

Brain Injury Advisory Council Meeting
Center for People in Need
Lincoln, NE
June 27th, 2014

Public notice of upcoming meetings will be available on the Department of Education website under "conferences & meetings" at least 10 days prior to each meeting.

MEMBERS PRESENT: Tiffany Armstrong, Rose Dymacek, Pattie Flury, Mary Gordon, Gary Hausmann, Brett Hoogeveen, Karen Hux, Dale Johannes, ML Lehman, Lori Terryberry-Spohr, Frank Velinsky, Judy Vohland

MEMBERS ABSENT: Michelle Hawley-Grieser, Tiffany Verzal

ADVISORS PRESENT: Tania Diaz, Margaret Jensen

STAFF PRESENT: Keri Bennett, Ashley Hernandez, Nancy Noha, Angie Ransom

VISITORS PRESENT: Peggy Reisher, Kat Taylor, David Kirk

The meeting of the Nebraska Brain Injury Advisory Council commenced at 10:15 a.m. Public notification of this meeting was made on the Nebraska Department of Education web site.

AGENDA APPROVAL

The agenda for the day was reviewed. A motion was made by Karen Hux and seconded by Mary Gordon to approve the agenda as submitted. There were no objections to the motions. **The motion carried by unanimous consent.**

APPROVAL OF MARCH 28, 2014 MEETING MINUTES

The minutes of March 28, 2014 were reviewed. A typographical error was pointed out and a correction to the documentation of which members made motions was made. A motion was made by ML Lehman and seconded by Karen Hux to approve the March 28, 2014 meeting minutes as amended. There were no objections to the motion. **The motion carried by unanimous consent.**

OPEN MEETINGS ACT

Tiffany Armstrong announced that the meeting was an open meeting and the Open Meetings Law was posted on the back table.

PUBLIC COMMENT

Keri Bennett commented that the June 12, 2014 executive committee minutes were not available in council members' folders, but will be emailed to all members.

Mary Gordon reported regarding the balancing incentives program (BIP). Mary reported BIP accounts for services used in institutional care versus home and community based services. If the state services reach 50% home and community based services the state will receive a higher Medicaid match. The

application is due July 31st and if awarded in September there will be one year to utilize the awarded funds. Keri Bennett reported that brain injury information was shared with the BIP committee regarding the possible funds. Pattie Flury shared there is a concern of sustainability regarding the grant funds as some services would be started after funds are awarded but would only be funded for one year. Frank Velinsky discussed how BIP could affect care providers and their hours of service. It was suggested that the Department of Labor could possibly share insight on the issue. There is a great possibility that the continuity of care for recipients will be affected.

HRSA TBI GRANT IMPLEMENTATION

Keri Bennett shared the HRSA TBI Grant was awarded. Other states awarded also awarded the grant were MO, AL, NC, PA, AZ, AK, CO, IN, MN, NY, IA, VA, WV, MA and NH. NE requested the max amount of \$250,000 but it was awarded with a slight reduction. The federal amount awarded was \$241,630.00. Keri stated this amount should be affective. Keri shared HR 1098, the TBI Act, passed in the House unanimously in the house and is now going to the Senate. The agreement with DHHS is in place for the BI Registry follow up activities. The TBI Ombudsperson agreement should be decided soon. Expanding the brain injury registry follow up packet will be reviewed under the grant. A training associate will be hired part time at .38 FTE as part of the grant. There will be an external evaluator that will be contracted with and proposals will be gathered for their contract in the near future. BIRSST (Brain Injury Regional School Support Teams) team training is scheduled for August. Keri stated she would like to put together the proposal for local service providers to serve those with brain injury as soon as possible. Also there are plans to start a work group to develop a resource facilitation model as soon as possible. Keri shared that NE scored 90 out of 100 possible points on the HRSA grant application.

TBI OMBUDSPERSON QUARTERLY REPORT

A written report was provided by BIA-NE including the NBIIC Data Set for the reporting period of April 2014 – June 2014. Some highlights mentioned by Peggy Reisher regarding the report were:

- “Forever Shaken” will be aired on NET2.
- “When In Doubt Sit ‘Em Out” concussion awareness signs are being placed in many locations in Lincoln and Omaha and work to increase their visibility is still in progress. Currently they have received approximately \$29,000 in sign sponsorship and are still working for additional sponsorship.
- On July 14th the BIA will be hosting a fundraising event dining with Texas Roadhouse restaurants, where 10% of proceeds from those dining for this event will go to the BIA.
- The next BI Conference is set for April 16th & 17th, 2015 in Kearney, NE. Speakers are currently being put together for the conference. Lori Terry Berry-Spohr is representing the TBI advisory council on the conference planning committee.
- Have been working to reach leading club sports programs to gather information on what their policies and procedures regarding concussions are.

TBI OMBUDSPERSON FY 2014-2015 AGREEMENT

A copy of the proposal regarding TBI Ombudsperson was provided to council members. Peggy Reisher reviewed with council members the changes that were submitted in the 2014-2015 proposal from the previous year and their discussion during the June 12th, 2014 executive committee conference call. Examples of changes included the addition of office supplies, training and travel expenses as well as indirect expenses. Peggy reported that as of mid-June the BIA ran out of funded hours and currently calls are being taken by the Hotline for Disabilities. Keri Bennett stated that the Ombudsperson expenses, if approved, would be paid under the new HRSA grant not under the extension funds. Peggy

mentioned she feels strongly that funding is also needed for data analysis to create a report from the Ombudsperson work and data and to truly show its impact to the state. Tiffany Armstrong stated this would be a good transition into resource facilitation.

ML Lehman motioned for vote to approve the Ombudsperson proposal with note that the dates and the possibility of small changes are likely; the motion was seconded by Frank Velinsky.

Vote:

Aye – Armstrong, Dymacek, Flury, Gordon, Hausmann, Hoogeveen, Hux, Johannes, Lehman, Terryberry-Spohr, Velinsky, Vohland

Nay – none

Abstain – none

Absent – Hawley-Grieser, Verzal

The Brain Injury Advisory Council unanimously voted to approve the Ombudsperson proposal.

CMS HCBS RULES & NE TRANSITION PLAN

Brett Hoogeveen provided an overview on the new Home and Community Based Setting regulations. Brett shared that the major components that are being addressed are waiver groups, what constitutes a community based setting, person centered planning and clarifying timing of amendments and public input times. Pattie Flury shared a transition plan that is due next March by the state must be submitted in order for an amendment to be made. Brett reported that the stated goal of the new regulations is to help provide greater reassurance that those receiving waiver services are receiving community based services and are not in institutional care. Brett stated the rules are in place to verify that home and community based care is not institutional care in disguise. Mary Gordon shared that in NE developmental disability group homes mostly house 3 persons or less, while there are changes needed in philosophy and leasing within these homes there is an advantage that there are not large facilities in NE that would need to be updated or eliminated.

Brett shared that regarding the QLI facility they have felt that they have always had a philosophy of community based care. A listing of specific requirements of community based setting requirements was provided to all council members. Brett shared that larger facilities will most likely appear as institutional at first glance, but will be able to show the case of community setting clearly. Not every congregant setting is an institutional setting in disguise. This determination will be decided on by HHS. Mary Gordon shared she believes this regulation change was passed by self advocates of those who have been living with disabilities their entire lives.

Brett shared that he perceives there is not a concern to meet requirements for those progressive assisted living facilities. If any concerns or issues come up they will be shared with the council. Pattie Flury stated that currently the state is working on creating a transition plan and she feels that QLI and the state overall is in good shape while there are some outlying providers that will be in some trouble and may struggle to become community based.

COMMITTEE UPDATES

Juvenile Justice Task Force

Keri Bennett reported that the pilot is still ongoing. During the summer months there are not many youth being referred. Within the new grant the juvenile justice task force is no longer included. There will be opportunities to work with them in the future once there are more concrete needs.

Senior Task Force

Dale Johannes reported there are currently no new items.

Council Wellness Committee

Tiffany is finalizing the committee's New Council Member Orientation PowerPoint, stating it should be complete by the next meeting for council review.

NE RETURN TO LEARN

Rose Dymacek reported the amendment was passed that requires schools to have a protocol for those students who experience a concussion. Rose stated they are currently developing materials and a PowerPoint is being edited to 30 minutes to be shared with community members. There is hope to provide webinars on the severity of concussions, how to start a concussion management team, etc. Rose stated there is a need to change the communication and collaboration for the culture of concussions, BIRSST team members are working on this. Coaches association and athletic trainers association would be great if they would assist with distributing information regarding concussions. NE Return to Learn will be recommending best practices for schools. Rose noted Lincoln Public Schools has a concussion management team in each of their high schools, which is a great start. NE Return to Learn will be making the recommendation for the protocol of concussion management to school districts. Information will be distributed to schools via brochures and calls to special education directors. Booklets will be taken to the nurses association and BIRSST teams will consult and provide assistance to schools and is available on the website. There is a training scheduled on August 21st in Kearney for BIRSST teams.

BI COUNCIL MEMBERSHIP

Keri Bennett shared the state requirements from the HRSA grant for council membership. Keri stated the council is lacking a member of an organization or foundation representing individuals with traumatic brain injury in the state. Keri reported the council is also lacking a member relating to injury control programs. The council was reminded that the position covering a hospital based person needs to be filled replacing Tiffany Davis. Council members discussed adding new members and amending the bi-laws to include the new requirements of the grant. The council discussed if a person representing injury prevention should be added to the council as a technical advisor or council member. It was determined to meet the requirements of the grant two voting members would need to be added to the council and this change would need to be made to the council by-laws.

Judy Vohland motioned to amend the Traumatic Brain Injury Advisory Council by-laws to add two additional voting members to the council, Karen Hux seconded the motion. There were no objections to the motion. **The motion carried by unanimous consent.** The council by-laws will be amended to include two additional voting members and brought to the councils' next meeting for a council vote for approval.

Lori shared she feels the council needs to actively recruit someone from acute care to fill the vacant council position, and also noted it would be beneficial to have a representative from Western Nebraska as well. Possible members from Western Nebraska were discussed. Lori Terryberry-Spohr stated she would make some contacts in Western Nebraska regarding interest in the acute care council member. Keri Bennett stated Angie could add a notice where the applications are available online stating what position backgrounds the council is looking for. Keri noted that the new member filling Tiffany Davis's position would fulfill her term until it expires October 2014 but could renew their term if they chose at that time.

NE BI REGISTRY

Rachel Cooper the state trauma registrar presented to the council regarding Nebraska's Traumatic Brain Injury Registry. Rachel discussed the registry's regulatory authority & funding, data sources, use of registry information and descriptive statistics. Most common diagnosis in the registry is unspecified head injury, next most common are concussions. Slides from the presentation were provided to council members.

RESOURCE FACILITATION WORK GROUP

Keri asked council members if anyone had interest in joining a work group to gather the information needed for developing Resource Facilitation model. Tania Diaz and Frank Velinsky volunteered to assist. Brett Hoogeveen stated that someone from QLI whom is involved in discharging could also offer input. Keri stated Vicki Rasmussen who was absent today would also be assisting.

MEETING DATES

Meeting dates were reviewed. Upcoming meetings are scheduled for:

- September 26th, 2014
- December 12th, 2014
- March 13th, 2015

ADJOURN

The next meeting is scheduled for September 26th, 2014, in Lincoln. The meeting adjourned at 2:24 p.m. with a motion made by Frank Velinsky and seconded by Gary Hausmann. There were no objections to the motion. **The motion carried by unanimous consent.**