

HB 591 Traumatic Head and Spinal Cord Injury Trust Fund Report

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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 635 survivors of traumatic head and spinal cord injuries in FY18. Participants received items and services that enabled them to live independently in their homes and communities. Case managers working in three contracted agencies initially assess participants' needs in order to assist them in securing needed goods and services. Case management agencies 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 program receives approximately 70 new applications each year. In FY18, the Trust Fund reviewed and opened eligible applications of participants that applied for services in 2015. The program will review and open (if eligible for services) applications submitted in 2016 by the summer of 2019. For the 174 individuals currently waiting for services, the Trust Fund financially supports the operation of a resource center to offer them other resources in their community. The Brain Injury Association of Louisiana (BIALA), located in New Orleans, operates the resource center.

Program Overview

In 1993, the Louisiana Legislature's Act 654 created The Trust Fund program (Act 1993, No. 654, §1, eff. June 16, 1993). Subsequent Acts (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) maintain the Trust Fund.

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 provides assistance to participants so that they may return to a reasonable level of functioning and independent living in their communities.

Funding for the program is derived from fees on motor vehicle violations in Louisiana for the offenses of driving under the influence, reckless operation and speeding. 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, including Medicaid and Medicare, prior to the receiving Trust Fund 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 and two Administrative Program Specialists. The Program contracted with three case management agencies in FY18 to provide statewide services: Caldwell Council on Aging, Cadence of Acadiana, and The Arc of Louisiana. Additionally, the Trust Fund has a contract with the Brain Injury Association of Louisiana (BIALA) 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 and health professionals. Through the support of the Trust Fund, the Center serves nearly 200 individuals in 10 support groups throughout Louisiana and assists 30-40 people monthly on the hotline. The website attracts an average of 2,000 page views per month.

Additionally, over 40 survivors and caregivers and over 180 professionals attend the annual BIALA conference.

Trust Fund Advisory Board

The Trust Fund has an advisory board which consists of 13 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

For information about current membership, please visit the Louisiana Boards and Commissions webpage:

<https://wwwcfprd.doa.louisiana.gov/boardsAndCommissions/viewBoard.cfm?board=387>

The major functions of the advisory board are to:

- Serve in an advisory capacity to LDH-OAAS in the implementation and administration of the Trust Fund program.
- Monitor and review quality of services funded through the Trust Fund program.
- Participate in quarterly board meetings.
- Provides impartial decisions about recipient appeals in accordance with the Trust Fund policy and the law.

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 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);
- Be willing to accept services from an approved facility/program; and
- Complete and submit 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, 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. They also 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.

In order to maximize efficiency and maintain quality, the program:

- Established multi-year contracts with case management agencies, to ensure continuity of benefits of case management services.
- Implemented monthly reporting to maintain closer supervision of consumer needs and service provision.

- Continues to review contracts and procedures in order to streamline processes.
- Continues to emphasize ongoing training and development of case management services through conference calls and annual trainings with the case managers.
- Performs case management agency site visits to review programmatic procedures and standards of service delivery.

Management Initiatives

Going forward, the program will:

- 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 635 participants in FY 18. The average expenditure per participant is \$4,800 per year. There are 174 people waiting for services.

The contract case managers provide direct consumer contact in the nine LDH regions. Each region has an average of 70 participants. The case managers prepare all requests for goods and services. The requests are sent to the Trust Fund Program Manager for review and approval.

Expenditures and Deposits

As previously discussed, 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 from the Department of Children and Families (DCFS) July 1, 2010 as part of the governor's streamlining committee recommendations. Yearly deposits and expenditures are presented on the next page. Rows highlighted in yellow indicate the program's operation under 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
June 30, 2018	\$1,610,042	\$1,810,401

Conclusion

Motor vehicle accidents are the leading cause of both traumatic brain and spinal cord injuries in Louisiana. Hundreds of individuals sustain these types of injuries each year. Subsequently, the Trust Fund receives a large number of new applications from Louisiana citizens each year. The need for services continues to be essential for participants who sustain traumatic brain and/or spinal cord injuries. The Trust Fund strives to serve as many participants as possible with the limited funds available. Those individuals the Trust Fund is able to assist have gained a degree of independence and community access that would otherwise be unattainable.

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