

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 291

By: Senator Dees

By: Representative S. Meeks

For An Act To Be Entitled

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

Subtitle

TO AMEND THE LAWS REGARDING THE CENTRAL
REGISTRY OF PERSONS WITH A DISABILITY
RESULTING FROM A TRAUMATIC HEAD INJURY;
AND TO TRANSFER THE CENTRAL REGISTRY TO
THE DEPARTMENT OF HEALTH.

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

SECTION 1. Arkansas Code § 20-14-701 is amended to read as follows:
20-14-701. Legislative intent.

It is the intent of the General Assembly to ensure that the
notification of all ~~head-injured persons~~ persons with a disability resulting
from a traumatic head injury be made to the ~~Brain Injury Alliance of Arkansas~~
Department of Health 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.



SECTION 2. Arkansas Code § 20-14-703 and 20-14-704 are amended to read as follows:

20-14-703. Central registry – Reports.

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

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

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

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

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

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

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

~~(B) The alliance 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.~~

20-14-704. Rehabilitative services.

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

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

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

APPROVED: 3/21/23