicable.

State Revenues: Because this bill diverts \$5 million in tobacco tax revenues that otherwise would have accrued to the general fund, special fund revenues would increase by \$5 million and general fund revenues would decrease by an equal amount. It is assumed that funding would begin in fiscal 2001.

Additional Information

Prior Introductions: Similar legislation which proposed a program supported by diverting tobacco tax funds was introduced as HB 941 in the 1999 session. It was not reported out of the House Appropriations Committee.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Office of the Comptroller (Alcohol and Tobacco Tax), Department of Legislative Services

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