

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 737

Short Title: DHHS Shall Seek TBI Medicaid Waiver. (Public)

Sponsors: Representatives Martin, Insko (Primary Sponsors); Adams, M. Alexander, Barnhart, Braxton, Coates, Earle, Faison, Farmer-Butterfield, Fisher, Glazier, Grady, Harrison, Hughes, Lewis, Lucas, Luebke, McLawhorn, Neumann, Parmon, Rapp, Wainwright, and Weiss.

Referred to: Health, if favorable, Appropriations.

March 24, 2009

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 SEEK A MEDICAID WAIVER FOR INDIVIDUALS WITH TRAUMATIC BRAIN
4 INJURY, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY
5 AND VETERANS' AFFAIRS AND BY THE JOINT LEGISLATIVE OVERSIGHT
6 COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
7 SUBSTANCE ABUSE SERVICES.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** The Department of Health and Human Services, Division of Mental
10 Health, Developmental Disabilities, and Substance Abuse Services, shall apply to the Centers
11 for Medicare and Medicaid Services for a 1915(c) waiver to permit individuals who sustain
12 traumatic brain injury after age 22 to access home and community-based Medicaid services. If
13 approved, the Department shall not implement the waiver except as authorized by an act of the
14 General Assembly appropriating funds for this purpose. The Department shall report on the
15 status of the waiver to the Joint Legislative Oversight Committee on Mental Health,
16 Developmental Disabilities, and Substance Abuse Services, the Senate Appropriations
17 Committee on Health and Human Services, the House of Representatives Appropriations
18 Subcommittee on Health and Human Services, and the Fiscal Research Division not later than
19 March 1, 2010.

20 **SECTION 2.** This act is effective when it becomes law.

