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By: **Senators Kelley, Britt, Brochin, Colburn, Currie, DeGrange, Della,  
Garagiola, Green, Kasemeyer, Lawlah, Munson, Stone, and Teitelbaum**

Introduced and read first time: February 3, 2005

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Traumatic Brain Injury Advisory Board**

3 FOR the purpose of establishing a State Traumatic Brain Injury Advisory Board;  
4 specifying the membership and duties of the Advisory Board; providing for  
5 staffing of the Advisory Board; requiring the Advisory Board to meet at least  
6 once within a certain time period; requiring the Advisory Board to elect a chair  
7 once every year; providing for certain term limits for members of the Advisory  
8 Board; prohibiting members of the Advisory Board from receiving compensation  
9 for serving on the Advisory Board; authorizing reimbursement to members of  
10 the Advisory Board for certain expenses; requiring the Advisory Board to submit  
11 certain reports to the Governor and to the General Assembly on or before a  
12 certain date each year; requiring the Advisory Board to disseminate copies of the  
13 annual report to the President of the Senate, Speaker of the House, and the  
14 Secretary of each Department represented on the Advisory Board each year;  
15 defining a certain term; providing for the termination of this Act; and generally  
16 relating to the State Traumatic Brain Injury Advisory Board.

17 BY adding to

18 Article - Health - General

19 Section 13-2101 through 13-2105 to be under the new subtitle "Subtitle 21.

20 State Traumatic Brain Injury Advisory Board"

21 Annotated Code of Maryland

22 (2000 Replacement Volume and 2004 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

24 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Health - General**

2 SUBTITLE 21. STATE TRAUMATIC BRAIN INJURY ADVISORY BOARD.

3 13-2101.

4 IN THIS SUBTITLE, "ADVISORY BOARD" MEANS THE STATE TRAUMATIC BRAIN  
5 INJURY ADVISORY BOARD.

6 13-2102.

7 THERE IS A STATE TRAUMATIC BRAIN INJURY ADVISORY BOARD.

8 13-2103.

9 THE ADVISORY BOARD CONSISTS OF THE FOLLOWING 36 VOTING MEMBERS:

10 (1) THE FOLLOWING TWO MEMBERS, WHO SHALL SERVE EX OFFICIO:

11 (I) ONE MEMBER OF THE SENATE, TO BE APPOINTED BY THE  
12 PRESIDENT OF THE SENATE; AND13 (II) ONE MEMBER OF THE HOUSE OF DELEGATES, TO BE  
14 APPOINTED BY THE SPEAKER OF THE HOUSE;

15 (2) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S DESIGNEE;

16 (3) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE  
17 SECRETARY'S DESIGNEE;18 (4) THE SECRETARY OF THE STATE DEPARTMENT OF EDUCATION, OR  
19 THE SECRETARY'S DESIGNEE;20 (5) ONE REPRESENTATIVE OF THE STATE DEPARTMENT OF EDUCATION,  
21 DIVISION OF REHABILITATION SERVICES, APPOINTED BY THE DIRECTOR OF THE  
22 DIVISION;23 (6) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND  
24 MENTAL HYGIENE, DEVELOPMENTAL DISABILITIES ADMINISTRATION, APPOINTED  
25 BY THE DIRECTOR OF THE ADMINISTRATION;26 (7) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND  
27 MENTAL HYGIENE, MENTAL HYGIENE ADMINISTRATION, APPOINTED BY THE  
28 DIRECTOR OF THE ADMINISTRATION;29 (8) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND  
30 MENTAL HYGIENE, FAMILY HEALTH ADMINISTRATION, CENTER FOR PREVENTIVE  
31 HEALTH SERVICES, APPOINTED BY THE DIRECTOR OF THE CENTER;32 (9) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND  
33 MENTAL HYGIENE, FAMILY HEALTH ADMINISTRATION, OFFICE FOR GENETICS AND

1 CHILDREN WITH SPECIAL HEALTH CARE NEEDS, APPOINTED BY THE DIRECTOR OF  
2 THE OFFICE;

3 (10) ONE REPRESENTATIVE OF THE MARYLAND INSTITUTE OF  
4 EMERGENCY MEDICAL SERVICES SYSTEMS, APPOINTED BY THE DIRECTOR OF THE  
5 INSTITUTE;

6 (11) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND  
7 MENTAL HYGIENE, OFFICE OF HEALTH SERVICES, APPOINTED BY THE DIRECTOR OF  
8 THE OFFICE;

9 (12) ONE REPRESENTATIVE OF THE DEPARTMENT OF HEALTH AND  
10 MENTAL HYGIENE, ALCOHOL AND DRUG ABUSE ADMINISTRATION, APPOINTED BY  
11 THE DIRECTOR OF THE ADMINISTRATION;

12 (13) FOUR REPRESENTATIVES OF THE BRAIN INJURY ASSOCIATION OF  
13 MARYLAND, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE ASSOCIATION;

14 (14) ONE REPRESENTATIVE OF THE MARYLAND STATEWIDE  
15 INDEPENDENT LIVING COUNCIL, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
16 COUNCIL;

17 (15) ONE REPRESENTATIVE OF THE MARYLAND DISABILITY LAW CENTER,  
18 MARYLAND'S PROTECTION ADVOCACY SYSTEM, APPOINTED BY THE DIRECTOR OF  
19 THE OFFICE;

20 (16) ONE REPRESENTATIVE OF THE NATIONAL INSTITUTE OF HEALTH,  
21 APPOINTED BY THE DIRECTOR OF THE INSTITUTE; AND

22 (17) THE FOLLOWING 16 MEMBERS, APPOINTED BY THE GOVERNOR:

23 (I) ONE REPRESENTATIVE OF STATE OR LOCAL LAW  
24 ENFORCEMENT;

25 (II) SIX MARYLAND CITIZENS WHO HAVE EXPERIENCED A  
26 TRAUMATIC BRAIN INJURY;

27 (III) FIVE MARYLAND CITIZENS WHO ARE CURRENTLY CARING FOR,  
28 OR ARE FAMILY MEMBERS OF, INDIVIDUALS WHO HAVE EXPERIENCED A TRAUMATIC  
29 BRAIN INJURY; AND

30 (IV) FOUR PROFESSIONALS WITH SPECIALIZED EXPERIENCE IN  
31 PROVIDING SERVICES TO INDIVIDUALS WITH TRAUMATIC BRAIN INJURIES OR  
32 TRAUMATIC BRAIN INJURY PREVENTION ACTIVITIES.

33 13-2104.

34 (A) (1) THE TERM OF A MEMBER IS 3 YEARS.

35 (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
36 SUCCESSOR IS APPOINTED AND QUALIFIES.

1 (3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM  
2 SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS  
3 APPOINTED AND QUALIFIES.

4 (4) A MEMBER OF THE ADVISORY BOARD MAY NOT SERVE MORE THAN  
5 TWO CONSECUTIVE TERMS.

6 (5) THE TERMS OF THE MEMBERS OF THE ADVISORY BOARD ARE  
7 STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON OCTOBER 1,  
8 2005.

9 (B) THE MEMBERS OF THE ADVISORY BOARD SHALL ELECT A CHAIR OF THE  
10 ADVISORY BOARD EACH YEAR.

11 (C) A MAJORITY OF THE MEMBERS PRESENT AT A MEETING SHALL  
12 CONSTITUTE A QUORUM FOR TRANSACTING BUSINESS OR PERFORMING ANY  
13 DUTIES.

14 (D) THE ADVISORY BOARD SHALL MEET AT LEAST ONCE EVERY OTHER  
15 MONTH.

16 (E) A MEMBER OF THE ADVISORY BOARD:

17 (1) MAY NOT RECEIVE COMPENSATION; BUT

18 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
19 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

20 (F) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE  
21 DEPARTMENT OF DISABILITIES SHALL JOINTLY PROVIDE STAFF SUPPORT AND  
22 TECHNICAL ASSISTANCE FOR THE ADVISORY BOARD.

23 13-2105.

24 THE ADVISORY BOARD SHALL:

25 (1) INVESTIGATE THE NEEDS OF CITIZENS WITH TRAUMATIC BRAIN  
26 INJURIES;

27 (2) IDENTIFY GAPS IN SERVICES TO CITIZENS WITH TRAUMATIC BRAIN  
28 INJURIES;

29 (3) FACILITATE COLLABORATION AMONG STATE AGENCIES THAT  
30 PROVIDE SERVICES TO INDIVIDUALS WITH TRAUMATIC BRAIN INJURIES;

31 (4) FACILITATE COLLABORATION AMONG ORGANIZATIONS AND  
32 ENTITIES THAT PROVIDE SERVICES TO INDIVIDUALS WITH TRAUMATIC BRAIN  
33 INJURIES;

34 (5) ENCOURAGE AND FACILITATE COMMUNITY PARTICIPATION IN  
35 PROGRAM IMPLEMENTATION;

1           (6)       ISSUE AN ANNUAL REPORT TO THE GOVERNOR AND, IN  
2 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL  
3 ASSEMBLY ON OR BEFORE NOVEMBER 30, 2005, AND EACH NOVEMBER 30  
4 THEREAFTER SUMMARIZING THE ACTIONS OF THE ADVISORY BOARD AND  
5 CONTAINING RECOMMENDATIONS FOR:

6                   (I)       PROVIDING OVERSIGHT IN ACQUIRING AND UTILIZING STATE  
7 AND FEDERAL FUNDING DEDICATED TO SERVICES FOR INDIVIDUALS WITH  
8 TRAUMATIC BRAIN INJURIES;

9                   (II)       BUILDING PROVIDER-CAPACITY AND PROVIDER-TRAINING  
10 THAT ADDRESS THE NEEDS OF INDIVIDUALS WITH TRAUMATIC BRAIN INJURIES;  
11 AND

12                   (III)       IMPROVING THE COORDINATION OF SERVICES FOR  
13 INDIVIDUALS WITH TRAUMATIC BRAIN INJURIES; AND

14           (7)       DISSEMINATE COPIES OF THE ANNUAL REPORT TO THE PRESIDENT  
15 OF THE SENATE, SPEAKER OF THE HOUSE, AND THE SECRETARY OF EACH  
16 DEPARTMENT REPRESENTED ON THE ADVISORY BOARD.

17       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2005. It shall remain effective for a period of 3 years and, at the end of  
19 September 30, 2008, with no further action required by the General Assembly, this  
20 Act shall be abrogated and of no further force and effect.