

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2044

Introduced by

Legislative Management

(Human Services Committee)

1 A BILL for an Act to provide for the creation of a traumatic brain injury program; to provide an
2 appropriation to the department of human services for the establishment of a traumatic brain
3 injury flex fund program; and to provide for reports to the legislative management.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.**

6 **Traumatic brain injury flex fund program.**

- 7 1. The department of human services shall develop a flex fund program for traumatic
8 brain injury services and support for individuals with traumatic brain injury.
- 9 2. To be eligible for the flex fund program, an individual must have been a resident of the
10 state for a minimum of six months, have income levels that do not exceed three
11 hundred percent of the federal poverty level, and have a diagnosis of traumatic brain
12 injury. The flex fund must be the payer of last resort.
- 13 3. The traumatic brain injury flex fund program must be used to pay for services that
14 increase the achievement of functional independence and a return to a productive
15 lifestyle for an individual that has suffered a traumatic brain injury. Eligible services
16 may include durable medical equipment, assistive technology, independent living,
17 medicare, mental health, occupational therapy and equipment, physical therapy and
18 equipment, speech and language, educational and employment, executive and social
19 skills training programs, transportation, respite care, and home accessibility
20 modifications.

21 **SECTION 2. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - TRAUMATIC**

22 **BRAIN INJURY FLEX FUND PROGRAM.** There is appropriated out of any moneys in the
23 general fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much
24 of the sum as may be necessary, to the department of human services for the purpose of

1 establishing and administering a traumatic brain injury flex fund program, for the biennium
2 beginning July 1, 2015, and ending June 30, 2017.

3 **SECTION 3. TRAUMATIC BRAIN INJURY FLEX FUND PROGRAM - REPORTS TO THE**
4 **LEGISLATIVE MANAGEMENT.** During the 2015-16 interim, the department of human services
5 shall report periodically to the legislative management on the use of the funds under this Act,
6 including enrollment in the program, services provided, costs of services, and cost per recipient.