
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY AND NEUROTRAUMA WAIVER.

1 WHEREAS, every year, approximately 1.9 million people in
2 the United States experience traumatic brain injuries; and

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4 WHEREAS, the physical consequences of a traumatic brain
5 injury include impaired speech, vision and hearing loss,
6 headaches, muscle spasticity, paralysis, and seizure disorders;
7 and

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9 WHEREAS, the cognitive consequences of a traumatic brain
10 injury include memory deficits, limited concentration, impaired
11 perception and communication, and difficulty reading, writing,
12 planning, and with judgment; and

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14 WHEREAS, the psychological, social, behavioral, and
15 emotional consequences of a traumatic brain injury include
16 fatigue, mood swings, denial, anxiety, depression, lack of
17 motivation, and problems with interpersonal skills; and

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19 WHEREAS, advances in neurosurgery and rehabilitation
20 therapy have dramatically increased the number of traumatic
21 brain injury survivors, but little has been accomplished to help
22 them adjust to their lives after experiencing a traumatic brain
23 injury; and

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25 WHEREAS, there is a large community of individuals who are
26 affected by traumatic brain injuries in Hawaii; and

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28 WHEREAS, the State lacks effective, affordable treatment
29 and rehabilitation programs and community support for these
30 individuals, their families, and their caregivers that could
31 facilitate their independent living; and



1 WHEREAS, in 1997, the Legislature passed Act 333,
2 establishing the Traumatic Brain Injury Advisory Board to help
3 the Department of Health (DOH) develop and implement a
4 comprehensive plan to address the needs of persons affected by
5 traumatic brain injuries; and
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7 WHEREAS, in 2002, the Legislature passed Act 160 (Act 160),
8 which recognized the needs of individuals who suffer from the
9 physical, cognitive, and behavioral consequences of neurotrauma,
10 which includes traumatic brain injuries; and
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12 WHEREAS, the Neurotrauma Special Fund (Neurotrauma Fund)
13 was established to provide education, help individuals and
14 families identify and obtain access to services, and create a
15 neurotrauma registry; and
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17 WHEREAS, while there was no specific provision in Act 160
18 to fund direct services to neurotrauma survivors, the Conference
19 Committee Report for Act 160 noted that the Department of Health
20 and the Neurotrauma Advisory Board would gather data to
21 determine the extent to which direct services could reasonably
22 be funded within the limits of the resources in the Neurotrauma
23 Fund; and
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25 WHEREAS, in 2006, the Governor vetoed a measure that was
26 passed by the Legislature that directed moneys from the
27 Neurotrauma Fund be used by DOH and the Department of Human
28 Services (DHS) to apply for a federal waiver; and
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30 WHEREAS, if DOH and DHS apply for and receive a federal
31 traumatic brain injury waiver, the State would be able to match
32 federal funds; and
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34 WHEREAS, this federal revenue maximization would yield
35 approximately twice as much money for the provision of needed
36 traumatic brain injury services; and
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38 WHEREAS, DOH and DHS should collaborate and apply for a
39 federal traumatic brain injury and neurotrauma waiver; now,
40 therefore,
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42 BE IT RESOLVED by the House of Representatives of the
43 Twenty-fourth Legislature of the State of Hawaii, Regular
44 Session of 2007, the Senate concurring, that DOH and DHS are

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1 requested to collaborate and apply for a federal traumatic brain
2 injury and neurotrauma waiver no later than December 31, 2008;
3 and
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5 BE IT FURTHER RESOLVED that in formulating an application
6 for a federal traumatic brain injury and neurotrauma waiver, DOH
7 and DHS are requested to consult with community stakeholders,
8 such as the Traumatic Brain Injury Advisory Board and the
9 Neurotrauma Advisory Board, to determine services that need to
10 be included in the waiver; and
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12 BE IT FURTHER RESOLVED that DOH and DHS are requested to
13 submit an interim report to the Legislature no later than 20
14 days prior to the convening of the 2008 Regular Session, and a
15 final report to the Legislature no later than 20 days prior to
16 the convening of the 2009 Regular Session; and
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18 BE IT FURTHER RESOLVED that the interim report include:
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- 20 (1) A detailed time line for completion of the waiver
21 application;
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23 (2) The number of individuals expected to be served by the
24 waiver;
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26 (3) The services that will be included in the waiver; and
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28 (4) A recommendation regarding whether the State's portion
29 of the waiver's financial commitment should be funded
30 exclusively by general fund appropriations or using
31 some portion of moneys from the Neurotrauma Fund; and
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33 BE IT FURTHER RESOLVED that DOH and DHS should include
34 sufficient appropriations to meet the financial requirements
35 under the terms of the waiver in their Executive Budget
36 requests; and
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38 BE IT FURTHER RESOLVED that certified copies of this
39 Concurrent Resolution be transmitted to the Director of Health,
40 Director of Human Services, Chair of the Traumatic Brain Injury
41 Advisory Board, and Chair of the Neurotrauma Advisory Board.

