

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Hardin**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND THE HEAD INJURY REGISTRATION LAW; AND FOR
9 OTHER PURPOSES."

Subtitle

12 "TO AMEND THE HEAD INJURY REGISTRATION LAW."

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16 SECTION 1. Arkansas Code 20-14-702 is amended to read as follows:

17 "20-14-702. Definition. Head injury or traumatic head injury means
18 any insult to the brain not of a degenerative or congenital nature, but caused
19 by an external physical force, that may produce a diminished or altered state
20 of consciousness which results in impairment of cognitive abilities or
21 physical functioning. It can also result in the disturbance of behavioral or
22 emotional functioning. These impairments may be either temporary or permanent
23 and cause partial or total functional disability or psychosocial
24 maladjustment. The definition of a reportable head injury is all head injuries
25 that follow the International Classification of Diseases, Ninth Revision (ICD-
26 9) diagnoses codes. These are: fracture of the vault or base of the skull;
27 other and unqualified and multiple fractures of the skull; intracranial
28 injury, including concussion, contusion, laceration, and hemorrhage; late
29 effects of fracture of the skull and face; late effects of intracranial injury
30 without skull fracture. E-codes will be included for all the above ICD-9
31 codes."

33 SECTION 2. Arkansas Code 20-14-703 is amended to read as follows:

34 "20-14-703. Central registry - Reports.

35 (a) The Arkansas Head Injury Foundation, hereinafter foundation, is

1 a nonprofit organization devoted entirely to persons who have suffered head
2 injuries. It is an affiliate of the National Head Injury Foundation. The
3 foundation shall establish and maintain a central registry of head-injured
4 disabled persons.

5 (b)(1) Every public and private health and social agency and attending
6 physician shall report to the foundation immediately, if possible; and in all
7 cases, within five (5) calendar days after an identification of any head-
8 injured disabled person. Consent of the injured person is not necessary
9 prior to making this report.

10 (2) Notifiable injuries shall be reported to the Central
11 Registry on the Toll Free Reporting System. Reporting data shall include:
12 name and location (town) of reporting person; type of head injury disability
13 and date of occurrence; name, age, sex, address of the patient (please spell
14 patient_s name); physician_s name. Additional information which may be deemed
15 necessary by the foundation shall be obtained by the Central Registry by
16 conducting a patient interview or by contacting the agency caring for the
17 patient.

18 (3) Within fifteen (15) days of the report and identification of
19 a head-injured person, the foundation shall furnish the Arkansas Department of
20 Health all available information for use in any information system on injuries
21 maintained by the department. The foundation shall not release the identity
22 of the patient, reporting physician, or hospital. However, the identity of
23 the patient shall be released upon written consent of the patient, or parent
24 or guardian of the patient; the identity of the reporting physician shall be
25 released upon written consent of the reporting physician; and the identity of
26 the hospital shall be released upon written consent of the hospital. Consents
27 shall be obtained by the Central Registry."

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29 SECTION 3. Subchapter 7 of Chapter 14 of Title 20 of the Arkansas Code
30 is amended by inserting an additional section at the end thereof to read as
31 follows:

32 "20-14-706. All agencies with patient records containing information
33 pertaining to a head injury disability are required to share information in
34 those records with the Central Registry. No hospital or other agency shall be
35 required to obtain the patient_s consent in order to comply with this act. No

1 liability of any kind or character for damages or other relief shall arise or
2 be enforced against any person or organization by reason of having provided
3 such information or by reason of having referred the information to the
4 Central Registry."

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6 SECTION 4. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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10 SECTION 5. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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16 SECTION 6. All laws and parts of laws in conflict with this act are
17 hereby repealed.

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