

By: Senator Hardin

"AN ACT TO PROVIDE THAT THE ARKANSAS HEAD INJURY FOUNDATION SHALL ESTABLISH AND MAINTAIN A CENTRAL REGISTRY OF HEAD INJURED DISABLED PERSONS; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) The Arkansas Head Injury Foundation, hereinafter "foundation", is a non-profit organization devoted entirely to persons who have suffered head injuries. It is an affiliate of the National Head Injury Foundation. The foundation shall establish and maintain a central registry of head injured disabled persons.

(1) Every public and private health and social agency and attending physician shall report to the foundation within five (5) calendar days after an identification of any head injured disabled person. However, the consent of the individual shall be obtained prior to making this report, except that every head injury resulting in permanent partial, permanent total or total disability shall be reported to the foundation immediately upon identification.

(2) The report shall contain the name, age, residence and type of disability of the individual and such additional information as may be deemed necessary by the foundation.

(3) Within fifteen (15) days of the report and identification of a head injured person, the foundation shall furnish the Arkansas Department of Health all available information for use in any information system on injuries maintained by the department. The foundation shall not release the identity of the patient, reporting physician or hospital. However, the identity of the patient shall be released upon written consent of the patient, or parent or guardian of the patient; the identity of the reporting physician shall be released upon written consent of the reporting physician; and the identity of the hospital shall be released upon written consent of the hospital.

(b) (1) Within fifteen (15) days of the report and identification of a head injured disabled person, the foundation shall notify the disabled and/or the most immediate family members of their right to assistance from the state, the services available and the eligibility requirements.

(2) The foundation shall refer severely disabled persons to appropriate divisions, departments and other state agencies to insure that maximum available rehabilitative services, if desired, are obtained by the head injured disabled person.

(3) All other agencies of the state shall cooperate with the commission to insure that appropriate total rehabilitative and other services are available.

(c) "Head injury" or "traumatic head injury" means any insult to the brain not of a degenerative or congenital nature but caused by an external physical force, that may produce a diminished or altered state of consciousness, which results in impairment of cognitive abilities or physical functioning. It can also result in the disturbance of behavioral or emotional functioning. These impairments may be either temporary or permanent and cause partial or total functional disability or psychosocial maladjustment.

(d) It is the intent of the legislature to insure the notification of each and all head injured persons be made to the Arkansas Head Injury

Foundation by appropriate individuals or public and private agencies in order that all persons might obtain the appropriate total rehabilitative services rendered by existing state agencies, departments and other organizations and individuals.

(e) All of the above fines are subject to audit by the Legislative Joint Auditing Committee.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 13, 1989

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