

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Create the Acquired Brain Injury Fund

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004-I, sub-§47-G is enacted to read:

47-G.

Human Services	Expenses Only	22 MRSA §3089-B
	Acquired Brain Injury Advisory Council	

Sec. 2. 22 MRSA §3089-A is enacted to read:

§ 3089-A. Acquired Brain Injury Fund

There is established the Acquired Brain Injury Fund, an interest-bearing account, referred to in this section as "the fund." The fund receives money appropriated or allocated to the fund and any other money contributed voluntarily to the fund. The fund is administered by the Maine Center for Disease Control and Prevention. All money deposited in the fund and the earnings on that money remain in the fund and are subject to the following requirements.

1. MaineCare waiver. Up to 10% of the balance in the fund on July 1st each year may be used to provide state matching funds for a MaineCare waiver program for persons with brain injuries.

2. Acquired Brain Injury Advisory Council. The fund may be used to pay the expenses of the Acquired Brain Injury Advisory Council established under section 3089-B.

3. Services; other purposes. The remainder of the fund, after expenditures authorized under subsection 1, may be used to provide for vocational supportive services, community reintegration services and supported living services. The fund may also be used to support information and referral services, public and professional education and the prevention of brain injuries.

4. Administrative and personnel costs. Money in the fund may be used for the necessary administrative and personnel costs associated with the management of the fund.

5. Limitation. Money in the fund may not be deposited in the General Fund or any other fund except as specifically provided by law.

Sec. 3. 22 MRSA §3089-B is enacted to read:

§ 3089-B. Acquired Brain Injury Advisory Council

There is established the Acquired Brain Injury Advisory Council, referred to in this section as “the council,” to provide advice and make recommendations to the commissioner, the Director of the Maine Center for Disease Control and Prevention and the Director of the Office of MaineCare Services. The commissioner shall appoint 16 persons to serve as the members of the council. Members of the council must represent persons with acquired brain injuries, families of those persons and providers of services to persons with acquired brain injuries. Members of the council serve without compensation but are entitled to reimbursement of reasonable expenses for attending meetings of and serving on the council.

Sec. 4. Waiver application. By January 1, 2008, the Department of Health and Human Services shall apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a waiver under the MaineCare program to provide a program of services and supports for persons with acquired brain injuries.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Maine Center for Disease Control and Prevention

Initiative: Provides funding for the Acquired Brain Injury Fund established under the Maine Revised Statutes, Title 22, section 3089-A.

GENERAL FUND	2007-08	2008-09
All Other	\$1,400,000	\$1,400,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,400,000	\$1,400,000

SUMMARY

This bill establishes the Acquired Brain Injury Fund and the Acquired Brain Injury Advisory Council. This bill makes ongoing General Fund appropriations of \$1,400,000 per year for the fund.