



SPONSOR: Rep. Osienski & Sen. Henry & Sen. Cloutier;
Reps. Bennett, Carson, Heffernan, Hocker, Hudson,
Keeley, Kowalko, Lavelle, Mitchell, Schooley, Walker,
Willis; Sens. Blevins, Bonini, Booth, Bushweller, Hall-
Long, Sokola, Sorenson

HOUSE OF REPRESENTATIVES
146th GENERAL ASSEMBLY

HOUSE BILL NO. 141

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE COUNCIL FOR
PERSONS WITH DISABILITIES.

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

1 Section 1. Amend §8210(b), Title 29 of the Delaware Code, by adding a subsection “(10)” to read as follows:
2 “(10) Serve as the primary brain injury council for the State. In furtherance of this role, the Council shall:
3 (A) Fulfill the duties and responsibilities set forth in paragraphs (1) through (8) of this subsection with
4 respect to persons with brain injuries;
5 (B) Maintain a standing brain injury committee to facilitate prevention and centralized interdisciplinary
6 planning, assessment and an improved service delivery system for individuals with brain injury comprised of the
7 following members, or designees of such members:
8 (i) Director of the Division of Public Health;
9 (ii) Director of the Division of Developmental Disabilities Services;
10 (iii) Director of the Division of Substance Abuse and Mental Health;
11 (iv) Director of the Division of Aging and Adults with Physical Disabilities;
12 (v) Director of the Division of Prevention and Behavioral Health Services;
13 (vi) Director of Division of Vocational Rehabilitation;
14 (vii) Exceptional Children Director of Department of Education;
15 (viii) Chair of Governor’s Advisory Council for Exceptional Citizens;
16 (ix) Chair of Developmental Disabilities Council;
17 (x) minimum of three survivors of brain injury or family members of such individuals; and
18 (xi) representatives of prevention, planning, veterans and service delivery organizations
19 appointed by the Council, including a representative of the State chapter of the Brain Injury Association
20 of America and a representative of the “protection and advocacy agency” defined in §1102 of Title 16.”.

SYNOPSIS

Forty-eight (48) states have established brain injury advisory boards or councils to facilitate planning, assessment, and improved service coordination for brain injury survivors. Twenty-four (24) of the states, including New Jersey and Maryland, have established such boards or councils by statute. The formal establishment and active operation of an interdisciplinary state board or council is often a prerequisite for qualifying for federal brain injury funds. The Delaware State Council for Persons with Disabilities has informally maintained a 24-member brain injury committee since 2003. This bill would amend the Council's enabling statute to confirm its status as the State's primary brain injury council, clarify the role and membership of its brain injury committee, and enhance prospects for acquiring competitive grant funds.