

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish the Acquired Brain Injury Advisory Council**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §12004-I, sub-§47-G** is enacted to read:

**47-G.**

Human Services

Expenses Only

34-B MRSA §19001

Acquired Brain Injury  
Advisory Council

**Sec. 2. 34-B MRSA c. 19** is enacted to read:

### **CHAPTER 19**

#### **ADVISORY COUNCILS**

#### **§ 19001. Acquired Brain Injury Advisory Council**

**1. Council established.** The Acquired Brain Injury Advisory Council, referred to in this section as "the council," is established to provide independent oversight and advice and to make recommendations to the commissioner, the Director of the Office of Adults with Cognitive and Physical Disability Services within the department, the Director of the Maine Center for Disease Control and Prevention within the department and the Director of the Office of MaineCare Services within the department.

**2. Duties.** The council shall:

A. Identify issues related to brain injury, including prevention and the needs of individuals with disabilities due to brain injuries and the needs of their families;

B. Recommend methods that will enhance health and well-being, promote independence and self-sufficiency, protect and care for those at risk and provide effective and efficient methods of prevention, service and support;

C. Seek information from the broadest range of stakeholders, including persons with brain injuries, their families, rehabilitation experts, providers of services and the public, and hold at least 2 public hearings annually, in different regions of the State, to generate input on unmet needs;

D. Review the status and effectiveness of the array of brain injury programs, services and prevention efforts provided in this State and recommend to the commissioner priorities and criteria for disbursement of available appropriations; and

E. Meet at least 4 times per year and by January 15th of each year submit a report of its activities and recommendations to the commissioner and to the Legislature.

**3. Administrative support.** The manager of brain injury services in the Office of Adults with Cognitive and Physical Disability Services within the department shall provide administrative support to the council.

**4. Membership.** The commissioner shall appoint 16 persons to serve as members of the council and shall annually appoint one person to serve as chair. Members serve 2-year terms. Members must represent the following persons and interests:

- A. Two members with acquired brain injuries must represent persons with acquired brain injuries;
- B. Two members must represent families of persons with acquired brain injuries;
- C. Two members must represent advocates for persons with acquired brain injuries;
- D. Five members must represent providers of services to persons with acquired brain injuries; and
- E. Five members must represent state agencies with expertise in the areas of education, employment, prevention of brain injuries, homelessness, corrections and services to veterans. Members of the council who represent state agencies serve ex officio, without the right to vote, and shall provide data, information and expertise to the council.

**5. Expenses.** Members of the council serve without compensation but are entitled to reimbursement of reasonable expenses for attending meetings of and serving on the council.

**Sec. 3. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 34-B, section 19001, subsection 4, 8 of the initial members appointed to the Acquired Brain Injury Advisory Council serve 2-year terms and 8 serve 3-year terms.

Effective September 20, 2007