

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**SENATE DRS15015-MGz-14A\* (01/14)**

Short Title: Apply for TBI Medicaid Waiver.

(Public)

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Sponsors: Senator Nesbitt.

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Referred to:

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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.



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