

1 H.343

2 Introduced by Representatives Grad of Moretown, Batchelor of Derby, Burditt  
3 of West Rutland, Canfield of Fair Haven, Fiske of Enosburgh,  
4 Frank of Underhill, Hebert of Vernon, Helm of Fair Haven,  
5 Higley of Lowell, Hubert of Milton, Strong of Albany, and Tate  
6 of Mendon

7 Referred to Committee on

8 Date:

9 Subject: Human services; military affairs; traumatic brain injury services

10 Statement of purpose of bill as introduced: This bill proposes to allow the  
11 dependent family member of an active duty Service member to apply and  
12 remain on the waitlist for traumatic brain injury services funded by Vermont's  
13 home and community-based services Medicaid waiver while the Service  
14 member is assigned to military duty outside the State.

15 An act relating to the provision of traumatic brain injury services to family  
16 members of active duty Service members

17 It is hereby enacted by the General Assembly of the State of Vermont:

1       Sec. 1. RULEMAKING; ELIGIBILITY AND APPLICATION PROCESS  
2                   FOR TRAUMATIC BRAIN INJURY SERVICES

3           (a) The Commissioner of Disabilities, Aging, and Independent Living shall  
4       adopt rules pursuant to 3 V.S.A. chapter 25 to enable the dependent family  
5       member of an active duty Service member to remain on the waitlist for  
6       traumatic brain injury services funded through the State's home and  
7       community-based services Medicaid waiver regardless of the dependent family  
8       member having left the State due to the Service member's out-of-state military  
9       assignment, provided that:

10           (1) the dependent family member is currently eligible for traumatic  
11       brain injury services as prescribed by the Department; and

12           (2) the active duty Service member is a legal resident of Vermont.

13           (b) Upon an eligible dependent family member's return to the State at the  
14       conclusion of the Service member's out-of-state military assignment, the  
15       dependent family member shall retain his or her position on the waitlist for  
16       traumatic brain injury services funded through the State's home and  
17       community-based services Medicaid waiver or receive services if during his or  
18       her absence from the State he or she moved to a position of priority on the  
19       waitlist.

20           (c) As used in this section, "legal resident" means the state in which the  
21       active duty Service member:

- 1           (1)(A) pays taxes;  
2           (B) is registered to vote; or  
3           (C) holds a valid driver's license; and  
4           (2) plans to return after out-of-state military assignment.

5       Sec. 2. EFFECTIVE DATE

- 6           This act shall take effect on July 1, 2015.