

1 ENGROSSED HOUSE  
2 BILL NO. 1010

By: Ranson of the House  
and  
Rader of the Senate

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8 [ public health - creating the Advisory Council on  
9 Traumatic Brain Injury - effective date ]  
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1-291.8 of Title 63, unless  
15 there is created a duplication in numbering, reads as follows:

16 It is the intent of the Oklahoma Legislature to provide  
17 preventive education and other preventive actions concerning  
18 traumatic brain injuries. It is also the intent of the Legislature  
19 to ensure referral to the appropriate public and private entities  
20 and agencies of those individuals suffering from debilitating  
21 traumatic brain injuries so those persons can be rehabilitated to  
22 their highest potential. Further, it is the intent of the  
23 Legislature that rehabilitation and preventive education be  
24 facilitated through the use of mandatory reporting of traumatic

1 brain injuries. The intent of the Legislature shall be effected  
2 through the use of an advisory council to provide guidelines and  
3 advice to agencies and private entities to carry out the legislative  
4 intent.

5 SECTION 2. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 1-291.9 of Title 63, unless  
7 there is created a duplication in numbering, reads as follows:

8 A. There is hereby established within the State Department of  
9 Health an Advisory Council on Traumatic Brain Injury. The Council  
10 shall consist of eleven (11) members and shall include:

11 1. Six people with brain injuries or relatives of persons with  
12 brain injuries; and

13 2. Five other individuals from professional groups, health  
14 institutions, community groups, and private industry.

15 B. 1. Members of the Council shall be appointed by the  
16 Governor and shall serve for terms of four (4) years. The Council  
17 shall meet at least two times annually.

18 2. The Council shall select from among its membership a chair  
19 and vice-chair and such other officers as the members of the Council  
20 deem necessary. A majority of the members of the Council shall  
21 constitute a quorum to transact business but no vacancy shall impair  
22 the right of the remaining members to perform the duties and  
23 responsibilities of the Council. Members of the Council shall not  
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1 receive a salary but shall be allowed reimbursement for expenses  
2 pursuant to the State Travel Reimbursement Act.

3 C. The duties and responsibilities of the Council shall be:

4 1. To provide advice and expertise to the State Department of  
5 Health in preparation, implementation and periodic review of a  
6 coordinated rehabilitation system for individuals suffering from  
7 traumatic brain injuries in Oklahoma by November 1, 2022;

8 2. To promote meetings and programs for the discussion of  
9 reducing the debilitating effects of brain injuries and disseminate  
10 information in cooperation with any other department, agency or  
11 entity on the prevention, evaluation, care, treatment and  
12 rehabilitation of persons affected by brain injuries;

13 3. To study and review current prevention, evaluation, care,  
14 treatment and rehabilitation technologies and recommend appropriate  
15 preparation, training, retraining and distribution of manpower and  
16 resources in the provision of services to brain-injured persons  
17 through private and public residential facilities, day programs and  
18 other specialized services;

19 4. To report to the Governor and Legislature of the needs of  
20 persons with brain injuries and family members of persons with brain  
21 injuries and to recommend policies and practices to meet those  
22 needs;

23 5. To encourage research into the causes, prevention and  
24 treatment of brain injuries;

1       6. To promote brain injury prevention and awareness throughout  
2 the state; and

3       7. To perform additional duties as may be deemed necessary by  
4 the State Department of Health.

5       D. An annual summary of recommendations shall be provided by  
6 the Council to the Governor, the President Pro Tempore of the  
7 Senate, the Speaker of the House of Representatives and the State  
8 Commissioner of Health not later than the tenth legislative day of  
9 each session of the Legislature.

10       SECTION 3.       NEW LAW       A new section of law to be codified  
11 in the Oklahoma Statutes as Section 1-291.10 of Title 63, unless  
12 there is created a duplication in numbering, reads as follows:

13       A. The State Department of Health shall establish and maintain  
14 a central registry of persons who die or are hospitalized from  
15 traumatic brain injuries.

16       1. Every public and private health and social agency and  
17 attending physician shall report to the State Department of Health  
18 within seven (7) working days after the identification of any person  
19 suffering a traumatic brain injury.

20       2. The State Medical Examiner shall report to the Department of  
21 Health within seven (7) working days any individual who dies as a  
22 result of suffering a traumatic brain injury.

23       3. The report shall contain the name, age, residence and the  
24 type and extent of the traumatic brain injury and any other

1 additional information as may be deemed necessary by the Department.  
2 The report shall be required of all public and private health and  
3 social agencies and attending physicians beginning November 1, 2023.

4 B. An annual summary of the compiled statistics shall be  
5 forwarded to the Advisory Council on Traumatic Brain Injury by  
6 November 1 of each year.

7 SECTION 4. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 1-291.11 of Title 63, unless  
9 there is created a duplication in numbering, reads as follows:

10 Beginning January 1, 2022, the State Department of Health shall  
11 conduct an annual survey of nursing homes in the state to determine  
12 the number of individuals fifty-five (55) years of age and under who  
13 reside in such homes due to traumatic brain injury. The immediate  
14 family members and guardians of all individuals identified in such a  
15 survey shall be informed about rehabilitation opportunities that  
16 exist through public and private entities.

17 SECTION 5. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1-291.12 of Title 63, unless  
19 there is created a duplication in numbering, reads as follows:

20 It shall be the duty of the State Department of Health, the  
21 Department of Human Services and the Department of Transportation  
22 Highway Safety Division to implement programs for assistance,  
23 education and other preventive programs recommended by the Advisory  
24 Council on Traumatic Brain Injury.

1 SECTION 6. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1-291.13 of Title 63, unless  
3 there is created a duplication in numbering, reads as follows:

4 The Advisory Council on Traumatic Brain Injury shall cease to  
5 exist on December 31, 2027.

6 SECTION 7. This act shall become effective November 1, 2021.

7 Passed the House of Representatives the 2nd day of March, 2021.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2021.

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Presiding Officer of the Senate

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