# STATE OF NEW YORK

7356--A

2021-2022 Regular Sessions

# IN SENATE

September 3, 2021

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to directing the commissioner of health and the commissioner of the office for people with developmental disabilities to conduct a study of the delivery of services to individuals with traumatic brain injury

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Legislative intent. The legislature recognizes that a traumatic brain injury results from a sudden blow or jolt to the head and can present in individuals with a wide range of mild, moderate or severe symptoms. Each traumatic brain injury case is unique and complex, often requiring supports and services to allow individuals to achieve the highest quality of life. This legislation will direct a study on the delivery of services to New Yorkers with traumatic brain injury. Specifically, the study will evaluate the availability and accessibility of quality services, emerging trends, regional disparities, and the effectiveness of the administrative process for individuals with traumatic brain injury who receive official approvals or denials of services. Furthermore, the commissioner of health and the commissioner of the office for people with developmental disabilities should make suggestions to enhance New York state's response to traumatic brain injuries based on the findings of this study.

§ 2. a. The commissioner of health and the commissioner of the office for people with developmental disabilities shall conduct a study on the delivery of services provided to individuals diagnosed with traumatic brain injury. Such services to be studied shall include, but not be limited to acute and sub-acute rehabilitation, counseling and behavioral

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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services, home care services, independent living skills training, environmental modifications, housing opportunities, and any services or programs specific to traumatic brain injury or that serve individuals with traumatic brain injury. In conducting the study, the commissioners shall consult with people with traumatic brain injury and their families, organizations representing such people, and providers of health care and other services to people with traumatic brain injury.

b. The study shall examine the availability and accessibility of services for individuals diagnosed with traumatic brain injury, the cost of receiving such services, and any disparities that may exist in the regional availability of services.

c. The study shall identify emerging trends in traumatic brain injury, including changes in incidences, changes in the needs of individuals with traumatic brain injury, and assess the training service providers receive relating to traumatic brain injury.

d. The study shall also examine the difference in services availability and outcomes for individuals that may be enrolled in any Medicaid waiver.

e. The study shall examine the efficiency of the administrative processes that provide individuals with traumatic brain injury official approvals or denials of service.

f. The commissioner of health and the commissioner of the office for people with developmental disabilities shall make recommendations to improve the delivery, quality, accessibility, and cost of the full range of services available to individuals with traumatic brain injury.

g. The commissioner of health and the commissioner of the office for people with developmental disabilities shall report and publish on the department of health's website, and transmit such commissioners' findings and recommendations to the governor, the speaker of the assembly, the minority leader of the assembly, the temporary president of the senate and the minority leader of the senate on or before one year from the date this act shall take effect.

§ 3. This act shall take effect immediately.