

**ASSEMBLY BILL**

**No. 1492**

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**Introduced by Assembly Members Thomson and Aroner**  
(Coauthor: Senator Figueroa)

February 26, 1999

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An act to amend Section 1464 of the Penal Code, to amend Sections 4354, 4355, 4357, and 4359 of, to add Sections 4354.5, 4357.1, 4357.2, and 4358.5 to, and to repeal and add Section 4356 of, the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1492, as introduced, Thomson. Traumatic brain injury project.

Existing law requires the State Department of Mental Health to establish up to 4 3-year demonstration projects for a postacute continuum-of-care model for adults 18 years of age or older with acquired traumatic brain injuries. These provisions are to be repealed as of January 1, 2000.

This bill would recast these provisions to require the department to designate sites in order to develop a system of postacute continuum-of-care models, provide for implementation of the demonstration project at various sites, revise the requirements for participation in the demonstration project, require the department to expand the participation in the project, and extend the authority for implementation of the project to January 1, 2005.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1464 of the Penal Code is  
 2 amended to read:

3 1464. (a) Subject to Chapter 12 (commencing with  
 4 Section 76000) of Title 8 of the Government Code, there  
 5 shall be levied a state penalty, in an amount equal to ten  
 6 dollars (\$10) for every ten dollars (\$10) or fraction  
 7 thereof, upon every fine, penalty, or forfeiture imposed  
 8 and collected by the courts for criminal offenses,  
 9 including all offenses, except parking offenses as defined  
 10 in subdivision (i) of Section 1463, involving a violation of  
 11 a section of the Vehicle Code or any local ordinance  
 12 adopted pursuant to the Vehicle Code. Any bail schedule  
 13 adopted pursuant to Section 1269b may include the  
 14 necessary amount to pay the state penalties established  
 15 by this section and Chapter 12 (commencing with Section  
 16 76000) of Title 8 of the Government Code for all matters  
 17 where a personal appearance is not mandatory and the  
 18 bail is posted primarily to guarantee payment of the fine.

19 (b) Where multiple offenses are involved, the state  
 20 penalty shall be based upon the total fine or bail for each  
 21 case. When a fine is suspended, in whole or in part, the  
 22 state penalty shall be reduced in proportion to the  
 23 suspension.

24 (c) When any deposited bail is made for an offense to  
 25 which this section applies, and for which a court  
 26 appearance is not mandatory, the person making the  
 27 deposit shall also deposit a sufficient amount to include  
 28 the state penalty prescribed by this section for forfeited  
 29 bail. If bail is returned, the state penalty paid thereon  
 30 pursuant to this section shall also be returned.

31 (d) In any case where a person convicted of any  
 32 offense, to which this section applies, is in prison until the  
 33 fine is satisfied, the judge may waive all or any part of the  
 34 state penalty, the payment of which would work a  
 35 hardship on the person convicted or his or her immediate  
 36 family.

37 (e) After a determination by the court of the amount  
 38 due, the clerk of the court shall collect the penalty and



1 transmit it to the county treasury. The portion thereof  
2 attributable to Chapter 12 (commencing with Section  
3 76000) of Title 8 of the Government Code shall be  
4 deposited in the appropriate county fund and 70 percent  
5 of the balance shall then be transmitted to the State  
6 Treasury, to be deposited in the State Penalty Fund,  
7 which is hereby created, and 30 percent to remain on  
8 deposit in the county general fund. The transmission to  
9 the State Treasury shall be carried out in the same  
10 manner as fines collected for the state by a county.

11 (f) The moneys so deposited in the State Penalty Fund  
12 shall be distributed as follows:

13 (1) Once a month there shall be transferred into the  
14 Fish and Game Preservation Fund an amount equal to  
15 0.33 percent of the state penalty funds deposited in the  
16 State Penalty Fund during the preceding month, except  
17 that the total amount shall not be less than the state  
18 penalty levied on fines or forfeitures for violation of state  
19 laws relating to the protection or propagation of fish and  
20 game. These moneys shall be used for the education or  
21 training of department employees which fulfills a need  
22 consistent with the objectives of the Department of Fish  
23 and Game.

24 (2) Once a month there shall be transferred into the  
25 Restitution Fund an amount equal to 32.02 percent of the  
26 state penalty funds deposited in the State Penalty Fund  
27 during the preceding month. Those funds shall be made  
28 available in accordance with Section 13967 of the  
29 Government Code.

30 (3) Once a month there shall be transferred into the  
31 Peace Officers' Training Fund an amount equal to 23.99  
32 percent of the state penalty funds deposited in the State  
33 Penalty Fund during the preceding month.

34 (4) Once a month there shall be transferred into the  
35 Driver Training Penalty Assessment Fund an amount  
36 equal to 25.70 percent of the state penalty funds deposited  
37 in the State Penalty Fund during the preceding month.

38 (5) Once a month there shall be transferred into the  
39 Corrections Training Fund an amount equal to 7.88  
40 percent of the state penalty funds deposited in the State



1 Penalty Fund during the preceding month. Money in the  
2 Corrections Training Fund is not continuously  
3 appropriated and shall be appropriated in the Budget  
4 Act.

5 (6) Once a month there shall be transferred into the  
6 Local Public Prosecutors and Public Defenders Training  
7 Fund established pursuant to Section 11503 an amount  
8 equal to 0.78 percent of the state penalty funds deposited  
9 in the State Penalty Fund during the preceding month.  
10 The amount so transferred shall not exceed the sum of  
11 eight hundred fifty thousand dollars (\$850,000) in any  
12 fiscal year. The remainder in excess of eight hundred fifty  
13 thousand dollars (\$850,000) shall be transferred to the  
14 Restitution Fund.

15 (7) Once a month there shall be transferred into the  
16 Victim-Witness Assistance Fund an amount equal to 8.64  
17 percent of the state penalty funds deposited in the State  
18 Penalty Fund during the preceding month.

19 (8) (A) Once a month there shall be transferred into  
20 the Traumatic Brain Injury Fund, created pursuant to  
21 Section 4358 of the Welfare and Institutions Code, an  
22 amount equal to 0.66 percent of the state penalty funds  
23 deposited into the State Penalty Fund during the  
24 preceding month. However, the amount of funds  
25 transferred into the Traumatic Brain Injury Fund for the  
26 1996-97, 1997-98, and 1998-99 fiscal ~~year~~ years shall not  
27 exceed the amount of five hundred thousand dollars  
28 (\$500,000). Thereafter, funds shall be transferred  
29 pursuant to the requirements of this section.

30 (B) Any moneys deposited in the State Penalty Fund  
31 attributable to the assessments made pursuant to  
32 subdivision (i) of Section 27315 of the Vehicle Code on or  
33 after the date that Chapter 6.6 (commencing with  
34 Section 5564) of Part 1 of Division 5 of the Welfare and  
35 Institutions Code is repealed shall be utilized in  
36 accordance with paragraphs (1) to (8), inclusive, of this  
37 subdivision.

38 SEC. 2. Section 4354 of the Welfare and Institutions  
39 Code is amended to read:



1 4354. For purposes of this chapter, the following  
2 definitions shall apply:

3 (a) “Acquired traumatic brain injury” is an injury that  
4 is sustained after birth from an external force to the brain  
5 or any of its parts, resulting in *cognitive*, psychological,  
6 neurological, or anatomical changes in brain functions.

7 (b) “Department” means the State Department of  
8 Mental Health.

9 (c) “Director” means the Director of Mental Health.

10 ~~(d) “Supported employment” means an alternative~~  
11 ~~“Vocational supportive services” means a method of~~  
12 ~~providing services which vocational rehabilitation and~~  
13 ~~related services that may include prevocational and~~  
14 ~~educational services to individuals who may not qualify~~  
15 ~~for are unserved or underserved by existing vocational~~  
16 ~~rehabilitation. The rehabilitation services.~~

17 (e) The following four characteristics distinguish  
18 ~~“supported employment” from both vocational~~  
19 ~~rehabilitation services and “vocational supportive~~  
20 ~~services” from traditional methods of providing~~  
21 ~~vocational rehabilitation and day activity services:~~

22 (1) Service recipients appear to lack the potential for  
23 unassisted competitive employment.

24 (2) Ongoing training, supervision, and support  
25 services must be provided.

26 (3) The opportunity is designed to provide the same  
27 benefits that other persons receive from work, including  
28 an adequate income level, quality of working life,  
29 security, and mobility.

30 (4) There is flexibility in the provision of support  
31 which is necessary to enable the person to function  
32 effectively at the worksite.

33 ~~(e) “Day treatment~~

34 (f) ~~“Community reintegration services” means a goal~~  
35 ~~oriented program of developmental and therapeutic~~  
36 ~~services as needed by clients, designed to develop,~~  
37 ~~maintain, increase, or maximize an individual’s~~  
38 ~~independent functioning in self-care, physical, cognitive,~~  
39 ~~behavioral, or emotional growth, socialization,~~  
40 ~~communication, education, and prevocational skills, with~~



1 *the goal of living in the community and participating in*  
 2 *community life. These services may include, but are not*  
 3 *limited to, providing, or arranging for access to, housing,*  
 4 *transportation, medical care, rehabilitative therapies, day*  
 5 *programs, chemical dependency recovery programs,*  
 6 *personal assistance, and education.*

7 ~~(f)~~

8 (g) “Fund” means the Traumatic Brain Injury Fund.

9 ~~(g) “Structured~~

10 (h) “Supported living arrangement” services” means  
 11 a residential setting where there is range of appropriate  
 12 supervision, support, and training in the client’s place of  
 13 residence, designed to maximize independence.

14 ~~(h)~~

15 (i) “Functional assessment” means measuring the  
 16 level or degree of independence, amount of assistance  
 17 required, and speed and safety considerations for a  
 18 variety of categories, including activities of daily living,  
 19 mobility, communication skills, psychosocial adjustment,  
 20 and cognitive function.

21 (j) “Residence” means the place where a client makes  
 22 his or her home, that may include, but is not limited to,  
 23 a house or apartment where the client lives  
 24 independently, assistive living arrangements, congregate  
 25 housing, group homes, residential care facilities,  
 26 transitional living programs, and nursing facilities.

27 SEC. 3. Section 4354.5 is added to the Welfare and  
 28 Institutions Code, to read:

29 4354.5. The Legislature finds and declares the  
 30 following:

31 (a) Ascertaining the number of Californians who  
 32 survive traumatic brain injuries is difficult, but the best  
 33 estimates are that there are approximately 225,000  
 34 survivors, who have sustained ‘closed‘ or ‘open‘ head  
 35 injuries.

36 (b) Traumatic brain injuries have a long-term impact  
 37 on the survivors, their families, caregivers, and support  
 38 systems.

39 (c) Long-term care consumers experience great  
 40 differences in service levels, eligibility criteria, and



1 service availability, resulting in inappropriate and  
2 expensive care that fails to be responsive to their needs.

3 (d) California must develop an action plan with a  
4 timetable for implementation to ensure that there will be  
5 an array of appropriate services and assistance funded  
6 and administered by a state structure that has a focus and  
7 commitment to integration and coordination.

8 (e) The state must pursue, in a timely manner, all  
9 available sources of federal financial participation,  
10 including, but not limited to, the medicaid home and  
11 community-based services waiver program (42 U.S.C.  
12 Sec. 1396n(c)) and Part J of Subchapter II of the Public  
13 Health Service Act (42 U.S.C. Sec. 280b et seq.).

14 (f) The department, pursuant to this chapter, has  
15 funded and demonstrated, successfully, through four  
16 projects for a postacute continuum-of-care model for  
17 adults 18 years of age or older with acquired traumatic  
18 brain injuries, the array of services and assistance that  
19 meet the needs of these individuals and their families.

20 (g) The state shall replicate these models toward  
21 developing a statewide system that has as a goal the  
22 support of existing community-based agencies and  
23 organizations with a proven record of serving survivors  
24 of traumatic brain injuries.

25 (h) Implementation of the act that added this section  
26 shall be consistent with the state's public policy strategy  
27 to design a coordinated services delivery system pursuant  
28 to Article 4.05 (commencing with Section 14139.05) of  
29 Chapter 7 of Part 3 of Division 9.

30 SEC. 4. Section 4355 of the Welfare and Institutions  
31 Code is amended to read:

32 4355. The department shall ~~establish demonstration~~  
33 ~~projects for a~~ *designate sites in order to develop a system*  
34 *of postacute continuum-of-care—model models* for adults  
35 18 years of age or older with an acquired traumatic brain  
36 injury. The ~~projects~~ *project sites* shall coordinate  
37 ~~supported—employment~~ *vocational supportive* services,  
38 ~~day—treatment~~ *community reintegration* services, and a  
39 ~~structured supported living arrangement~~ *services*. The  
40 purpose of the ~~projects~~ *project* is to demonstrate the



1 effectiveness of a coordinated service approach which  
2 furthers the goal of assisting those persons to attain  
3 productive, independent lives which may include paid  
4 employment.

5 SEC. 5. Section 4356 of the Welfare and Institutions  
6 Code is repealed.

7 ~~4356. (a) The department shall award and~~  
8 ~~administer a maximum of four demonstration projects.~~  
9 ~~Priority shall be given to applicants which have proven~~  
10 ~~experience in providing services to persons with an~~  
11 ~~acquired traumatic brain injury or providing supported~~  
12 ~~employment services to persons with special needs.~~  
13 ~~There shall be at least one demonstration project located~~  
14 ~~in the north half of the state and one in the south half of~~  
15 ~~the state. The department shall award project grants no~~  
16 ~~later than six months after funds for this purpose have~~  
17 ~~been appropriated, using a competitive bidding process.~~  
18 ~~No application shall be considered by the department~~  
19 ~~unless the applicant sets forth in the application the~~  
20 ~~means by which data will be collected for purposes of~~  
21 ~~evaluation pursuant to subdivision (b). All projects shall~~  
22 ~~be operational within two months following the grant~~  
23 ~~award.~~

24 ~~(b) The department shall also develop an evaluation~~  
25 ~~and data collection system prior to the initial operative~~  
26 ~~date of the project pursuant to subdivision (a), to assess~~  
27 ~~the effectiveness of these coordinated service models.~~  
28 ~~The department shall report to the Legislature on the~~  
29 ~~progress of the demonstration projects by November 30~~  
30 ~~of each year in which the projects are operational.~~

31 ~~The evaluation shall assess the effectiveness of the pilot~~  
32 ~~projects by doing all of the following:~~

33 ~~(1) Comparing the number of persons who achieved~~  
34 ~~supported employment placement, as described in~~  
35 ~~subdivision (d) of Section 5564.1, with the number who~~  
36 ~~would have achieved placement without the assistance of~~  
37 ~~a pilot project. The program shall have as a goal an~~  
38 ~~increase of 30 percent in numbers of persons employed~~  
39 ~~as a result of the program.~~



1 ~~(2) Comparing the number of persons who achieved~~  
2 ~~employment compared with the number who would~~  
3 ~~have achieved employment without the assistance of a~~  
4 ~~pilot project. The program shall have as a goal an increase~~  
5 ~~of 30 percent in numbers of persons employed as a result~~  
6 ~~of the program.~~

7 ~~(3) Conducting any other evaluative investigation~~  
8 ~~which interested parties, as described in subdivision (c),~~  
9 ~~determine to be appropriate. The program shall have as~~  
10 ~~a goal an increase of 30 percent in the numbers of persons~~  
11 ~~with significant improvement as measured by standard~~  
12 ~~and objective functional assessment independence~~  
13 ~~measures.~~

14 ~~(4) The comparisons shall be analyzed to determine if~~  
15 ~~provision of services had a statistically significant impact~~  
16 ~~on rates of employment or supported employment, or on~~  
17 ~~any other objective which interested parties, as described~~  
18 ~~in subdivision (c), direct the department to measure.~~

19 ~~(e) The department shall consult with interested~~  
20 ~~parties to assist with the implementation of this chapter,~~  
21 ~~and specifically with the development of criteria for~~  
22 ~~selection of the projects and development of an~~  
23 ~~evaluation and data collection system. Interested parties~~  
24 ~~shall include, but not be limited to, all of the following:~~

25 ~~(1) The California Association of Rehabilitation~~  
26 ~~Facilities.~~

27 ~~(2) The California Association for Adult Day Services.~~

28 ~~(3) The Southern California Head Injury Foundation.~~

29 ~~(4) The Northern California Head Injury Association.~~

30 ~~(5) The Coalition of Independent Living Centers.~~

31 ~~(d) The term “supported employment placement” as~~  
32 ~~used in paragraph (1) of subdivision (b) means an~~  
33 ~~alternative method of providing services which may~~  
34 ~~include prevocational and educational services to~~  
35 ~~individuals who may not qualify for vocational~~  
36 ~~rehabilitation. The following four characteristics~~  
37 ~~distinguish supported employment from both vocational~~  
38 ~~rehabilitation services and traditional methods of~~  
39 ~~providing day activity services:~~



1 ~~(1) Service recipients appear to lack the potential for~~  
2 ~~unassisted competitive employment.~~

3 ~~(2) Ongoing training, supervision, and support~~  
4 ~~services must be provided.~~

5 ~~(3) The opportunity is designed to provide the same~~  
6 ~~benefits that other persons receive from work, including~~  
7 ~~an adequate income level, quality of working life,~~  
8 ~~security, and mobility.~~

9 ~~(4) There is flexibility in the provision of support~~  
10 ~~which is necessary to enable the person to function~~  
11 ~~effectively at the worksite.~~

12 ~~(e) The department shall take all steps necessary to~~  
13 ~~maximize the availability of federal funding for this~~  
14 ~~program, including, but not limited to, funds available~~  
15 ~~under the federal Rehabilitation Act of 1973, as amended.~~  
16 ~~To the extent necessary in order to maximize funding for~~  
17 ~~the demonstration projects and clients served, the~~  
18 ~~department may enter into an interagency agreement~~  
19 ~~with any state department it deems necessary in order to~~  
20 ~~achieve this goal, including, but not limited to, the State~~  
21 ~~Department of Rehabilitation.~~

22 SEC. 6. Section 4356 is added to the Welfare and  
23 Institutions Code, to read:

24 4356. (a) The department shall provide support to  
25 the four original pilot sites.

26 (b) (1) The department shall award and administer  
27 grants to four additional sites, to be selected through a  
28 competitive bidding process. One site shall be within  
29 each of the regions listed in Section 4357.2. It is the intent  
30 of the Legislature that one site be located in a rural area.  
31 Implementation of new project sites shall be contingent  
32 upon the availability of funds, and new project sites shall  
33 be selected on an incremental basis as funds become  
34 available.

35 (2) Priority shall be given to applicants that have  
36 proven experience in providing services to persons with  
37 an acquired traumatic brain injury including, but not  
38 limited to, supported living services, community  
39 reintegration services, vocational support services,  
40 caregiver support, and family and community education.



1 (3) The department shall convene a working group,  
2 established pursuant to Section 4357.1, to assist them in  
3 developing requests for proposals and evaluating bids. In  
4 addition, the department shall use this working group as  
5 an advisory committee in accordance with requirements  
6 of Part J of Subchapter II of the Public Health Service Act  
7 (42 U.S.C. Sec. 280b et seq.) in order to pursue available  
8 federal funds including, but not limited to, Section  
9 300d-52 of Title 42 of the United States Code.

10 (4) Each new site shall be in operation within six  
11 months following the grant award.

12 (5) The four additional sites prescribed by this  
13 subdivision shall be established to the extent that the  
14 availability of federal funds or other appropriate funds  
15 permit.

16 (c) (1) The department, with the advice and  
17 assistance of the working group, shall develop an  
18 independent evaluation and assist sites in collecting  
19 uniform data on all clients.

20 (2) The evaluation shall test the efficacy, individually  
21 and in the aggregate, of the existing and new project sites  
22 in the following areas:

23 (A) The degree of community reintegration achieved  
24 by clients, including their increased ability to  
25 independently carry out activities of daily living,  
26 increased participation in community life, and improved  
27 living arrangements.

28 (B) The improvements in clients' prevocational and  
29 vocational abilities, educational attainment, and paid and  
30 volunteer job placements.

31 (C) Client and family satisfaction with services  
32 provided.

33 (D) Number of clients, family members, health and  
34 social service professionals, law enforcement  
35 professionals, and other persons receiving education and  
36 training designed to improve their understanding of the  
37 nature and consequences of traumatic brain injury, as  
38 well as any documented outcomes of that training and  
39 education.



1 (3) The department shall expend not more than 10  
2 percent of the annual program amount on the evaluation.  
3 The evaluator shall be chosen by means of competitive  
4 bid and shall report to the department.

5 (4) The evaluator shall make an interim report to the  
6 Legislature within two years of being selected, and shall  
7 make a final report to the Legislature by January 30, 2003.

8 SEC. 7. Section 4357 of the Welfare and Institutions  
9 Code is amended to read:

10 4357. (a) The ~~projects~~ *sites* shall be able to identify  
11 the special-~~care~~ needs and ~~behavioral~~ problems of clients  
12 and the services shall be designed to meet those needs.

13 (b) The ~~projects~~ *sites* shall match not less than 20  
14 percent of the amount granted, *with the exception of*  
15 *funds used for mentoring*. The required match may be  
16 cash or in-kind contributions, or a combination of both,  
17 *from the sites or any cooperating agency*. In-kind  
18 contributions may include, but shall not be limited to,  
19 staff and volunteer services.

20 (c) The ~~projects~~ *sites* shall provide at least 51 percent  
21 of their services under the grant to individuals who are  
22 Medi-Cal eligible or who have no other identified  
23 third-party funding source.

24 (d) The ~~projects~~ *sites* shall provide, directly; or by  
25 arrangement, a coordinated service model to include all  
26 of the following:

27 (1) ~~Structured~~ *Supported* living ~~arrangement~~  
28 *services*.

29 (2) ~~Day treatment~~ *Community reintegration* services.

30 (3) ~~Supported—employment~~ *Vocational* *supportive*  
31 *services*.

32 ~~(e) The projects~~

33 (4) *Information, referral and, as needed, assistance in*  
34 *identifying, accessing, utilizing, and coordinating all*  
35 *services needed by individuals with traumatic brain*  
36 *injury and their families*.

37 (5) *Public and professional education designed to*  
38 *facilitate early identification of persons with brain injury,*  
39 *prompt referral of these persons to appropriate services,*



1 *and improvement of the system of services available to*  
2 *them.*

3 *The model shall be designed and modified with advice*  
4 *from clients and their families, and shall be accessible to*  
5 *the population in need, taking into account*  
6 *transportation, linguistic, and cultural factors.*

7 *(e) The sites shall develop and utilize a ~~model~~ an*  
8 *individual service plan which will allow clients to move*  
9 *from intensive ~~day treatment programming~~ medical*  
10 *rehabilitation or highly structured living arrangements to*  
11 *increased levels of independence ~~or supported~~*  
12 *~~employment placement~~ and employment. The goals and*  
13 *priorities of each client shall be an integral part of his or*  
14 *her service plan.*

15 *(f) The ~~projects~~ sites shall seek all third-party*  
16 *reimbursements for which clients are eligible and shall*  
17 *utilize all services otherwise available to clients at no cost,*  
18 *including vocational rehabilitation services provided by*  
19 *the Department of Rehabilitation. However, grantees*  
20 *may utilize grant dollars for the purchase of*  
21 *nonreimbursed services or services otherwise*  
22 *unavailable to clients.*

23 *(g) The sites shall endeavor to serve a population that*  
24 *is broadly representative with regard to race and*  
25 *ethnicity of the population with traumatic brain injury in*  
26 *their geographical service area, undertaking outreach*  
27 *activities as needed to achieve this goal.*

28 *(h) The sites shall maintain a broad network of*  
29 *relationships with local groups of brain injury survivors*  
30 *and families of survivors, as well as local providers of*  
31 *health, social, and vocational services to individuals with*  
32 *traumatic brain injury and their families. The sites shall*  
33 *work cooperatively with these groups and providers to*  
34 *improve and develop needed services and to promote a*  
35 *well-coordinated service system, taking a leadership role*  
36 *as necessary.*

37 SEC. 8. Section 4357.1 is added to the Welfare and  
38 Institutions Code, to read:



1 4357.1. (a) The department shall convene a working  
2 group including the following persons as selected by the  
3 director:  
4 (1) A survivor currently using services in the program.  
5 (2) Two family members of persons surviving  
6 traumatic brain injuries, one of whom shall be a family  
7 member of a person with significant disabilities resulting  
8 from injuries.  
9 (3) A representative of the Brain Injury Association of  
10 California.  
11 (4) A representative of each of the existing sites.  
12 (5) A representative of the Caregiver Resource  
13 Centers.  
14 (6) A representative of the California Foundation for  
15 Independent Living Centers.  
16 (7) A representative of the Public Interest Center for  
17 Long-term Care.  
18 (8) A representative of the California Rehabilitation  
19 Association.  
20 (9) A member from a survivor’s organization.  
21 (10) Representatives of the Department of  
22 Rehabilitation and the State Department of Health  
23 Services and others as determined by the director.  
24 (b) Members of the working group shall participate  
25 without compensation. The working group may be  
26 reimbursed by the department for expenses related to  
27 the meetings, as determined by the director.  
28 (c) The department shall consult with the working  
29 group on the following, as determined by the director:  
30 (1) Development of the evaluation instrument and  
31 plan.  
32 (2) Selection and development of the four new sites.  
33 (3) Progress reports and input from participating state  
34 or local agencies and the public.  
35 (4) Project implementation, achievements, and  
36 recommendations regarding project improvement.  
37 (5) Development of recommended strategies and  
38 guidelines for accident prevention and training of peace  
39 officers in awareness of brain injury issues. These  
40 recommendations shall be made available for use by the



1 department, project sites, other state agencies, and other  
2 appropriate entities.

3 (6) A recommended plan including financial  
4 requirements for expansion of the project to all regions of  
5 the state to be completed and issued by January 1, 2003.

6 (d) Contracts awarded pursuant to this part and Part  
7 4 (commencing with Section 4370), including contracts  
8 required for administration or ancillary services in  
9 support of programs, shall be exempt from the  
10 requirements of the Public Contract Code and the State  
11 Administrative Manual, and from approval by the  
12 Department of General Services.

13 SEC. 9. Section 4357.2 is added to the Welfare and  
14 Institutions Code, to read:

15 4357.2. (a) New sites shall be chosen from areas of the  
16 state that are not currently served by a site. Two new sites  
17 shall be located in the southern portion of the state and  
18 two new sites shall be located in the northern portion of  
19 the state. Of these, at least one site shall be located in a  
20 rural area. Nothing in this chapter shall prohibit a site  
21 from serving multiple counties. Implementation of the  
22 new sites shall be contingent upon funds appropriated by  
23 the Legislature and funds becoming available for this  
24 purpose.

25 (b) The department, in conjunction with the existing  
26 sites, shall develop guidelines and procedures for the  
27 coordinated continuum-of-care model and its component  
28 services. The existing sites shall assist the department in  
29 providing orientation, training, and technical assistance  
30 to the new sites.

31 (c) Up to 10 percent of funds allocated to new sites  
32 during their first year of operation may be expended for  
33 training, technical assistance, and mentoring by existing  
34 sites and any other source of assistance appropriate to the  
35 needs of the new sites. A plan and budget for technical  
36 assistance and mentoring shall be included in the  
37 proposals submitted by potential project sites.

38 (d) Mentoring activities shall include, but not be  
39 limited to, assisting new sites in refining their  
40 continuum-of-care model and its component services,



1 developing guidelines and procedures, and providing  
2 advice in meeting the needs of traumatic brain injury  
3 survivors and their caregivers, as well as carrying out  
4 community outreach and networking with community  
5 groups and service providers. Mentoring shall be carried  
6 out with the goal of responding to the needs identified by  
7 the new sites, transferring the knowledge and expertise  
8 of the existing sites, and helping each new site to be  
9 successful in developing an effective program that takes  
10 into account the needs, resources, and priorities of their  
11 local community. Mentoring shall be coordinated with  
12 and overseen by the department.

13 (e) Department staff and site directors shall meet  
14 quarterly as a group for ongoing technical assistance,  
15 transfer of knowledge, and refinement of the models of  
16 continuum of care.

17 (f) Existing and new sites may allocate up to 15  
18 percent of annual program funds to any appropriate  
19 caregiver resource center to assist in caregiver services.

20 SEC. 10. Section 4358.5 is added to the Welfare and  
21 Institutions Code, to read:

22 4358.5. (a) Funds deposited into the Traumatic Brain  
23 Injury Fund pursuant to paragraph (8) of subdivision (f)  
24 of Section 1464 of the Penal Code shall be matched by  
25 federal vocational rehabilitation services funds for  
26 implementation of the Traumatic Brain Injury program  
27 pursuant to this chapter.

28 (b) The department shall seek and secure funding  
29 from available federal resources, including, but not  
30 limited to, medicaid and drug and alcohol funds, utilizing  
31 the Traumatic Brain Injury Fund as match and shall seek  
32 any necessary waiver of federal program requirements to  
33 maximize available federal dollars.

34 SEC. 11. Section 4359 of the Welfare and Institutions  
35 Code is amended to read:

36 4359. This chapter shall remain in effect until January  
37 1, ~~2000~~ 2005, and as of that date is repealed, unless a later



1 enacted statute enacted prior to that date extends or  
2 deletes that date.

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