

42 U.S. Code § 300d–52 - State grants for projects regarding traumatic brain injury

In general

The [Secretary](#), acting through the Administrator for the Administration for Community Living, may make grants to [States](#) and American Indian consortia for the purpose of carrying out projects to improve access to rehabilitation and other services regarding [traumatic brain injury](#).

(b) STATE ADVISORY BOARD

(1) IN GENERAL

The [Secretary](#) may make a grant under subsection (a) only if the [State](#) or [American Indian consortium](#) involved agrees to establish an advisory board within the appropriate health department of the [State](#) or [American Indian consortium](#) or within another department as designated by the chief executive officer of the [State](#) or [American Indian consortium](#).

(2) FUNCTIONS

An advisory board established under paragraph (1) shall advise and make recommendations to the [State](#) or [American Indian consortium](#) on ways to improve [services](#) coordination regarding [traumatic brain injury](#). Such advisory boards shall encourage citizen participation through the establishment of public hearings and other types of community outreach programs. In developing recommendations under this paragraph, such boards shall consult with Federal, [State](#), and local governmental agencies and with citizens groups and other private entities.

(3) **COMPOSITION** An advisory board established under paragraph (1) shall be composed of—

(A) representatives of—

- (i) the corresponding [State](#) or [American Indian consortium](#) agencies involved;
- (ii) public and nonprofit private health related organizations;
- (iii) other disability advisory or planning groups within the [State](#) or [American Indian consortium](#);
- (iv) members of an organization or foundation representing individuals with [traumatic brain injury](#) in that [State](#) or [American Indian consortium](#); and
- (v) injury control programs at the [State](#) or local level if such programs exist; and

(B) a substantial number of individuals with [traumatic brain injury](#), or the family members of such individuals.

(c) MATCHING FUNDS

(1) IN GENERAL

With respect to the costs to be incurred by a [State](#) or [American Indian consortium](#) in carrying out the purpose described in subsection (a), the [Secretary](#) may make a grant under such subsection only if the [State](#) or [American Indian consortium](#) agrees to make available non-Federal contributions toward such costs in an amount that is not less than \$1 for each \$2 of Federal funds provided under the grant.

(2) DETERMINATION OF AMOUNT CONTRIBUTED

Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or [services](#). Amounts provided by the Federal Government, or [services](#) assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

(d) APPLICATION FOR GRANT

The [Secretary](#) may make a grant under subsection (a) only if an application for the grant is submitted to the [Secretary](#) and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the [Secretary](#) determines to be necessary to carry out this section.

(e) USE OF STATE AND AMERICAN INDIAN CONSORTIUM GRANTS

(1) COMMUNITY SERVICES AND SUPPORTS A [State](#) or [American Indian consortium](#) shall (directly or through awards of contracts to nonprofit private entities) use amounts received under a grant under this section for the following:

(A) To develop, change, or enhance community-based [service](#) delivery systems that include timely access to comprehensive appropriate [services](#) and supports. Such [service](#) and supports—
(i) shall promote full participation by individuals with [traumatic brain injury](#) and their families in decision making regarding the [services](#) and supports; and
(ii) shall be designed for children, youth, and adults with [traumatic brain injury](#).

(B) To focus on outreach to underserved and inappropriately served individuals, such as individuals in institutional settings, individuals with low socioeconomic resources, individuals in rural communities, and individuals in culturally and linguistically diverse communities.

(C) To award contracts to nonprofit entities for consumer or family [service](#) access training, consumer support, peer mentoring, and parent to parent programs.

(D) To develop individual and family [service](#) coordination or case management systems.

(E) To support other needs identified by the advisory board under subsection (b) for the [State](#) or [American Indian consortium](#) involved.

(2) BEST PRACTICES

(A) In general

State or [American Indian consortium services](#) and supports provided under a grant under this section shall reflect the best practices in the field of [traumatic brain injury](#), shall be in compliance with title II of the [Americans with Disabilities Act of 1990](#) [42 U.S.C. 12131 et seq.], and shall be supported by quality assurance measures as well as [state-of-the-art](#) health care and integrated community supports, regardless of the severity of injury.

(B) Demonstration by State agency

The [State](#) or [American Indian consortium](#) agency responsible for administering amounts received under a grant under this section shall demonstrate that it has obtained knowledge and expertise of [traumatic brain injury](#) and the unique needs associated with [traumatic brain injury](#).

(3) STATE CAPACITY BUILDING A [State](#) or [American Indian consortium](#) may use amounts received under a grant under this section to—

(A) educate consumers and families;

(B) train professionals in public and private sector financing (such as third party payers, [State](#) agencies, community-based providers, schools, and educators);

(C) develop or improve case management or [service](#) coordination systems;

(D) develop best practices in areas such as family or consumer support, return to work, housing or supportive living personal assistance [services](#), assistive technology and devices, behavioral health [services](#), substance abuse [services](#), and [traumatic brain injury](#) treatment and rehabilitation;

(E) tailor existing [State](#) or [American Indian consortium](#) systems to provide accommodations to the needs of individuals with [traumatic brain injury](#) (including systems administered by the [State](#) or [American Indian consortium](#) departments responsible for health, mental health, labor/employment, education, intellectual disabilities or developmental disorders, transportation, and correctional systems);

(F) improve data sets coordinated across systems and other needs identified by a [State](#) or [American Indian consortium](#) plan supported by its advisory council; and

(G) develop capacity within targeted communities.

(f) COORDINATION OF ACTIVITIES

The [Secretary](#) shall ensure that activities under this section are coordinated as appropriate with other Federal agencies that carry out activities regarding [traumatic brain injury](#).

(g) REPORT

Not less than biennially, the [Secretary](#) shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions of the Senate, a report describing the findings and results of the programs established under this section and [section 300d–53 of this title](#), including measures of outcomes and consumer and surrogate satisfaction.

(h) DEFINITIONS For purposes of this section:

(1) The terms “[American Indian consortium](#)” and “[State](#)” have the meanings given to those terms in [section 300d–53 of this title](#).

(2) The term “[traumatic brain injury](#)” means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma. The [Secretary](#) may revise the definition of such term as the [Secretary](#) determines necessary, after consultation with [States](#) and other appropriate public or nonprofit private entities.

(i) AUTHORIZATION OF APPROPRIATIONS

For the purpose of carrying out this section, there are authorized to be appropriated \$7,321,000 for each of fiscal years 2020 through 2024.

(July 1, 1944, ch. 373, title XII, § 1252, as added [Pub. L. 104–166, § 3](#), July 29, 1996, [110 Stat. 1446](#); amended [Pub. L. 106–310, div. A, title XIII, § 1304](#), Oct. 17, 2000, [114 Stat. 1139](#); [Pub. L. 110–23, § 14](#), May 3, 2007, [121 Stat. 99](#); [Pub. L. 110–206, § 6\(a\)](#), Apr. 28, 2008, [122 Stat. 716](#); [Pub. L. 111–256, § 2\(f\)\(6\)](#), Oct. 5, 2010, [124 Stat. 2644](#); [Pub. L. 113–196, § 3](#), Nov. 26, 2014, [128 Stat. 2052](#); [Pub. L. 115–377, § 3](#), Dec. 21, 2018, [132 Stat. 5114](#).)