

### **Council Members Present**

Nan Kennelly, Cheryl Hess-Anderson, Austyn Kloehn, Tami Conrad, Jean Herauf, Lisa Anderson, and Krista Fremming

### **Council Members Not in Attendance**

Representative Dick Anderson, David Biberdorf, Senator Ralph Kilzer, Kevin McDonough, Janna Peitzak Sarah Ring, Skipp Miller, Shannon Binstock, Mandy Slag, Nan Kennelly, and Denise Harvey

### **Others Present**

Rebecca Quinn and Nickie Livedalen

### **Call to Order**

12:10 PM, Chair, Nan Kennelly, no quorum present so there will be no voting at the meeting

### **Discussion of legislation**

Proposed bill to change the ND definition for brain injury will be heard in front of the Interim Health and Services Committee next Friday, July 27th. Austyn has agreed to speak on behalf of supporting the definition. He can do this just for Community Options and NDBIN or is also willing to take it forth on behalf of the Brain Injury Advisory Council.

On July 27th, this will be the 1st hearing of the bill draft – a draft needs to be heard twice before legislative. Changes can be made between the 1st and 2nd hearings.

#### Current Definition

"Brain injury" means any injury to the brain which occurs after birth and which is acquired through traumatic or nontraumatic insults. The term does not include hereditary, congenital, nontraumatic encephalopathy, nontraumatic aneurysm, stroke, or degenerative brain disorders or injuries induced by birth trauma.

#### Proposed definition change

"Brain injury" means an insult from physical force or internal damage to the brain or the coverings of the brain which produces an altered mental state and results in a decrease in cognitive, behavioral, emotional, or physical functioning. The term does not include an insult of a degenerative or congenital nature.

This definition comes from Alaska's definition of brain injury and is also in conjunction with the Stroke and Heart Association. The vagueness will match other definitions within the Century Code as well. The Heart Association will testify on behalf of this definition change.

After waiting for a quorum and not enough voting members getting on the phone call; Nan called the meeting to order at 12:15pm.

With no quorum; it was agreed that a discussion regarding the above definition be held. Nan read the current definition to the group and then the new definition. The reason that that it does not include an insult of a degenerative or congenital nature is because those groups already have a service system available to them.

Rebecca informed the group that she plans to put together a statement for Austyn to bring forth to the committee next week since she will be out of town. She will provide the committee with information regarding definitions from other states, why changing the definition would be beneficial, the impacts to other systems within the human services. Rebecca can submit her report on behalf of NDBIN or on behalf of the Council.

Discussion was held about other century code disability definitions and vague and broad and the brain could also be more broad and left up to Department of Human Services to determine the eligibility criteria for programing.

The definition will hopefully help to clarify any confusion on what services can be offered to stroke victims. The Heart and Stroke Association has been working advance the stroke continuum of care in ND and so in order to avoid duplication of services, this definition will open up inclusion.

Jean brought up the fact that Blue Cross Blue Shield has stopped covering cognitive rehabilitation for stroke victims. Jean is wondering if expanding this definition will help to get insurances to cover this rehabilitation. Since insurance is a whole other world, there is hope that the definition can help make the argument that brain injury and stroke victims both need the cognitive rehabilitation.

Since the last definition change, there has been advances – we have now documented the number of individuals who have been excluded due to the definition, partnerships have been made between the Stroke Taskforce and the Brain Injury Advisory Council.

Those in attendance seem to agree that the definition change is good and that they wish to move forward. Jean asked if this change were to move forward in legislation would it be beneficial to have survivors who were denied services based on the definition to share their stories during legislative session. Yes, we would definitely want those individual to share during legislative session.

For the next Brain Injury Advisory Council Meeting it was suggested that the council review possible representation during the legislative session.

Austyn will take this definition forward for the council next Friday and more discussion will be held at the next meeting August 17th.

Meeting adjourned at 12:35pm.

**No public comment was shared**

Next meeting will be held on Friday, August 17<sup>th</sup> in the Brynhild-Haugland Room at the State Capitol at 1:00pm.

Skipp Miller moved to adjourn the meeting; Jean Herauf seconded; Motion passed.

**Meeting adjourned at 2:25pm**