

ASSEMBLY, No. 1160

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Expands purpose of Traumatic Brain Injury Fund to support transportation costs incurred by eligible individuals in accessing support group meetings.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/8/2020)

1 AN ACT concerning the Traumatic Brain Injury Fund and amending
2 P.L.2001, c.332.

3

4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 6 of P.L.2001, c.332 (C.30:6F-6) is amended to read
8 as follows:

9 6. a. Monies in the Traumatic Brain Injury Fund shall be
10 distributed by the Department of Human Services for the following
11 purposes:

12 (1) as the payer of last resort, for the costs of post-acute care,
13 services, and financial assistance, including the costs for
14 transportation services to access support group meetings, provided
15 in this State to residents of this State who have survived neuro-
16 trauma with a traumatic brain injury. Under this paragraph, support
17 group meetings shall mean any gathering of individuals with
18 traumatic injuries who congregate in order to obtain information
19 and perspective, relative to their injuries, and to improve their
20 general well-being; and

21 (2) public information and prevention education coordinated by
22 the Brain Injury Association of New Jersey.

23 b. The department, in consultation with the council, shall
24 establish eligibility criteria for the post-acute care, services and
25 financial assistance provided pursuant to this section. Expenditures
26 for traumatic brain injury care shall be made by the department.

27 (1) Total expenditures on behalf of any one eligible person shall
28 not exceed \$100,000, with no more than \$15,000 to be expended for
29 any 12-month period; except that a person may apply to the
30 department for a waiver of these expenditure limits.

31 (2) Expenditures shall be made only if comparable resources are
32 not available or are not able to be delivered in a timely manner.

33 (3) To the extent of the assistance it has provided, the fund shall
34 have first claim to any future monies received by the person with
35 traumatic brain injury as the result of a settlement or other payment
36 made in connection with the traumatic brain injury.

37 (4) In the event the department is unable to provide funds to all
38 eligible persons, the department, in consultation with the council,
39 may establish an order of selection.

40 c. The department shall accept applications for disbursements
41 of available money from the fund and maintain records of all
42 disbursements made from the fund and monies received as gifts and
43 donations. The department shall utilize existing State resources and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 staff of participating State agencies, businesses and nonprofit
2 organizations whenever practicable.
3 (cf: P.L.2001, c.332, s.6)
4

5 2. This act shall take effect immediately.
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8 STATEMENT
9

10 This bill expands the purpose of the Traumatic Brain Injury Fund
11 to support transportation costs incurred by an eligible individual in
12 accessing support group meetings. Under the bill, support group
13 meetings mean any gathering of individuals with traumatic injuries
14 who congregate in order to obtain information and perspective,
15 relative to their injuries, and to improve their general well-being.
16 Pursuant to N.J.A.C.10:141-1.11, the Traumatic Brain Injury Fund
17 currently provides payment to an eligible individual for
18 transportation services related to accessing medical appointments,
19 treatment facilities, or vocational programs.

20 The Traumatic Brain Injury Fund purchases supports and
21 services for eligible New Jersey residents of any age, who have
22 survived a traumatic brain injury, to foster independence and
23 maximize quality of life when insurance, personal resources, or
24 public programs are unavailable to meet those needs. A portion of
25 the fund also is used to support public education, outreach, and
26 prevention activities related to traumatic brain injuries. A \$.50
27 surcharge on motor vehicle registration fees generates revenue for
28 the fund.