

HUMAN RESOURCES: Hannon, Chair; Corning and Coleman

Reprinted 3/88

*Amend (3188) & L. Res 2/18/87 (p. 710)
Repl Hannon Brewer 4/11/87
Amend from S-5096 to S-302 2/18/88 (p. 408)*

SENATE FILE 302

FILED MAR 03 1987

BY HANNON, DELUHERY, GRONSTAL,
WELLS, PRIEBE, and MURPHY

Passed Senate, Date 3/2/87 (p. 151) Passed House, Date 3-31-88 (p. 1261)

Vote: Ayes 42 Nays 1 Vote: Ayes 92 Nays 0

Approved May 12, 1988

A BILL FOR

1 An Act relating to the disability of brain injury.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 302

S-3188

1 Amend Senate File 302 as follows:

2 1. Page 1, by inserting after line 29 the
3 following:

4 "Sec. ____ . This Act takes effect July 1, 1987
5 providing that legislation is enacted by the general
6 assembly before July 1, 1987 which provides a fair and
7 equitable funding formula for the implementation of
8 this Act."

9 2. Title page, line 1, by inserting after the
10 word "injury" the following: "and providing a
11 conditional effective date".

S-3188

Filed March 18, 1987

2/18 2/18/87 (p. 150)

BY COMMITTEE ON HUMAN RESOURCES
BEVERLY A. HANNON, Chairperson

SENATE FILE 302

S-5096

1 Amend Senate File 302 as follows:

2 1. Page 1, line 5, by striking the words
3 "vocational education" and inserting the following:
4 "vocational rehabilitation".

5 2. Page 1, by striking lines 11 through 21 and
6 inserting the following: "served by the state
7 agency."

S-5096

Filed February 18, 1988

Adopted 3/3/88 (p. 651)

BY COMMITTEE ON HUMAN RESOURCES
BEVERLY A. HANNON, Chairperson

1 Section 1. NEW SECTION. 225C.23 BRAIN INJURY RECOGNIZED
2 AS DISABILITY.

3 The department of human services, the Iowa department of
4 public health, the department of education and its divisions
5 of special education and vocational education, the department
6 of human rights and its divisions for the blind and of persons
7 with disabilities, the civil rights commission, and all other
8 state agencies which serve persons with brain injuries, shall
9 recognize brain injury as a distinct disability and shall
10 identify those persons with brain injuries among the persons
11 served by the state agency. Each state agency which serves
12 persons with brain injuries shall provide services, which the
13 state agency is otherwise required or authorized to provide,
14 in a manner which will provide appropriate rehabilitative
15 services to persons with brain injuries. In identifying
16 persons with brain injuries and in determining the appropriate
17 rehabilitative services for persons with brain injuries, the
18 state agency shall consult with providers of services to
19 persons with brain injuries, advocacy groups for persons with
20 brain injuries such as the Iowa head injury association, and
21 consumers of services to persons with brain injuries.

22 Sec. 2. Section 225C.22, subsection 1, Code 1987, is
23 amended to read as follows:

24 1. As used in this section and section 225C.23, "brain
25 injury" means clinically evident brain damage resulting
26 directly or indirectly from trauma, infection, anoxia, or
27 vascular lesions not primarily related to degenerative or
28 aging processes, which temporarily or permanently impairs a
29 person's physical or cognitive functions.

30 EXPLANATION

31 This bill requires all state agencies serving persons with
32 brain injuries, as defined, to recognize brain injury as a
33 distinct disability, to identify those persons with brain
34 injuries among the agencies' clients, and to provide agency
35 services in a manner which will provide appropriate

1 rehabilitative services to agency clients with brain injuries.
2 The state agencies are also required to consult with
3 providers, advocacy groups, and consumers concerning the
4 agencies' services to persons with brain injuries.

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see Hannon Bill 3/12
Bill per 5872 & Co. Pass 3/24 (p. 1064)

SENATE FILE 302
BY HANNON, DELUHERY, GRONSTAL,
WELLS, PRIEBE, and MURPHY

(AS AMENDED AND PASSED BY THE SENATE MARCH 7, 1988)

_____ - New Language by the Senate

Re Passed Senate, Date 4/13/88 (p. 1520) Passed House, Date 3/31/88 (p. 1261)

Vote: Ayes 45 Nays 0 Vote: Ayes 92 Nays 0

Approved May 12, 1988
Repassed House 4/14/88 (p. 1297)
95-0

A BILL FOR

1 An Act relating to the disability of brain injury.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 225C.23 BRAIN INJURY RECOGNIZED
2 AS DISABILITY.

3 The department of human services, the Iowa department of
4 public health, the department of education and its divisions
5 of special education and vocational rehabilitation, the
6 department of human rights and its divisions for the blind and
7 of persons with disabilities, the civil rights commission, and
8 all other state agencies which serve persons with brain
9 injuries, shall recognize brain injury as a distinct
10 disability and shall identify those persons with brain
11 injuries among the persons served by the state agency.

12 Sec. 2. Section 225C.22, subsection 1, Code 1987, is
13 amended to read as follows:

14 1. As used in this section and section 225C.23, "brain
15 injury" means clinically evident brain damage resulting
16 directly or indirectly from trauma, infection, anoxia, or
17 vascular lesions not primarily related to degenerative or
18 aging processes, which temporarily or permanently impairs a
19 person's physical or cognitive functions.

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SENATE FILE 302

H-6096

1 Amend the amendment, H-5872, to Senate File 302 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 1, line 10, by striking the word
5 "trauma," and inserting the following: "trauma,".
- 6 2. Page 1, by striking line 11, and inserting the
7 following: "infection, anoxia, or vascular lesions,
8 or spinal cord".

BY NORRGARD of Des Moines

MULLINS of Kossuth

HAMMOND of Story

FEY of Scott

H-6096 FILED MARCH 30, 1988

(Adopted 3/31 (7 1260))

SENATE FILE 302

H-5872

1 Amend Senate File 302 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 225C.22, Code 1987, is amended
6 to read as follows:

7 225C.22 CENTRAL REGISTRY FOR BRAIN INJURIES.

8 1. As used in this section and section 225C.23,
9 "brain injury" means clinically evident brain damage
10 resulting directly or indirectly from trauma,
11 ~~infection, anoxia, or vascular lesions~~ spinal cord
12 injuries not primarily related to degenerative or
13 aging processes, which temporarily or permanently
14 impairs a person's physical or cognitive functions.

15 2. The director shall establish and maintain a
16 central registry of persons with brain injuries in
17 order to facilitate the provision of appropriate
18 rehabilitative services to the persons by the
19 department and other state agencies. ~~Hospitals and~~
20 Attending physicians shall report a brain
21 injury to the director within seven days after
22 identification of the person sustaining a brain
23 injury. Hospitals shall report a brain injury to the
24 director no later than forty-five days after the close
25 of a quarter in which the patient was discharged. The
26 report shall contain the name, age and residence of
27 the person, the date, type, and cause of the brain
28 injury, and additional information as the director
29 requires, except that hospitals shall not be required
30 to report the Glasgow coma scales. The director shall
31 consult with health care providers concerning the
32 availability of additional relevant information. The
33 department shall maintain the confidentiality of all
34 information which would identify any person named in a
35 report. However, the identifying information may be
36 released for bona fide research purposes if the
37 confidentiality of the identifying information is
38 maintained by the researchers, or the identifying
39 information may be released by the person with the
40 brain injury or by the person's guardian or, if the
41 person is a minor, by the person's parent or
42 guardian."

43 2. Page 1, line 7, by striking the following: "
44 the civil rights commission,".

45 3. Page 1, by striking lines 12 through 19.

By COMMITTEE ON HUMAN RESOURCES
FEY of Scott, Chairperson

H-5872 FILED MARCH 24, 1988

Ad. plid. amended by 6096 3/31 (p. 1201)

HOUSE AMENDMENT TO
SENATE FILE 302

S-5774

1 Amend Senate File 302 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 225C.22, Code 1987, is amended
6 to read as follows:

7 225C.22 CENTRAL REGISTRY FOR BRAIN INJURIES.

8 1. As used in this section and section 225C.23,
9 "brain injury" means clinically evident brain damage
10 resulting directly or indirectly from trauma,
11 infection, anoxia, or vascular lesions, or spinal cord
12 injuries not primarily related to degenerative or
13 aging processes, which temporarily or permanently
14 impairs a person's physical or cognitive functions.

15 2. The director shall establish and maintain a
16 central registry of persons with brain injuries in
17 order to facilitate the provision of appropriate
18 rehabilitative services to the persons by the
19 department and other state agencies. ~~Hospitals and~~
20 ~~attending~~ Attending physicians shall report a brain
21 injury to the director within seven days after
22 identification of the person sustaining a brain
23 injury. Hospitals shall report a brain injury to the
24 director no later than forty-five days after the close
25 of a quarter in which the patient was discharged. The
26 report shall contain the name, age and residence of
27 the person, the date, type, and cause of the brain
28 injury, and additional information as the director
29 requires, except that hospitals shall not be required
30 to report the Glasgow coma scales. The director shall
31 consult with health care providers concerning the
32 availability of additional relevant information. The
33 department shall maintain the confidentiality of all
34 information which would identify any person named in a
35 report. However, the identifying information may be
36 released for bona fide research purposes if the
37 confidentiality of the identifying information is
38 maintained by the researchers, or the identifying
39 information may be released by the person with the
40 brain injury or by the person's guardian or, if the
41 person is a minor, by the person's parent or
42 guardian."

43 2. Page 1, line 7, by striking the following: "
44 the civil rights commission,".

45 3. Page 1, by striking lines 12 through 19.

774

Filed April 5, 1988

RECEIVED FROM THE HOUSE

Senate amended (5774) - 1 Concurred
4/13 (p 1519)

SENATE FILE 302

S-5864

1 Amend the House amendment, S-5774, to Senate File
2 302, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking line 20, and inserting the
5 following: "attending For a patient who is not
6 admitted to a hospital but is treated as a hospital
7 outpatient or in a hospital emergency room, attending
8 physicians shall report a brain".

S-5864

Filed April 8, 1988

w/s 4/14 (p 1519)

BY BEVERLY HANNON

SENATE FILE 302

S-5901

1 Amend the House amendment, S-5774, to Senate File
2 302, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking line 20, and inserting the
5 following: "attending For a patient who is not
6 admitted to a hospital but is treated in a physician's
7 office, physicians shall report a brain".
8 2. Page 1, by striking lines 29 and 30 and in-
9 serting the following: "requires, except that where
10 available, physicians and hospitals shall report the
11 Glasgow coma scale. The director shall".

S-5901

Filed April 11, 1988

Adopted 4/13 (p 1519)

BY BEVERLY HANNON

SENATE AMENDMENT TO HOUSE AMENDMENT TO
SENATE FILE 302

H-6443

1 Amend the House amendment, S-5774, to Senate File
2 302, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking line 20, and inserting the
5 following: "attending For a patient who is not
6 admitted to a hospital but is treated in a physician's
7 office, physicians shall report a brain".

8 2. Page 1, by striking lines 29 and 30 and in-
9 serting the following: "requires, except that where
10 available, physicians and hospitals shall report the
11 Glasgow coma scale. The director shall".

RECEIVED FROM THE SENATE

H-6443 FILED APRIL 13, 1988

Same received 4/14 (p. 1897)

related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

2. The director shall establish and maintain a central registry of persons with brain injuries in order to facilitate the provision of appropriate rehabilitative services to the persons by the department and other state agencies. Hospitals and-attending For a patient who is not admitted to a hospital but is treated in a physician's office, physicians shall report a brain injury to the director within seven days after identification of the person sustaining a brain injury. Hospitals shall report a brain injury to the director no later than forty-five days after the close of a quarter in which the patient was discharged. The report shall contain the name, age and residence of the person, the date, type, and cause of the brain injury, and additional information as the director requires, except that where available, physicians and hospitals shall report the Glasgow coma scale. The director shall consult with health care providers concerning the availability of additional relevant information. The department shall maintain the confidentiality of all information which would identify any person named in a report. However, the identifying information may be released for bona fide research purposes if the confidentiality of the identifying information is maintained by the researchers, or the identifying information may be released by the person with the brain injury or by the person's guardian or, if the person is a minor, by the person's parent or guardian.

Sec. 2. NEW SECTION. 225C.23 BRAIN INJURY RECOGNIZED AS DISABILITY.

The department of human services, the Iowa department of public health, the department of education and its divisions of special education and vocational rehabilitation, the department of human rights and its divisions for the blind and of persons with disabilities and all other state agencies

SENATE FILE 302

AN ACT

RELATING TO THE DISABILITY OF BRAIN INJURY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 225C.22, Code 1987, is amended to read as follows:

225C.22 CENTRAL REGISTRY FOR BRAIN INJURIES.

1. As used in this section and section 225C.23, "brain injury" means clinically evident brain damage resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions, or spinal cord injuries not primarily

which serve persons with brain injuries, shall recognize brain injury as a distinct disability and shall identify those persons with brain injuries among the persons served by the state agency.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 302, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved May 12, 1988

TERRY E. BRANSTAD
Governor