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**SUBSTITUTE HOUSE BILL 2248**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** House Human Services, Youth, & Early Learning (originally sponsored by Representatives Bateman, Callan, Fey, Reed, Doglio, Leavitt, and Davis)

AN ACT Relating to providing support to individuals with traumatic brain injuries; and amending RCW 74.31.020, 74.31.030, and 74.31.050.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 74.31.020 and 2019 c 181 s 3 are each amended to read as follows:

(1) The Washington traumatic brain injury strategic partnership advisory council is established as an advisory council to the governor, the legislature, and the secretary of the department of social and health services.

(2) The council shall be composed of:

(a) The following members who shall be appointed by the governor:

(i) A representative from a Native American tribe located in Washington state;

(ii) Two representatives from a nonprofit organization serving individuals with traumatic brain injury;

(iii) An individual with expertise in working with children with traumatic brain injuries;

(iv) A physician who has experience working with individuals with traumatic brain injuries;

(v) A neuropsychologist who has experience working with persons with traumatic brain injuries;

(vi) A social worker or clinical psychologist who has experience in working with persons who have sustained traumatic brain injuries;

(vii) A rehabilitation specialist, such as a speech pathologist, vocational rehabilitation counselor, occupational therapist, or physical therapist who has experience working with persons with traumatic brain injuries;

(viii) Two persons who are individuals with a traumatic brain injury;

(ix) Two persons who are family members of individuals with traumatic brain injuries; and

(x) Two members of the public who have experience with issues related to the causes of traumatic brain injuries; and

(b) The following agency members:

(i) The secretary or the secretary's designee, and representatives from the following: The division of behavioral health and recovery services, the aging and disability services administration, and the division of vocational rehabilitation;

(ii) The secretary of health or the secretary's designee;

(iii) The secretary of corrections or the secretary's designee;

(iv) The secretary of children, youth, and families or the secretary's designee;

(v) A representative of the department of commerce with expertise in housing;

(vi) A representative from the Washington state department of veterans affairs;

(vii) A representative from the national guard; and

(viii) The executive director of the Washington protection and advocacy system or the executive director's designee.

(3) Councilmembers shall not be compensated for serving on the council, but may be reimbursed for all reasonable expenses related to costs incurred in participating in meetings for the council.

(4) No member may serve more than two consecutive terms.

(5) The appointed members of the council shall, to the extent possible, represent rural and urban areas of the state. The appointed members of the council must also reflect, to the extent possible, the racial, ethnic, and socioeconomic diversity of the state, including the different types of health insurance coverage that individuals may have. Members of the council appointed under subsection (2)(a)(viii), (ix), and (x) of this section may not be state employees.

(6) A chairperson shall be elected every two years by majority vote from among the councilmembers. The chairperson shall act as the presiding officer of the council.

(7) The duties of the council include:

(a) Collaborating with the department to develop and revise as needed a comprehensive statewide plan to address the needs of individuals with traumatic brain injuries;

(b) Providing recommendations to the department on criteria to be used to select programs facilitating support groups for individuals with traumatic brain injuries and their families under RCW 74.31.050;

(c) By January 15, 2013, and every two years thereafter, developing a report in collaboration with the department and submitting it to the legislature and the governor on the following:

(i) Identifying the activities of the council in the implementation of the comprehensive statewide plan;

(ii) Recommendations for the revisions to the comprehensive statewide plan;

(iii) A summary of expenditures from and deposits made into the traumatic brain injury account established under RCW 74.31.060 during the previous two years;

(iv) Recommendations for using the traumatic brain injury account established under RCW 74.31.060 to form strategic partnerships and to foster the development of services and supports for individuals impacted by traumatic brain injuries; and

((~~(iv)~~)) (v) Recommendations for a council staffing plan for council support under RCW 74.31.030.

(8) The council may utilize the advice or services of a nationally recognized expert, or other individuals as the council deems appropriate, to assist the council in carrying out its duties under this section.

(9) The department must provide public notice of each council meeting in advance and post the meeting agenda and materials on its website prior to the meeting. The department must also post meeting minutes, information regarding council membership, and reports developed by the council on its website.

(10) Council meetings must be open to the public.

(11) The council must provide an opportunity for public comment at each council meeting.

**Sec.**  RCW 74.31.030 and 2011 c 143 s 3 are each amended to read as follows:

(1) In response to council recommendations developed pursuant to RCW 74.31.020, the department shall include in the comprehensive statewide plan a staffing plan for providing adequate support for council activities for positions funded by the traumatic brain injury account established in RCW 74.31.060 and designate at least one staff person who shall be responsible for the following:

(a) Coordinating policies, programs, and services for individuals with traumatic brain injuries; and

(b) Providing staff support to the council created in RCW 74.31.020, including posting required information and materials on the department website.

(2) The department shall provide data and information to the council established under RCW 74.31.020 that is requested by the council and is in the possession or control of the department.

(3) The department shall implement, within funds appropriated for this specific purpose, the comprehensive statewide plan to address the needs of individuals impacted by traumatic brain injuries, including the use of public-private partnerships and a public awareness campaign. The comprehensive plan should be created in collaboration with the council and should consider the following:

(a) Building provider capacity and provider training;

(b) Improving the coordination of services;

(c) The feasibility of establishing agreements with private sector agencies or tribal governments to develop services for individuals with traumatic brain injuries; and

(d) Other areas the council deems appropriate.

(4) The department shall:

(a) Assure that information and referral services are provided to individuals with traumatic brain injuries. The referral services may be funded from the traumatic brain injury account established under RCW 74.31.060;

(b) Encourage and facilitate the following:

(i) Collaboration among state agencies that provide services to individuals with traumatic brain injuries;

(ii) Collaboration among organizations and entities that provide services to individuals with traumatic brain injuries; and

(iii) Community participation in program implementation; and

(c) Have the authority to accept, expend, or retain any gifts, bequests, contributions, or grants from private persons or private and public agencies to carry out the purpose of this chapter.

**Sec.**  RCW 74.31.050 and 2011 c 143 s 5 are each amended to read as follows:

(1) The department shall provide funding from the traumatic brain injury account established by RCW 74.31.060 to programs that facilitate in-person or virtual support groups to individuals with traumatic brain injuries and their families.

(2) The department shall ((~~use a request for proposal process to select the programs to receive funding.~~)) provide funding from the traumatic brain injury account created in RCW 74.31.060 to support at least one in-person support group in each region of the state served by an accountable community of health as defined in RCW 82.04.43395.

(3) The council shall provide recommendations to the department on the criteria to be used in selecting the programs to receive funding. The criteria must reflect the diversity of individuals with traumatic brain injuries, including the range of cognitive and financial barriers that individuals with traumatic brain injuries may experience when accessing web-based services. Preference must be given to programs that facilitate support groups led by individuals with direct lived experience with traumatic brain injuries or individuals certified as brain injury specialists.

(4) Each program that receives funding under this section must ensure that the in-person or virtual support groups meet at least quarterly and are free of charge.

(5) The department must approve at least one facilitation training curriculum specific to brain injury to be used by the programs that receive funding under this section.

**--- END ---**