

My name is Malory Turner, and I am writing in support of House Bill 2670. I serve as the Traumatic Brain Injury Liaison in Region 8 of Oregon, supporting school districts in Clatsop, Columbia, Tillamook, and Washington Counties.

Under Oregon law, the current definition of traumatic brain injury (TBI) eligibility for special education services is narrowly defined, limiting eligibility to injuries caused by external physical force. While this language aligns with the minimum definition outlined in the Individuals with Disabilities Education Act (IDEA), it does not address the needs of students with acquired brain injuries (ABIs). Students with ABIs experience many of the same educational challenges as those with TBI, including memory loss, executive functioning difficulties, attention deficits, communication issues, and emotional regulation challenges.

Through the current process, these students are often found eligible for services under the Other Health Impairment (OHI) category. This can be detrimental, as it places students with brain injuries, who often have specific and complex needs, under a broad category that fails to accurately reflect their needs. Accurate TBI eligibility ensures that students receive the appropriate interventions and educational strategies tailored to the unique challenges posed by their brain injuries. It also allows families to clearly understand that they have access to the full range of supports available through the Brain Injury Program. This program, run by the Oregon Department of Human Services (DHS), was created to provide comprehensive services and resources for individuals with brain injuries, including both traumatic and acquired brain injuries.

The IDEA establishes a federal floor for the provision of special education services, but it allows states to adopt broader definitions of disability categories to ensure that all students with disabilities receive the necessary support. IDEA does not restrict states from expanding their definitions of disability categories beyond the federal minimum. In fact, it encourages flexibility in state laws to ensure the best possible educational outcomes for students. Other states, such as Virginia, have already taken steps to expand their definitions of brain injury to include ABIs.

Virginia: [House Bill 2182](#) required the Board of Education to amend its regulatory definition of “traumatic brain injury,” for the purpose of the provision of special education for children with disabilities, to include an acquired injury to the brain caused by a medical condition, including stroke, anoxia, infectious disease, aneurysm, brain tumors, and neurological insults resulting from medical or surgical treatments. The previous regulatory definition of “traumatic brain injury” included only an acquired brain injury caused by an external physical force. ([Virginia Department of Education: Traumatic Brain Injury](#))

States like Virginia recognize that a comprehensive definition of brain injury ensures that all students, regardless of the cause of their injury, receive the accurate identification, services, and support they need to succeed in school. Our students in Oregon also deserve a special education system that recognizes the full range of brain injuries and provides the understanding and support they need to succeed, just as we have with Senate Bill 420 and the Brain Injury Program. I believe that supporting House Bill 2670 would best support students and families.

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