

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 335*

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

Sponsors: Senators Nesbitt; Allran, Atwater, D. Berger, Blue, Dannelly, Forrester, Jenkins,
Jones, Mansfield, Purcell, and White.

Referred to: Mental Health & Youth Services.

March 14, 2011

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

