

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 291

5 By: Senator Dees
6 By: Representative S. Meeks
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS REGARDING THE CENTRAL
10 REGISTRY OF PERSONS WITH A DISABILITY RESULTING FROM
11 A TRAUMATIC HEAD INJURY; TO TRANSFER THE CENTRAL
12 REGISTRY OF PERSONS WITH A DISABILITY RESULTING FROM
13 A TRAUMATIC HEAD INJURY TO THE DEPARTMENT OF HEALTH;
14 AND FOR OTHER PURPOSES.
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Subtitle

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18 TO AMEND THE LAWS REGARDING THE CENTRAL
19 REGISTRY OF PERSONS WITH A DISABILITY
20 RESULTING FROM A TRAUMATIC HEAD INJURY;
21 AND TO TRANSFER THE CENTRAL REGISTRY TO
22 THE DEPARTMENT OF HEALTH.
23

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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 20-14-701 is amended to read as follows:
28 20-14-701. Legislative intent.

29 It is the intent of the General Assembly to ensure that the
30 notification of all ~~head-injured persons~~ persons with a disability resulting
31 from a traumatic head injury be made to the ~~Brain Injury Alliance of Arkansas~~
32 Department of Health by appropriate individuals or public and private
33 agencies in order that all persons might obtain the appropriate total
34 rehabilitative services rendered by existing state agencies, departments, and
35 other organizations and individuals.
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1 SECTION 2. Arkansas Code § 20-14-703 and 20-14-704 are amended to read
2 as follows:

3 20-14-703. Central registry – Reports.

4 ~~(a) The Brain Injury Alliance of Arkansas is a nonprofit organization~~
5 ~~devoted entirely to persons who have suffered head injuries. It is an~~
6 ~~affiliate of the United States Brain Injury Alliance. The alliance shall~~
7 ~~establish and maintain a central registry of head-injured disabled persons.~~

8 (a)(1) The Department of Health shall establish and maintain a central
9 registry of persons with a disability resulting from a traumatic head injury.

10 (2) The department may grant or contract services to ensure
11 services and the tracking of persons with a disability resulting from a
12 traumatic head injury.

13 ~~(b)(1)(A) Every public and private health and social agency and~~
14 ~~attending physician hospital in the Arkansas Trauma System shall report to~~
15 ~~the alliance department or authorized agent of the department within five (5)~~
16 ~~calendar days after an identification of any head-injured disabled person~~ all
17 persons with a disability resulting from a traumatic head injury.

18 ~~(B) However, the consent of the individual shall be~~
19 ~~obtained before making this report, except that every head injury resulting~~
20 ~~in permanent partial, permanent total, or total disability shall be reported~~
21 ~~to the alliance immediately upon identification~~ The notification of the
22 report described in subdivision (b)(1)(A) of this section shall be provided
23 to the individual or the family of the individual after the hospital makes
24 the report and the individual or the family may exercise the option to be
25 removed from future communications.

26 (2) The report described in subdivision (b)(1)(A) of this
27 section shall contain the name, age, residence, and type of disability of the
28 individual and such additional information as may be deemed necessary by the
29 alliance department.

30 ~~(3)(A) Within fifteen (15) days of the report and identification~~
31 ~~of a head-injured person, the alliance shall furnish the Department of Health~~
32 ~~all available information for use in any information system on injuries~~
33 ~~maintained by the department.~~

34 ~~(B) The alliance shall not release the identity of the~~
35 ~~patient, reporting physician, or hospital. However, the identity of the~~
36 ~~patient shall be released upon written consent of the patient or parent or~~

1 ~~guardian of the patient, the identity of the reporting physician shall be~~
2 ~~released upon written consent of the reporting physician, and the identity of~~
3 ~~the hospital shall be released upon written consent of the hospital.~~

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5 20-14-704. Rehabilitative services.

6 (a) Within ~~fifteen (15)~~ thirty (30) business days of the report and
7 identification of a ~~head-injured disabled person~~ persons with a disability
8 resulting from a traumatic head injury under § 20-14-703, the ~~Brain Injury~~
9 ~~Alliance of Arkansas~~ Department of Health or an authorized agent of the
10 department shall notify the disabled person or the most immediate family
11 members of their right to assistance from the state, the services available,
12 and the eligibility requirements.

13 (b) The ~~alliance~~ department or an authorized agent of the department
14 shall refer ~~severely disabled persons~~ a person with a disability resulting
15 from a traumatic head injury to appropriate divisions, departments, and other
16 state agencies to ensure that maximum available rehabilitative services, if
17 desired, are obtained by the ~~head-injured disabled person~~ person with a
18 disability resulting from a traumatic head injury.

19 (c) All other agencies of the state shall cooperate with the
20 ~~Governor's Commission on People with Disabilities~~ department or an authorized
21 agent of the department to ensure that appropriate total rehabilitative and
22 other services are available.

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