

# Enrolled Senate Bill 420

Sponsored by Senator PATTERSON, Representative NERON, Senators TAYLOR, MANNING JR,  
Representative HIEB; Senators ANDERSON, FINDLEY, FREDERICK, GELSER BLOUIN,  
GIROD, HAYDEN, KNOPP, LIEBER, SMITH DB, SOLLMAN, Representatives ELMER,  
GRAYBER, HELM, HUDSON, MORGAN (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to brain injuries; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** (1) As used in this section, “brain injury” means damage to the brain from an internal or external source that results in total or partial impairment in critical functions, including but not limited to attention, memory, reasoning, problem solving, processing speed, decision-making, learning, perception, sensing, speech and language, motor and physical function or psychosocial behavior, and that is of sufficient severity to produce partial or total disability.

(2)(a) The Department of Human Services shall provide the following services to individuals with brain injuries, delivered in a person-centered manner and in collaboration with the individual:

- (A) Service coordination;
- (B) Resource navigation;
- (C) Advocacy; and
- (D) Options counseling.

(b) Services provided under this subsection may not include institutionalization, hospitalization or medication.

(3) The department is authorized, but not required, to contract with or provide grants to third parties to provide services described in subsection (2) of this section.

(4)(a) The department shall convene a Brain Injury Advisory Committee to advise the department in the development of brain injury programs, services described in subsection (2) of this section and other activities that the department may develop to address the needs of individuals with brain injuries.

(b) The membership of the advisory committee must consist of between six and 12 individuals with knowledge and experience in brain injuries and be broadly representative of the geographic areas of this state. At least one-third of the members must have experienced a brain injury.

(c) Members of the advisory committee are entitled to compensation and actual and necessary travel or other expenses incurred in the performance of their official duties as specified for qualified members of boards or commissions in ORS 292.495.

**SECTION 2.** During each odd-numbered year regular session of the Legislative Assembly, the Department of Human Services shall report to the Joint Committee on Ways and Means and the committees of the Legislative Assembly related to health or human services, in the manner provided in ORS 192.245, on the:

- (1) Types of services provided under section 1 of this 2023 Act;
- (2) Number of individuals with brain injuries who received services described in section 1 (2) of this 2023 Act;
- (3) Barriers faced by individuals with brain injuries in accessing needed services; and
- (4) Needs of individuals with brain injuries that are not being met by any known provider or other entity in this state.

**SECTION 3.** Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (6), chapter \_\_\_\_\_, Oregon Laws 2023 (Enrolled House Bill 5026), for the biennium beginning July 1, 2023, for aging and people with disabilities programs, is increased by \$1,430,534 for carrying out the provisions of sections 1 and 2 of this 2023 Act.

**SECTION 4.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (6), chapter \_\_\_\_\_, Oregon Laws 2023 (Enrolled House Bill 5026), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from federal funds, excluding federal funds described in section 2, chapter \_\_\_\_\_, Oregon Laws 2023 (Enrolled House Bill 5026), collected or received by the Department of Human Services, for aging and people with disabilities programs, is increased by \$525,664 for carrying out the provisions of sections 1 and 2 of this 2023 Act.

**SECTION 5.** This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by Senate June 20, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 22, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State