

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 77*

Short Title: Apply for TBI Medicaid Waiver. (Public)

Sponsors: Representatives Insko, Earle, and M. Alexander (Primary Sponsors).
 For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Health and Human Services.

February 14, 2011

A BILL TO BE ENTITLED

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2 AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 APPLY FOR A TRAUMATIC BRAIN INJURY MEDICAID WAIVER, AS
4 RECOMMENDED BY THE LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL
5 HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE
6 SERVICES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The Department of Health and Human Services, in consultation with
9 the North Carolina Traumatic Brain Injury Advisory Council, shall develop and apply to the
10 Centers for Medicare and Medicaid Services (CMS) for a 1915(c) waiver to permit persons
11 who sustain traumatic brain injuries to access home and community-based Medicaid services.
12 The Department shall not submit the application to CMS unless the General Assembly
13 identifies a source of funding sufficient to provide the match for this proposed waiver from
14 State appropriations earmarked for persons with traumatic brain injury. In determining the
15 number of slots and the slot allocation formula for this proposed waiver, the Department shall
16 consider the amount of funding identified by the General Assembly for this purpose.

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

