

**HOUSE . . . . . No. 214**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Kimberly N. Ferguson and Gerard J. Cassidy***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish an acquired brain injury advisory board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/19/2021</i>
<i>Gerard J. Cassidy</i>	<i>9th Plymouth</i>	<i>2/19/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/22/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2021</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>2/23/2021</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>2/24/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/24/2021</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/24/2021</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>2/24/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/25/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/25/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/25/2021</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/25/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/25/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/26/2021</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>2/26/2021</i>
<i>Meghan Kilcoyne</i>	<i>12th Worcester</i>	<i>2/26/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/26/2021</i>

<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>2/26/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>3/3/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/2/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/3/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/2/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/17/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/30/2021</i>

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By Representatives Ferguson of Holden and Cassidy of Brockton, a petition (accompanied by bill, House, No. 214) of Kimberly N. Ferguson, Gerard J. Cassidy and others for legislation to establish an acquired brain injury advisory board (including members of the General Court) to review, advise and report on services, supports and public policy for individuals with acquired brain injuries and their families. Children, Families and Persons with Disabilities.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act to establish an acquired brain injury advisory board.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. An acquired brain injury advisory board shall be established to collaborate  
2 with appropriate state secretariats and their agencies, members of the legislature, individuals with  
3 acquired brain injuries and their family members, providers, clinicians, advocacy groups and  
4 other key stakeholders to review, advise, and report on services and supports, and public policy  
5 there under for individuals with acquired brain injuries and their families.

6           SECTION 2: Said advisory board shall consist of 2 members of the Senate, 1 of whom  
7 shall be appointed by the President, 1 of whom shall be appointed by the Minority Leader; 2  
8 members of the House of Representatives, 1 of whom shall be appointed by the Speaker, 1 of  
9 whom shall be appointed by the Minority Leader; the Secretary of Health and Human Services or  
10 their designee; the Secretary of the Executive Office of Public Safety or their designee; the  
11 Secretary of Elder Affairs or their designee; the Secretary of Veterans Services or their designee;

12 the Commissioner of the Department of Public Health or their designee; 2 members from the  
13 Massachusetts Rehabilitation Commission, 1 who shall be the Commissioner or their designee, 1  
14 who shall be appointed by the Commissioner; the Commissioner of the Department of  
15 Developmental Services or their designee; the Commissioner of the Department of Mental  
16 Health or their designee; the MassHealth Director or their designee; the Chief Executive Officer  
17 at the Brain Injury Association of Massachusetts, Inc. or their designee; and 8 members who  
18 shall be appointed by the Governor, 2 of whom shall be family members, caretakers or  
19 significant others of a person with acquired brain injury, 2 of whom shall be individuals with  
20 acquired brain injury, including but not limited to individuals who have experienced traumatic  
21 brain injury, stroke, brain tumors or other disorders, 1 of whom shall be a community based  
22 provider of services to individuals with acquired brain injury 1 of whom shall be a community  
23 based provider of services to individuals with acquired brain injury serving minorities and other  
24 underserved populations, 1 of whom shall be from a disability advisory group or a protection and  
25 advocacy representative, 1 of whom shall be a clinician.

26 SECTION 3. Said advisory board directives shall include, but are not limited to,  
27 reviewing data concerning the epidemiology of acquired brain injury and the needs of  
28 individuals with acquired brain injury and their families; reviewing efforts to increase access to  
29 rehabilitative, residential and integrated community based support services for persons with  
30 acquired brain injury; monitoring the implementation of the acquired brain injury commission  
31 recommendations regarding the improvement of such services; reviewing and advising on the  
32 annual brain injury state plan; and reviewing ongoing state public policy initiatives and state  
33 funding.

34 SECTION 4: A brain injury council shall be established and supported by the  
35 Massachusetts Rehabilitation Commission. Said council shall consist of members meeting  
36 criteria as required by the Administration for Community Living & the U.S. Department of  
37 Health and Humans Services (42 U.S.C. 300d-52) and shall include individuals and families with  
38 acquired brain injury. Said council shall report to said advisory board.

39 SECTION 5: Said advisory board shall file a biennial report with the Governor, the  
40 Secretary of the Executive Office of Health and Human Services, the Senate President, the  
41 Speaker of the House of Representatives, and the clerks of the Senate and House of  
42 Representatives. Said report shall include but not be limited to a summary of ongoing needs of  
43 individuals with acquired brain injury, the status of progress made in increasing access to  
44 rehabilitative, residential and integrated community-based support services for individuals with  
45 acquired brain injury; and the status of progress made in implementing the acquired brain injury  
46 commission recommendations regarding the improvement of such services.

47 SECTION 6. Said advisory board shall meet quarterly, at minimum, and may establish  
48 subcommittees as necessary to carry out its objectives.