

**2021 SENATE HUMAN SERVICES**

**SB 2039**

# 2021 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Sakakawea Room, State Capitol

SB 2039  
1/6/2021

A BILL for an Act to amend and reenact subsection 1 of section 50-06.4-10 of the North Dakota Century Code, relating to membership of the brain injury advisory council; and to provide for application.

**Madam Chair Lee** opened the hearing on SB 2039 at 3:01 p.m. All members present; Senator Lee, Senator K. Roers, Senator O. Larsen, Senator Hogan, Senator Clemens, Senator Anderson.

### Discussion Topics:

- Federal Traumatic Brain Injury State Grant Program

**Senator Anderson, District 8.** Introduced SB 2039 **(3:01)**

**Nan Kennelly, Language Pathologist and Certified Brain Injury Specialist, Chair of the North Dakota Brain Injury Advisory Council.** Provided testimony #51 in favor. **(3:08)**

**Rebecca Quinn, Director, Center for Rural Health, North Dakota Brain Injury Network.** Provided testimony #41 in favor. **(3:11)**

**Senator Clemens** moves **DO PASS**

**Senator K. Roers** seconded

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	Y
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	Y

The motion passed 6-0-0

**Senator Clemens** will carry SB 2039.

### Additional written testimony:

**Denise Harvey, Director, Program Services with the North Dakota Protection and Advocacy Project (P&A).** Submitted written testimony #109 in favor.

**Bobbiann Froemke, West Fargo.** Submitted written testimony #127 in favor.

**Madam Chair Lee** closed the hearing on SB 2039 at 3:16 p.m.

*Justin Velez, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2039: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2039 was placed on the Eleventh order on the calendar.

Senate Human Services Committee

January 6, 2021

Chair Lee and other members of the Committee. My name is Nan Kennelly. I am speech-language pathologist and certified brain injury specialist from Fargo, and a provider for cognitive and communication disorders related to brain injury. I serve as the current Chair of the North Dakota Brain Injury Advisory Council.

My testimony today is to provide information regarding Senate Bill 2039 which offers clarification of membership for the Brain Injury Advisory Council. Currently, membership of the Council is limited to only one survivor and only one family member. The proposed language in SB 2039 would allow for the option of increasing the representation of survivor and family members and provide more flexibility in filling member slots. This clarification will be in alignment with North Dakota's commitment to person-centered principals and consumer leadership in the development and direction of brain injury services for North Dakota.

Thank you for your time and I welcome any questions.

Respectfully submitted,

Nan Kennelly  
Chair, ND Brain Injury Advisory Council

January 6, 2021

Madam Chair Lee and other members of the Committee. I am Rebecca Quinn and serve as a program director at the Center for Rural Health at the University of North Dakota School of Medicine and Health Sciences. The Center for Rural Health is contracted by the Department of Human Services to operate the North Dakota Brain Injury Network.

My testimony today is to provide information regarding Senate Bill 2039 relating to clarification of the membership for the brain injury advisory council. Currently, the membership of the Council is limited to only one survivor and only one family member. The proposed language in SB 2039 would be to allow for the option of increasing the representation and provide flexibility in filling member slots. Additionally, this clarification will bring North Dakota more in line with the requirements of the Federal Traumatic Brain Injury State Grant Program which requires state advisory boards to be “composed of a substantial number of individuals with traumatic brain injury, or the family members of such individuals.”

I am available to provide oral testimony if there are any questions or clarification needed.

Respectfully submitted,

Rebecca Quinn; LMSW, CBIST

## Senate Human Services Committee

Honorable Chair Judy Lee

January 6, 2021

Chair Lee and other members of the Committee. I am Denise Harvey, Director of Program Services with the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency that protects people with disabilities from abuse, neglect, and exploitation, and advocates for the civil and legal rights of persons with disabilities. This testimony supports Senate Bill 2039.

The current membership of the Brain Injury Advisory Council allows for only one survivor and one family member. Senate Bill 2039 would allow for more representation by survivors of brain injury and family members, and flexibility in increasing this membership. The bill is supportive of the concept of person-centered planning which allows for people with disabilities to make decisions that impact their lives. The bill would also create increased outcomes which are meaningful to survivors of brain injury and family members. We encourage you to support Senate Bill 2039.

January 6th, 2021

Dear Members of the Human Services Committee,

I am a traumatic brain injury survivor from West Fargo. I'm passionate about ensuring a voice and gaining support for brain injury patients, survivors, their families and our communities, while increasing brain injury awareness in our state.

My testimony today is to provide insight regarding Senate Bill 2039, relating to membership of our state's Brain Injury Advisory Council. Years ago I sustained a traumatic brain injury; multiple skull fractures, a broken jaw and deafness in my left ear as a direct result.

The saying goes, "Don't judge a book by its cover," I'll add, "Everybody has a story." If you knew me, you may find my cover is like that of your daughter, spouse, friend or neighbor. However, like many, my story changed significantly as a result of a brain injury. While many didn't understand the trauma; my friends and trusted confidants became the doctors, college disability services, counselors, service providers, mentors like Nan and Rebecca and group members of NBBIN's support group.

When my pain seemed unimaginable, emotions unexplained and the future of what I could become as a brain injury patient were in question by not only me, but also close knit people surrounding me, these advocates and programs mentioned became crucial in my recovery, day to day living and successes.

A brain injury never goes away. However, these groups of people weren't ever going to let me be a statistic either. I am so grateful, yet I recognize the support, funding and awareness has to continue to increase, to allow people like myself to thrive and have connections with others who can relate and help offer solutions.

Thank you for your leadership, time and consideration as you represent our state to promote awareness, individuality, compassion and support to brain injury survivors, their families and caretakers. You're doing the people's work of our great state and your advocacy to continue and increase membership of the North Dakota Brain Injury Advisory Board is critical to the survivorship and long-term success of this group; whether they have sustained a brain injury or care for someone who has.

Please reach out to me at the contact information below, if I can share further insight or testimony.

Sincerely,

Bobbiann Froemke

[bobbiann.froemke@gmail.com](mailto:bobbiann.froemke@gmail.com) | mobile: 701.793.1572

**2021 HOUSE HUMAN SERVICES**

**SB 2039**



# 2021 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2039  
3/3/2021 9:02 AM

Relating to membership of the brain injury advisory council; and to provide for application
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**Chairman Weisz** called the hearing to order at 9:02 a.m.

Representatives	Attendance
Representative Robin Weisz	P
Representative Karen M. Rohr	P
Representative Mike Beltz	P
Representative Chuck Damschen	P
Representative Bill Devlin	P
Representative Gretchen Dobervich	P
Representative Clayton Fegley	P
Representative Dwight Kiefert	P
Representative Todd Porter	P
Representative Matthew Ruby	P
Representative Mary Schneider	P
Representative Kathy Skroch	P
Representative Bill Tveit	P
Representative Greg Westlind	P

### Discussion Topics:

- Person-centered planning
- Federal Traumatic Brain Injury State Grant Program

**Sen. Howard Anderson, District 8 (9:03)** introduced the bill and submitted testimony #7106.

**Rep. Dick Anderson, District 6 (9:08)** testified in favor.

**Denise Harvey, Director Program Services North Dakota Protection & Advocacy Project (9:09)** testified in favor and submitted testimony #7177.

**Rebecca Quinn, North Dakota Brain Injury Network (9:11)** testified in favor and submitted testimony #7174.

**Nan Kennelly, Chair North Dakota Brain Injury Advisory Council (9:17)** testified in favor and submitted testimony #7180.

**Vice Chair Rohr** adjourned at 9:18 a.m.

*Tamara Krause, Committee Clerk*

Testimony of Senator Howard C Anderson Jr. of District 8 on Senate Bill 2039 before the House Human Services Committee

March 3, 2021 at 9:00 AM

Chairman Weisz and members of the House Human Services Committee.

I along with Representative Dick Anderson are members of the Brain Injury Advisory Council.

During discussions last fall it became apparent the makeup of our council was impeding us from accessing some federal grants and was not meeting the expectations of some of our state's affected individuals as they had hoped.

These issues could be solved by making a majority our council's voting members brain injury survivors or family members of brain injury survivors.

Those individuals know the most about the conditions and can have a positive impact on how we address our programs and contribute to the solution for these affected individuals.

The changes proposed in this bill are designed to make that happen.

Sincerely,

Howard

House Human Services Committee  
Honorable Chairman Weisz  
March 3, 2021

Chairman Weisz and other members of the Committee. I am Denise Harvey, Director of Program Services with the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency that protects people with disabilities from abuse, neglect, and exploitation, and advocates for the civil and legal rights of persons with disabilities. This testimony supports Senate Bill 2039.

The current membership of the Brain Injury Advisory Council allows for only one survivor and one family member. Senate Bill 2039 would allow for more representation by survivors of brain injury and family members, and flexibility in increasing this membership. The bill is supportive of the concept of person-centered planning which allows for people with disabilities to make decisions that impact their lives. The bill would also create increased outcomes which are meaningful to survivors of brain injury and family members. We encourage you to support Senate Bill 2039.

March 3, 2021

Chairman Weisz Lee and other members of the Committee. I am Rebecca Quinn and serve as a program director at the Center for Rural Health at the University of North Dakota School of Medicine and Health Sciences. The Center for Rural Health is contracted by the Department of Human Services to operate the North Dakota Brain Injury Network.

My testimony today is in support Senate Bill 2039 relating to clarification of the membership for the brain injury advisory council. Currently, the membership of the Council is limited to only one survivor and only one family member. The proposed language in SB 2039 would be to allow for the option of increasing the representation and provide flexibility in filling member slots.

Additionally, this clarification will bring North Dakota more in line with the requirements of the Federal Traumatic Brain Injury State Grant Program which requires state advisory boards to be “composed of a substantial number of individuals with traumatic brain injury, or the family members of such individuals.”

I am available to provide oral testimony if there are any questions or clarification needed.

Respectfully submitted,

Rebecca Quinn; LMSW, CBIST

## House Human Services Committee

March 3, 2021

Chairman Weisz and other members of the Committee. My name is Nan Kennelly. I am a Speech-Language Pathologist and Certified Brain injury Specialist from Fargo, and a provider for cognitive and communication disorders related to brain injury. I currently serve as the Chair of the North Dakota Brain Injury Advisory Council, a statutory-defined (NDCC 50-06.4-10) and Governor-appointed state advisory council. The Mission of the North Dakota Brain Injury Advisory Council is to improve the quality of life for all individuals with brain injury and their families through brain injury identification, awareness, prevention, research, education, collaboration, support services and advocacy.

My testimony today is in support of Senate Bill 2039 which offers clarification of membership for the Brain Injury Advisory Council. Currently, membership of the Council is limited to only one survivor and only one family member. The proposed language in SB 2039 would allow for the option of increasing the representation of survivor and family members and provide more flexibility in filling member slots. This clarification will be in alignment with North Dakota's commitment to person-centered principals and consumer leadership in the development and direction of brain injury services for North Dakota. Thank you for your time and I welcome any questions.

Respectfully submitted,

Nan Kennelly  
Chair, ND Brain Injury Advisory Council

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2039  
3/3/2021 1122 AM

Relating to membership of the brain injury advisory council; and to provide for application

**Chairman Weisz** opened the committee meeting at 11:22 a.m.

Representatives	Attendance
Representative Robin Weisz	P
Representative Karen M. Rohr	P
Representative Mike Beltz	P
Representative Chuck Damschen	P
Representative Bill Devlin	P
Representative Gretchen Dobervich	P
Representative Clayton Fegley	P
Representative Dwight Kiefert	P
Representative Todd Porter	P
Representative Matthew Ruby	P
Representative Mary Schneider	P
Representative Kathy Skroch	P
Representative Bill Tveit	P
Representative Greg Westlind	P

### Discussion Topics:

- SB 2039 Committee Action

**Rep. Mary Schneider (11:23)** moved do Pass

**Rep. Matthew Ruby (11:23)** second

Representatives	Vote
Representative Robin Weisz	Y
Representative Karen M. Rohr	Y
Representative Mike Beltz	Y
Representative Chuck Damschen	Y
Representative Bill Devlin	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Dwight Kiefert	Y
Representative Todd Porter	Y
Representative Matthew Ruby	Y
Representative Mary Schneider	Y
Representative Kathy Skroch	Y
Representative Bill Tveit	Y
Representative Greg Westlind	Y

**Motion Carried Do Pass 14-0-0**

**Bill Carrier:** Rep. Mary Schneider

**Chairman Weisz** adjourned at 11:24 a.m.

*Tamara Krause, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2039: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS**  
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2039 was placed on the  
Fourteenth order on the calendar.