

Bobby Jindal
GOVERNOR



Kathy H. Kliebert
SECRETARY

State of Louisiana
Department of Health and Hospitals
Office of Aging and Adult Services

February 6, 2014

The Honorable Bobby Jindal
Louisiana State Governor
PO Box 94004
Baton Rouge, La 70804 – 9004

The Honorable Charles E. Kleckley, Speaker
Louisiana State House of Representatives
P.O. Box 94062, Capitol Station
Baton Rouge, La 70804-9062

The Honorable John A. Alario, Jr., President
Louisiana State Senate
P.O. Box 94183, Capitol Station
Baton Rouge, La 70804-9183

RE: Traumatic Head and Spinal Cord Injury Trust Fund

Dear Governor Jindal, President Alario, and Speaker Kleckley:

LA R.S. 46:2633 requires the Louisiana Department of Health and Hospitals (DHH) to submit annual reports for the Traumatic Head and Spinal Cord Injury Trust Fund Program to the Governor, House and Senate.

Please find enclosed a copy of the Traumatic Head and Spinal Cord Injury Trust Fund 2013 Annual Report.

Thank you for allowing us to present information that shows the efforts DHH has made to streamline the Traumatic Head and Spinal Cord Injury Trust Fund Program. Should you have any questions, please contact me at hugh.eley@la.gov or 225-219-0223.

Sincerely,

A handwritten signature in blue ink that reads "Hugh Eley".

Hugh Eley
Assistant Secretary

HE:as

Enclosure

TRAUMATIC HEAD AND SPINAL CORD INJURY TRUST FUND

REPORT PREPARED IN RESPONSE TO LA R.S.
46:2633.(E)(4)

JANUARY 2014

Contact:

Louisiana Department of Health and Hospitals
Hugh Eley
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EXECUTIVE SUMMARY

The Traumatic Head and Spinal Cord Injury Trust Fund (TH/SCI) was created by the Louisiana Legislature in 1993 with Act 654. The TH/SCI Program was created to provide services in a flexible, individualized manner to Louisiana citizens who survive traumatic head or traumatic spinal cord injuries. The TH/SCI Program assists participants to 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 appropriated annually to the TH/SCI Trust Fund Program by the legislature.

The Trust Fund Program 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.

PROGRAM OVERVIEW

The TH/SCI Program is administered by the Department of Health and Hospitals (DHH), 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 contracts with four entities, three which provide Case Management Services statewide and one that operates the TH/SCI Resource Center.

The TH/SCI began SFY with 314 individuals on the waiting list for trust fund services. The program was able to reduce the waiting list by 143 individuals and end SFY 13 with 171 individuals on the waiting list.

In the 2012 legislative session, OAAS sought, and legislation was passed, that clarified management of the program and allowable uses for the funds, updated the board membership, allowed for money in the fund to be used to match available federal funding and paved the way for revised policies to more effectively serve additional people within available levels of funding.

TRUST FUND ADVISORY BOARD

The TH/SCI Trust Fund Program 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 and Hospitals 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

Three positions have changed with Acts 2012, No. 269, §2, eff. May 25, 2012. The Director, Louisiana Rehabilitation Services, Louisiana Workforce Commission or designee replaced the president of the Louisiana Dental Association or his designee. A representative of an organization recognized for its work in advocacy programs for persons with traumatic head injuries appointed by the governor replaced the executive director of Louisiana Head Injury Foundation or his designee. A representative of an organization recognized for its work in advocacy programs for persons with spinal cord injury appointed by the governor replaces the executive director of the Louisiana Spinal Cord Injury Association or his designee. Both these organizations no longer exist or are inactive.

For information about current membership, please visit the Louisiana Boards and Commissions Webpage: http://www.legis.state.la.us/boards/board_members.asp?board=392

The major functions of the Advisory Board are:

- Serves in an advisory capacity recommendation to the Department of Health and Hospitals, Office of Aging and Adult Services in the implementation and administration of the TH/SCI Trust Fund Program.
- Monitor and review quality of services funded through the TH/SCI Program.
- Participate in quarterly Board meetings.
- Provide impartial decisions based on the provisions of the trust fund policy manual and the law for recipient appeals of program decisions.

ELIGIBILITY FOR SERVICES

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

- Meet the definition of spinal cord injury or traumatic brain injury as defined in law:
 - 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 paraparesis/plegia or quadraparesis/plegia.
 - 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, citizen of the United States, 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;
- Complete and submit an appropriate 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 Louisiana TH/SCI Program 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;
- Equipment necessary for activities of daily living;

PROGRAM STATUS

PARTICIPANTS SERVED

	SFY 2003	SFY 2004	SFY 2005	SFY 2006	SFY 2007	SFY 2008	SFY 2009	SFY 2010	SFY 2011	SFY 2012	SFY 2013
Participants Served	305	368	387	416	465	597	646	554	550	672	708

The nine contract case managers have an average of fifty-seven (57) participants in each of their caseloads. They provide direct consumer contact in the nine regions of the state. 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. The Program Manager also determines Eligibility for the program.

EXPENDITURES AND DEPOSITS

Motor vehicle accidents are the leading cause of both traumatic brain and spinal cord injuries in Louisiana. Funding for the TH/SCI Trust Fund is provided through fees and surcharges from moving traffic violations such as driving while intoxicated, speeding and reckless operation of a vehicle. Below is a chart of the deposits and expenditures since the implementation of the Program.

Traumatic Head and Spinal Cord Injury Trust Fund Collections		
Time Frames	Deposits	Expenditures
June 30, 1994	\$403,087.34	\$0
June 30, 1995	\$1,349,546.24	\$0
June 30, 1996	\$1,588,515.26	\$20,114.00
June 30, 1997	\$1,485,020.99	\$313,233.00
June 30, 1998	\$1,461,162.22	\$1,737,861.00
June 30, 1999	\$1,423,633.38	\$1,935,541.00
June 30, 2000	\$1,682,006.16	\$1,655,101.00
June 30, 2001	\$1,769,188.34	\$1,458,660.89
June 30, 2002	\$1,716,891.42	\$998,816.00
June 30, 2003	\$1,541,616.40	\$778,215.00
June 30, 2004	\$1,555,798.44	\$1,262,362.00
June 30, 2005	\$1,651,169.59	\$1,723,356.00
June 30, 2006	\$1,752,285.69	\$1,541,659.00
June 30, 2007	\$1,950,031.33	\$1,979,467.00
June 30, 2008	\$2,005,257.90	\$2,387,062.00
June 30, 2009	\$1,845,450.54	\$3,228,448.00

June 30, 2010	\$1,554,006.00	\$3,238,531.00
June 30, 2011	\$1,670,612.84	\$1,628,589.83
June 30, 2012	\$2,161,089.65	\$1,753,283.20
June 30, 2013	\$1,552,680.22	\$2,232,479.42

CONCLUSION

The Program provided services to seven hundred and eight (708) unduplicated participants during State Fiscal Year 2012. The unduplicated number includes participants who are no longer active but were served within the year and the new participants who became active within the year. Currently, the program is providing services to six hundred and sixty-six (666) and there are two hundred and forty-five (245) persons waiting for services. Although the number of participants on the waiting list has decreased, the need for services continues to be essential for participants who sustain traumatic brain and/or spinal cord injuries. Hundreds of participants sustain these types of injuries each year in Louisiana.

Case Management Oversight - 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 biweekly conference calls with case managers.
- Quarterly reporting has been implemented to maintain closer supervision of consumer needs and service provision.
- Annual site visits are conducted by the Trust Fund Program Manager to review programmatic procedures and standards of service delivery.

Management Initiatives

- Expand existing and develop additional community-based services as an alternative to institutional care,” and the program objective to maintain independence and improve quality of life for survivors of traumatic head and/or spinal cord injury who receive services through the Trust Fund. Continue to monitor the TH/SCI Resource Center to ensure information is distributed and updated on a regular basis.
- Continue to monitor for duplication of services with other programs.
- Establish priorities for waiting list.
- Develop criteria for disbursement of funds
- Continue to conduct annual Participant Satisfaction Survey
- Continue to monitor and ensure all municipalities that should be sending in funds are doing so.

Authors:

Alicia Smith, Traumatic Head and Spinal Cord Injury Trust Fund Program Manager

Louisiana Department of Health and Hospitals

Kathy Kliebert, Secretary

Courtney Phillips, Deputy Secretary

Jerry Phillips, Undersecretary

Hugh Eley, Assistant Secretary, Office of Aging and Adult Services

Christine Peck, Legislative and Governmental Relations Director