

**SB579 - "TO AMEND THE HEAD INJURY REGISTRATION LAW."**

State of Arkansas

79th General Assembly      **A Bill**

Regular Session, 1993      SENATE BILL 579

By: Senator Hardin

**For An Act to Be Entitled**

"AN ACT TO AMEND THE HEAD INJURY REGISTRATION LAW; AND FOR OTHER PURPOSES."

**Subtitle**

"TO AMEND THE HEAD INJURY REGISTRATION LAW."

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

SECTION 1. Arkansas Code 20-14-702 is amended to read as follows:

"20-14-702. Definition. `Head injury` or `traumatic head injury` means any insult to the brain not of a degenerative or congenital nature, but caused by an external physical force, that may produce a diminished or altered state of consciousness which results in impairment of cognitive abilities or physical functioning. It can also result in the disturbance of behavioral or emotional functioning. These impairments may be either temporary or permanent and cause partial or total functional disability or psychosocial maladjustment. The definition of a reportable head injury is all head injuries that follow the International Classification of Diseases, Ninth Revision (ICD-9) diagnoses codes. These are: fracture of the vault or base of the skull; other and unqualified and multiple fractures of the skull; intracranial injury, including concussion, contusion, laceration, and hemorrhage; late effects of fracture of the skull and face; late effects of intracranial injury without skull fracture. E-codes will be included for all the above ICD-9 codes."

SECTION 2. Arkansas Code 20-14-703 is amended to read as follows:

"20-14-703. Central registry - Reports.

(a) The Arkansas Head Injury Foundation, hereinafter `foundation`, is a nonprofit organization devoted entirely to persons who have suffered head injuries. It is an affiliate of the National Head Injury Foundation. The foundation shall establish and maintain a central registry of head-injured disabled persons.

(b)(1) Every public and private health and social agency and attending physician shall report to the foundation immediately, if possible; and in all cases, within five (5) calendar days after an identification of any head-injured disabled person. Consent of the injured person is not necessary prior to making this report.

(2) Notifiable injuries shall be reported to the Central Registry on the Toll Free Reporting System. Reporting data shall include: name and location (town) of reporting person; type of head injury disability and date of occurrence; name, age, sex, address of the patient (please spell patient`s name); physician`s name. Additional information which may be deemed necessary by the foundation shall be obtained by the Central Registry by conducting a patient interview or by contacting the agency caring for the patient.

(3) Within fifteen (15) days of the report and identification of a head-injured person, the foundation shall furnish the Arkansas Department of Health all available information for use in any information system on injuries maintained by the department. The foundation shall not release the identity of the patient, reporting physician, or hospital. However, the identity of the patient shall be released upon written consent of the patient, or parent or guardian of the patient; the identity of the reporting physician shall be released upon written consent of the reporting physician; and the identity of the hospital shall be released upon written consent of the hospital. Consents shall be obtained by the

Central Registry."

SECTION 3. Subchapter 7 of Chapter 14 of Title 20 of the Arkansas Code is amended by inserting an additional section at the end thereof to read as follows:

"20-14-706. All agencies with patient records containing information pertaining to a head injury disability are required to share information in those records with the Central Registry. No hospital or other agency shall be required to obtain the patient's consent in order to comply with this act. No liability of any kind or character for damages or other relief shall arise or be enforced against any person or organization by reason of having provided such information or by reason of having referred the information to the Central Registry."

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.