

FIRST REGULAR SESSION

# HOUSE BILL NO. 841

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COOPER (120).

Read 1<sup>st</sup> time March 29, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2114L.011

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### AN ACT

To repeal section 192.745, RSMo, and to enact in lieu thereof one new section relating to the head injury advisory council.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 192.745, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 192.745, to read as follows:

192.745. 1. The "Missouri Head Injury Advisory Council" is hereby established as created by executive order of the governor on March 5, 1985. The council shall consist of twenty-five members. The members of the council that are serving on August 13, 1986, shall continue serving on the following basis: the two members of the council who are members of the house of representatives and appointed by the speaker of the house of representatives shall serve for the remainder of their terms; the two members of the council who are members of the senate appointed by the president pro tempore of the senate shall serve for the remainder of their terms; and the remaining twenty-one members shall determine by lot which seven are to have a one-year term, which seven are to have a two-year term, and which seven are to have a three-year term. Thereafter, the successors to each of these twenty-one members shall serve a three-year term and until the member's successor is appointed by the governor with the advice and consent of the senate. In addition, two members who are members of the house of representatives shall be appointed by the speaker of the house and two members who are members of the senate shall be appointed by the president pro tempore of the senate. The members appointed by the governor shall represent people with head injuries, relatives of persons with head injuries, proprietary schools as defined in section 173.600, RSMo,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 professional groups, health institutions, or private industry and state agencies which administer  
18 programs regarding mental health, education, public health, public safety, insurance, and  
19 Medicaid. The appointment of individuals representing state agencies shall be conditioned on  
20 their continued employment with their respective agencies.

21         2. The Missouri head injury advisory council is assigned to the [division of general  
22 services in the office of administration. The office of administration shall submit estimates of  
23 requirements for appropriations on behalf of the council for the necessary staff and expenses to  
24 carry out the duties and responsibilities assigned by the council. Such staff shall consist of a  
25 director and other support staff] **department of health and senior services.**

26         3. Meetings shall be held at least every ninety days or at the call of the council  
27 chairperson, who shall be elected by the council.

28         4. Each member shall, subject to appropriations, be reimbursed for reasonable and  
29 necessary expenses actually incurred in the performance of the member's official duties.

30         5. The council shall adopt written procedures to govern its activities. [Staff and  
31 consultants shall be provided for the council from appropriations requested by the commissioner  
32 of the office of administration for such purpose.]

33         6. The council shall make recommendations to the governor for developing and  
34 administering a state plan to provide services for head injured persons.

35         7. No member of the council may participate in or seek to influence a decision or vote  
36 of the council if the member would be directly involved with the matter or if the member would  
37 derive income from it. A violation of the prohibition contained herein shall be grounds for a  
38 person to be removed as a member of the council by the governor.

39         8. The council shall be advisory and shall:

40         (1) Promote meetings and programs for the discussion of reducing the debilitating effects  
41 of head injuries and disseminate information in cooperation with any other department, agency  
42 or entity on the prevention, evaluation, care, treatment and rehabilitation of persons affected by  
43 head injuries;

44         (2) Study and review current prevention, evaluation, care, treatment and rehabilitation  
45 technologies and recommend appropriate preparation, training, retraining and distribution of  
46 manpower and resources in the provision of services to head-injured persons through private and  
47 public residential facilities, day programs and other specialized services;

48         (3) Recommend what specific methods, means and procedures should be adopted to  
49 improve and upgrade the state's service delivery system for head-injured citizens of this state;

50         (4) Participate in developing and disseminating criteria and standards which may be  
51 required for future funding or licensing of facilities, day programs and other specialized services  
52 for head-injured persons in this state;

53           (5) Report annually to the [commissioner of administration] **director of the department**  
54 **of health and senior services**, the governor, and the general assembly on its activities, and on  
55 the results of its studies and the recommendations of the council.

56           9. The [office of administration] **department of health and senior services** may accept  
57 on behalf of the council federal funds, gifts and donations from individuals, private organizations  
58 and foundations, and any other funds that may become available.