

HB 591 Traumatic Head and Spinal Cord Injury Trust Fund Report

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

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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 served 634 survivors of traumatic head and spinal cord injuries in FY17. Participants received items and services that enabled them to live independently in their homes and communities. By contracting with case management agencies throughout Louisiana, case managers first assess participant's needs, then assist the participants in securing needed goods and services. Case management 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 most common goods and services requested are personal care services, medical supplies and equipment, and home and vehicle modifications.

The waiting list is down to 185 individuals as the Louisiana Department of Health (LDH) has worked hard to open new cases over the past few years. Approximately 100 new applications are received each year. In FY17, the Trust Fund served participants that applied for services in 2014. Individuals who applied in 2015 will be receiving services in the spring of 2018. For those waiting for services, the Trust Fund financially supports the operation of a resource center to offer them other resources in the community. The resource center is located in New Orleans and is operated by the Brain Injury Association of LA (BIALA).

Program Overview

The Trust Fund program was created by the Louisiana Legislature in 1993 with Act 654. The Trust Fund was established to provide services in a flexible, individualized manner to Louisiana citizens who survive traumatic head and traumatic spinal cord injuries. The Trust Fund provides assistance to participants so that they may return 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 fees provide the funding for this program. 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 seek assistance from all available resources prior to the Trust Fund's financial participation in services.

The Trust Fund program is administered by LDH, Office of Aging and Adult Services (OAAS) and is staffed by the Trust Fund Program Manager, an Administrative Program Specialist, and an Administrative Coordinator. The Program contracted with four case management agencies in FY17 to provide statewide services; Caldwell Council on Aging, Quality Support Coordination, Cadence of Acadiana, and People United of Louisiana. Additionally, the trust fund has a contract with BIALA for operation of the Trust Fund's Resource Center. The purpose of the center is to provide knowledge and guidance to survivors, families, caregivers and medical and health professionals. Through the support of the Trust Fund, the organization serves nearly 200 individuals in nine support groups

throughout Louisiana, assists 30-50 people monthly on the Hotline, draws over 30 survivors at the Annual Conference; and the website attracts an average of 550 hits per month.

Trust Fund Advisory Board

The Trust Fund has an advisory board which consists of thirteen members, seven ex-officio and six appointed by the Governor pursuant to La. R.S. 46:2634. Below are the positions:

- Assistant Secretary of the Office of Aging and Adult Services, Department of Health 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 LDH-OAAS in the implementation and administration of the Trust Fund program.
- Monitors and reviews 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

In order for an individual to be determined eligible for services, an individual must:

- Meet the definition of traumatic spinal cord injury or traumatic brain injury as defined in law:
 - 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 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 of Louisiana at the time of injury and during the provision of services;
- Have a reasonable expectation to achieve a predictable level of outcome to achieve improvement in quality of life and/or functional outcome;
- Have exhausted all other governmental and private sources;
- Provide proof of denial from other sources;
- Be willing to accept services from an approved facility/program;
- Be medically stable; and
- Complete and submit an application.

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, it is important that programs provide person-centered services and supports. Programs 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;
- Attendant care; and
- Equipment necessary for activities of daily living.

Case Management Oversight

Case management 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. Case management services are provided by contracting with three vendors to allow participants easier access to the Trust Fund program.

- The Trust Fund Program Manager continues to review contracts and procedures in order to streamline processes.
- Multi-year contracts have been established with these vendors, to ensure continuity of benefits of case management services.

- Ongoing training and development of case management services continues to be emphasized through conference calls with case managers.
- Quarterly reporting has been implemented to maintain closer supervision of consumer needs and service provision.
- Site visits are conducted by the Trust Fund Program Manager to review programmatic procedures and standards of service delivery.

Management Initiatives

- Continue with 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 to return to a reasonable level of functioning.
- Continue to monitor the THSCI Trust Fund Resource Center to ensure information is distributed and updated on a regular basis.
- Continue and expand existing and develop new procedures that identify the needs of the participants that can be addressed through the trust fund.
- Continue to research ways to streamline the process through automation of workflows.
- Continue to monitor for duplication of services with other programs.
- Continue to monitor and ensure all municipalities that should be sending in funds are doing so.

Program Status

Participants Served

The Trust Fund program provided services to six hundred and thirty-four (634) participants in FY 17. There were one hundred and eighty-five (185) persons waiting for services. The average expenditure per participant is \$8,500 per year.

The contract case managers provide direct consumer contact in the nine departmental regions of the state. Each region has an average of sixty (60) participants. The case managers prepare all requests for goods and services. The requests are sent directly to the Trust Fund Program Manager for review and approval.

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 from moving traffic violations such as driving while intoxicated, speeding and reckless operation of a vehicle. 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 LDH-OAAS July 1, 2010 as part of the governor's streamlining committee recommendations. Highlighted on the next page represents the years- which can be accounted for by OAAS. 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.

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
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

Conclusion

The need for services continues to be essential for participants who sustain traumatic brain and/or spinal cord injuries. Hundreds of individuals sustain these types of injuries each year in Louisiana with the Trust Fund receiving 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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