

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1010

By: Ranson

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5  
6 AS INTRODUCED

7 An Act relating to public health; providing for  
8 legislative intent on traumatic brain injuries;  
9 creating the Advisory Council on Traumatic Brain  
10 Injury; providing for membership; providing  
11 appointment and terms; providing for selection of  
12 officers; providing quorum requirement; providing for  
13 travel reimbursement; providing for duties and  
14 responsibilities; requiring submission of annual  
15 summary of recommendations; requiring certain  
16 registry and reporting thereto; requiring certain  
17 survey; requiring certain agencies to perform duties;  
18 providing for termination date for Council; providing  
19 for codification; and providing an effective date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

24 It is the intent of the Oklahoma Legislature to provide  
preventive education and other preventive actions concerning  
traumatic brain injuries. It is also the intent of the Legislature  
to ensure referral to the appropriate public and private entities  
and agencies of those individuals suffering from debilitating

1 traumatic brain injuries so those persons can be rehabilitated to  
2 their highest potential. Further, it is the intent of the  
3 Legislature that rehabilitation and preventive education be  
4 facilitated through the use of mandatory reporting of traumatic  
5 brain injuries. The intent of the Legislature shall be effected  
6 through the use of an advisory council to provide guidelines and  
7 advice to agencies and private entities to carry out the legislative  
8 intent.

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

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

15 1. Six people with brain injuries or relatives of persons with  
16 brain injuries; and

17 2. Five other individuals from professional groups, health  
18 institutions, community groups, and private industry.

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

22 2. The Council shall select from among its membership a chair  
23 and vice-chair and such other officers as the members of the Council  
24 deem necessary. A majority of the members of the Council shall

1 constitute a quorum to transact business but no vacancy shall impair  
2 the right of the remaining members to perform the duties and  
3 responsibilities of the Council. Members of the Council shall not  
4 receive a salary but shall be allowed reimbursement for expenses  
5 pursuant to the State Travel Reimbursement Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

4           3. The report shall contain the name, age, residence and the  
5 type and extent of the traumatic brain injury and any other  
6 additional information as may be deemed necessary by the Department.  
7 The report shall be required of all public and private health and  
8 social agencies and attending physicians beginning November 1, 2023.

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

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

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

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

1 It shall be the duty of the State Department of Health, the  
2 Department of Human Services and the Department of Transportation  
3 Highway Safety Division to implement programs for assistance,  
4 education and other preventive programs recommended by the Advisory  
5 Council on Traumatic Brain Injury.

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

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

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

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13 58-1-7148 AB 12/22/20

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