

HB 591 Traumatic Head and Spinal Cord Injury Trust Fund Report

Report Prepared in Response to LA R.S. 46:2633. € (4)

Traumatic Head and Spinal Cord Injury Trust Fund

Office of Aging and Adult Services

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Executive Summary

The Louisiana Traumatic Head and Spinal Cord Injury (THSCI) Trust Fund program served 553 survivors of traumatic head and spinal cord injuries in FY22. The number served includes the number of eligible participants (490) as of June 30, 2022 and the number of previously eligible participants (63) whose cases were closed between July 1, 2021 and June 30, 2022. Participants received items and services that enabled them to live independently in their homes and communities.

Through outsourcing contracts with agencies throughout Louisiana, support coordinators assess participants' needs to assist them in acquiring needed goods and services. Support coordination agencies provide a connection between individuals and the services and supports they need. They also ensure that these services meet reasonable standards of quality and lead to improved outcomes for the participants.

Before payments are issued to vendors for the requested goods and/or services, the support coordinator contacts the participant to ensure the goods and/or services met his/her needs. In addition, the support coordinator conducts home visits for all vehicle and home modifications prior to the program issuing payment to the vendor, to ensure the modification meets the participants needs.

The THSCI program creates a waiting list for services if there is not enough funding available to meet the needs of all individuals who apply for services. If the individual is deemed eligible for the program and funding is not readily available, the individual is placed on the waitlist and will be contacted when funding is available. The program places an individual on the waitlist on a first-come, first-served basis. As of December 6, 2022, 285 individuals have been presumed eligible and are on the waitlist. The program receives approximately 100 new applications each year. The oldest application is currently from January 3, 2019.

The program's collections were severely affected by Covid-19. However, the program recently received \$800,000 in State General Funds for fiscal year 2023. The additional funding enabled the program to bridge the almost \$400,000 gap between last year's collections and expenditures. In addition, the remaining \$400,000 allowed the program to initiate reviews of approximately 100 applicants on the waitlist starting with 2018 applicants. Eligibility determinations were completed and those deemed eligible are now receiving services through the program. The program has started reviewing 98 applicants who applied for services in 2019 to determine if they are eligible for services, to further reduce the waitlist. The continued processing of reviewing waitlist applications will continue until all budgeted funds are committed.

Program Overview

In 1993, the Louisiana Legislature's Act 654 established the Trust Fund to provide services in a flexible, individualized manner to Louisiana citizens who survive traumatic head and traumatic spinal cord injuries. The Trust Fund assists participants in returning to a reasonable level of functioning and independent living in their communities.

Acts 1993, No. 654, §1, eff. June 16, 1993; Acts 1999, No. 526, §1, eff. June 29, 1999; Acts 1999, No. 826, §1; Acts 2000, 1st Ex. Sess., No. 119, §1, eff. April 19, 2000, Acts 2003, No. 1153, §1; Acts 2010, No. 939, §8, eff. July 1, 2010; Acts 2012, No. 269, §2, eff. May 25, 2012, establish and maintain the

Trust Fund. Act 654 imposes additional fees on motor vehicle violations in Louisiana for the offenses of driving under the influence, reckless operation and speeding. These motor vehicle violation fees provide the funding for Trust Fund services. The funds are deposited into the State of Louisiana Treasury and are then appropriated annually by the legislature to the Trust Fund program.

The Trust Fund is a program of last resort. An individual must have exhausted all Medicare and Medicaid sources (as attested to by the applicant) prior to the Trust Fund approving services.

The Louisiana Department of Health (LDH) Office of Aging and Adult Services (OAAS) administers the Trust Fund program while a Trust Fund Program Manager, a Program Monitor, and two Administrative Program Specialists staff it. The Program contracted with three support coordination agencies in FY22 to provide statewide services; Caldwell Council on Aging, Cadence of Acadiana, and The Arc of Louisiana.

Additionally, the program has a contract with the Brain Injury Association of Louisiana (BIALA) for the operation of the Trust Fund's Resource Center. The purpose of the center is to provide information and guidance to survivors, families, caregivers, and medical/health professionals. Through the support of the Trust Fund, the organization serves nearly 200 individuals in nine support groups throughout Louisiana, assists 30 to 50 people monthly through the hotline, draws more than 50 survivors to the annual conference; and the website attracts an average of 1,200 page views per month. The 2022 annual conference was a huge success, providing numerous great resources to caregivers, as well as individuals with injuries.

The annual conference consisted of 36 businesses, hospitals, and organizations all sharing information about their products and services. The conference also offered 18 different presentations that shared vital information and education for professionals who work with brain and spinal cord injury patients, caregivers and the individuals themselves. In addition to the THSCI Trust Fund application, BIALA's personal conference kiosk included information on specific resources that individuals can apply for following an injury, a list of support groups, information about our programs and services, and educational materials.

Other outreach efforts included the distribution of resource backpacks to case managers at rehabilitation hospitals around the state to share with caregivers and individuals with brain and/or spinal cord injuries. The goal of these backpacks was to relieve some of the burdens from caregivers by providing simple, yet valuable resources that can be useful after an injury. Information in the backpack helps them to connect with local organizations. BIALA distributed approximately 200 backpacks statewide in 2022.

Trust Fund Advisory Board

The Trust Fund has an advisory board that consists of 13 members, seven ex-officio and six appointed by the Governor pursuant to La. R.S. 46:2634. Member positions include:

- Assistant Secretary of OAAS or designee
- President of the Louisiana Senate or designee
- Speaker of the Louisiana House of Representatives or designee
- A representative of an organization recognized for its work in advocacy programs for persons with traumatic head injuries appointed by the Governor

- A representative of an organization recognized for its work in advocacy programs for persons with spinal cord injury appointed by the Governor
- President of the Louisiana Psychologists Association or designee
- Survivor of a traumatic head injury appointed by the Governor
- Survivor of a spinal cord injury appointed by the Governor
- Relative of a survivor of a traumatic head injury appointed by the Governor
- Relative of a survivor of a spinal cord injury appointed by the Governor
- President of the Louisiana State Medical Society or designee
- President of the Louisiana Hospital Association or designee
- Director, Louisiana Rehabilitation Services, Louisiana Workforce Commission or designee

For information about current membership, please visit the Louisiana Boards and Commissions Webpage: <http://legis.la.gov/Legis/BoardMembers.aspx?boardId=392>

The major functions of the Advisory Board are:

- Serves in an advisory capacity to OAAS in the implementation and administration of the Trust Fund program.
- Monitors and reviews the quality of services funded through the Trust Fund program.
- Participates in quarterly Board meetings.
- Provides impartial decisions, based on the provisions of the Trust Fund policy manual and the law, for recipient appeals.

Eligibility for Services

For an individual to be determined eligible for services, they must:

- Meet the definition of traumatic head/spinal cord injury as defined (per their treating physician):
 - Traumatic Spinal Cord Injury - an insult to the spinal cord; not of a degenerative or congenital nature, but caused by an external physical force resulting in paraplegia or quadriplegia.
 - Traumatic Head Injury - an insult to the head, affecting the brain, not of a degenerative or congenital nature, but caused by an external physical force that may produce a diminished or altered state of consciousness, which results in an impairment of cognitive abilities or physical functioning.
- Be a resident of Louisiana and officially domiciled in the state at the time of injury and during the provision of services;
- Have a reasonable expectation to achieve improvement in functional outcome with assistance (per their treating physician);
- Have exhausted all other Medicare and Medicaid sources (as attested to by the applicant);
- Provide proof of denial from other sources (if requested);
- Cooperate in the process of determining eligibility;
- Be willing to accept services from an approved vendor/program;
- Complete and submit the appropriate application for services.

Services

A traumatic brain or spinal cord injury can affect every aspect of an individual's life (e.g., education, employment, social and family relationships, emotional health, and mobility). As a result, individuals and their families must often find and gain access to an array of services. Because individual needs are different and can change over time, the program provides person-centered services and supports that should be flexible enough to meet the unique needs of individuals and their families.

The Trust Fund greatly enhances the ability of an individual to access both their home and community through the provision of services such as various assistive technology devices, personal care attendant services, and home and vehicle modifications.

Monies from the Trust Fund are distributed for the sole purpose of funding the cost of care, which may include, but are not limited to:

- Post-acute medical care rehabilitation;
- Therapies;
- Medications;
- Personal care;
- Home and vehicle modification; and
- Supplies and equipment that are necessary for activities of daily living.

Case Management Oversight

Case management services are provided by contracting with support coordination agencies to allow participants easier access to the Trust Fund program. These agencies provide a connection between individuals and the services and supports they need and assure that these services meet reasonable standards of quality and lead to improved outcomes for the participants.

- The Program
 - Established and maintains multi-year contracts with support coordination agencies, to ensure the continuity of case management services.
 - Implemented monthly reporting to maintain closer supervision of consumer needs and service provision.
 - Continues to review contracts and procedures to streamline processes.
 - Continues to emphasize ongoing training and development of case management services through bi-weekly conference calls and annual training with support coordinators.
 - Performs annual support coordination agency audits to review programmatic procedures and standards of service delivery.
 - Based on the results of the audits, the support coordination agencies are in alignment with the contractual expectations.

Other Management Initiatives

- Continued the program objective of assisting survivors of traumatic head and/or spinal cord injury who receive services through the Trust Fund to maintain independence and return to a reasonable level of functioning.
- Continued to monitor the THSCI Trust Fund Resource Center to ensure information is distributed and updated regularly.
 - The Resource Center submits a monthly report to the THSCI Program Manager that includes the number of: phone calls received, website visits, applications provided to potential applicants and individuals, and outreach events held.
 - The Program Manager reviews this report and requests additional information as needed.
- Continued to work with the THSCI Trust Fund Resource Center to find more inventive/cost-effective ways of performing outreach and to bring program awareness to the public.
 - On average, the Resource Center conducts 15 outreach activities throughout the month, including hosting virtual TBI and/or SCI peer group meetings, attending disability-related resource fairs, attending TBI and SCI-related conferences and webinars, and visiting medical facilities to provide applications and information about the program.
 - Since Covid-19, medical facilities have limited the number of in-person meetings. However, to ensure medical facilities have up-to-date information about the program, BIALA continued outreach efforts via phone and email. This method reduced the cost of travel and materials, such as paper.
- Continued to expand existing and develop new procedures that identify the needs of the participants that can be addressed through the Trust Fund.
 - The program implemented Semi-Annual Quality Assurance Surveys for participants. Every 6 months the THSCI Trust Fund program staff randomly selects and calls 7 program participants to ensure they were contacted by their support coordinator and offered services to meet their needs.
- Continued to research ways to streamline processes through the automation of workflows.
 - The Program Manager created workflow systems in SharePoint to track requests for goods and services, payments, and caseload changes. Program staff receive daily reports to remind them of outstanding tasks and due dates.
- Continued to monitor for duplication of services with other programs.
 - The program monitor reviewed all requests for goods and services to ensure the participant did not receive the same services through Medicaid or Medicare.
- Continued to develop and maintain good relationships with the program's vendors.
 - Through emails and phone calls, the Program Manager provided program information to vendors about the payment process. The Program Manager also consistently reviewed pending payment requests to ensure the requests were completed timely and there were no delays in vendors receiving payments.
- Continued to monitor and ensure all Louisiana municipalities are aware of their obligation and submitting payments timely, according to statute.
 - The Louisiana Municipal Association (LMA) allowed the program to include a write-up in their e-newsletter about the program and the importance of fee collections received from the municipalities. LMA also allowed the program to

include a one-page in their informational bag that was distributed during their annual convention held July 28-30, 2022.

- In addition, the program created a questionnaire that captured information regarding the municipalities' ticketing and court processes. The questionnaire also captured the name and email address of the clerk or contact person within the office and an estimated number of tickets they issue each month.
- Of the list of 306 municipalities received from LMA, the program was able to complete 91.5% of the questionnaires. Of the questionnaires that were not completed it was due to municipalities either declining to complete the survey or attempts to contact them went unanswered. Once the questionnaires were complete, the program mailed information packets to the municipalities that requested additional information about the program.
- The program has seen a very small increase in collections from several municipalities that were unaware of our program, what we do and why those collections matter to the participants we serve.

Program Status

Participants Served

The Trust Fund program provided services to 553 eligible participants in FY22. The average expenditure per participant was approximately \$3,885. There are currently 285 applicants waiting for services.

Of the 490 eligible participants mentioned in the executive summary for FY22, 307 were assigned to one of the three THSCI Trust Fund program's contracted support coordination agencies. Of the total current eligible participants, 183 were assigned to waiver support coordinators. The THSCI Trust Fund program does not pay for support coordination services for the participants who are enrolled in waiver services and these participants must exhaust all other resources through the waiver program prior to the approval of services through the THSCI Trust Fund program.

The participants' support coordinators prepare all requests for goods and services and forwards them to the Trust Fund program monitor and/or manager via the program email account for review and approval. The support coordinators conducted timely annual assessments with each participant to ensure the participant's needs were being met and to go over the program policy and procedures 98% of the time. For the few that were not conducted timely, the program manager worked with the support coordinators to determine why and to ensure that they were completed as soon as possible.

During FY22, the program's contracted support coordination agencies continued to provide support to individuals using contactless methods, such as video calls, emails, and phone calls. Although the support coordinators used contactless methods to assist participants, the quality of service and the rate at which services were delivered were unaffected. As of July 2022, these support coordination agencies are once again conducting annual face-to-face home visits.

Expenditures and Deposits

Motor vehicle accidents are the leading cause of both traumatic brain and spinal cord injuries in Louisiana. Funding for the Trust Fund is provided through fees and surcharges for traffic violations of driving while intoxicated, speeding and reckless operation. Funds are deposited into the State Treasury and drawn down by OAAS as expenditures are made.

Below is a chart of the deposits and expenditures since the implementation of the program. The Trust Fund program was transferred to OAAS on July 1, 2010 as part of the Governor’s streamlining committee recommendations. Funds that are not spent in any given year are carried forward to the next year to provide services to as many participants as possible. However, due to the reductions in revenues since Covid-19, the program no longer has any funds to carry forward to the next year.

Traumatic Head and Spinal Cord Injury Trust Fund Collections		
Time Frames	Deposits	Expenditures
June 30, 1994	\$403,087	\$0
June 30, 1995	\$1,349,546	\$0
June 30, 1996	\$1,588,515	\$20,114
June 30, 1997	\$1,485,021	\$313,233
June 30, 1998	\$1,461,162	\$1,737,861
June 30, 1999	\$1,423,633	\$1,935,541
June 30, 2000	\$1,682,006	\$1,655,101
June 30, 2001	\$1,769,188	\$1,458,661
June 30, 2002	\$1,716,891	\$998,816
June 30, 2003	\$1,541,616	\$778,215
June 30, 2004	\$1,555,798	\$1,262,362
June 30, 2005	\$1,651,170	\$1,723,356
June 30, 2006	\$1,752,286	\$1,541,659
June 30, 2007	\$1,950,031	\$1,979,467
June 30, 2008	\$2,005,258	\$2,387,062
June 30, 2009	\$1,845,451	\$3,228,448
June 30, 2010	\$1,554,006	\$3,238,531
June 30, 2011	\$1,670,613	\$1,628,590
June 30, 2012	\$2,161,090	\$1,753,283

Time Frames	Deposits	Expenditures
June 30, 2013	\$1,552,680	\$2,232,479
June 30, 2014	\$1,654,596	\$2,293,095
June 30, 2015	\$1,658,198	\$1,820,464
June 30, 2016	\$1,740,695	\$1,879,039
June 30, 2017	\$1,655,948	\$1,700,263
June 30, 2018	\$1,583,811	\$1,672,254
June 30, 2019	\$1,642,603	\$2,283,939
June 30, 2020	\$1,437,744	\$2,040,109
June 30, 2021	\$1,261,794	\$1,897,498
June 30, 2022	\$1,209,445	\$1,550,712

*Note: Although more was spent than collected over the past few years, the agency had to supplement Statutory Dedication funding with State General Funds to cover the costs.

Conclusion

The need for services continues to be essential for the hundreds of individuals who sustain traumatic brain and/or spinal cord injuries in Louisiana each year. The Trust Fund receives approximately 100 new applications from Louisiana citizens each year. The Trust Fund strives to serve as many participants as possible with the limited funds available.

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