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Bill Owens
Governor

Marva Livingston Hammons
Executive Director

February 1, 2004

The Honorable Brad Young, Chair
Joint Budget Committee
State Capitol, Room 333
Denver, CO 80203

Dear Representative Young:

On June 7, 2002, Governor Bill Owens signed HB02-1281 creating the Colorado Traumatic Brain Injury (TBI) Board and Trust Fund. In accordance with this legislation, the TBI Board is required to provide an annual report, beginning February 1, 2004, and every February thereafter, of their activities related to the Trust Fund. Specifically, the Board is mandated to report to the Joint Budget Committee and the Health, Environment, Welfare, and Institutions Committees of the House of Representatives and the Senate on the operations of the Trust Fund, the moneys expended, the number of individuals with traumatic brain injuries offered services, the research grants awarded and the progress on such grants, and the educational information provided. Since the revenues to fund these activities will not be available until February 2004, this initial report addresses the developmental activities undertaken by the TBI Board since its inception.

The Colorado TBI Board is composed of thirteen members who were appointed by the Governor in 2002 and confirmed by the Senate in March 2003 (Please see Attachment A for a list of TBI Board members). The TBI Board has elected Dr. Theresa Hernandez, from the University of Colorado at Boulder, as its Board President. Although their appointments were confirmed in 2003, the TBI Board members began meeting in November 2002. In the last year, committees of the TBI Board have actively undertaken various Board assignments to deliver the statutory mandates by the required timeframes (Please see Attachments B, C, and D for the committees' progress reports). The statutory mandates are to:

1. Provide services to persons with traumatic brain injuries, beginning no later than July 1, 2004;
2. Solicit applications for and award grants that support research related to the treatment and understanding of traumatic brain injuries, no later than October 1, 2004; and
3. Provide education for individuals with traumatic brain injuries and assist educators, parents, and non-medical professionals in the identification of traumatic brain injuries so as to assist such persons in seeking proper medical intervention or treatment, no later than April 1, 2004.

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Currently, the TBI Board activities are focused on the design and development of the TBI Trust Fund programs for direct services, education and research. For example, the TBI Board is finalizing the eligibility process and statewide service delivery system for children and adults. In the first year of the program, the TBI Board will limit the use of Trust Fund moneys to case management (care coordination) services. In the future, the Board may add additional services as revenues permit. It is anticipated that case management (care coordination) services will start July 1, 2004 for children and October 1, 2004 for adults.

In addition to the TBI Board and Trust Fund, HB02-1281 created a source of revenue to finance services covered by the Trust Fund. This source of funding consists of a new surcharge on certain violations occurring on or after January 1, 2004, which result in convictions. Surcharge monies will come from convictions resulting from alcohol-related traffic offenses, municipal and county speeding tickets, and violations of county ordinances. The Trust Fund will receive \$15 for each driving while under the influence (DUI) or driving while ability impaired (DWAI) conviction, and \$10 for each speeding conviction. It is anticipated that the monies collected will not become available until late February 2004, and will not reach revenue potentials for another 18 months.

As with any new process, there has been a great deal of effort and coordination required to assure that statewide collection of surcharges on traffic convictions and the eventual distribution of Trust Fund revenues are ready to cover Trust Fund financial obligations in a timely and efficient manner. The wide variety of offenses included in the surcharge necessitated the gathering of data and information about procedures from many different sources, and this was complicated by the fact that there are no centralized sources for counties and municipalities. (Please see Attachment E for the Department progress report.)

The TBI Board and the Department of Human Services are ready to implement the mandates of the State statute, and are excited about the opportunities for improving the lives of Colorado citizens with traumatic brain injuries.

If you have any questions about this progress report, please contact Sharon Ponder, TBI Project Director, at 303-866-7477, or by email at sharon.ponder@state.co.us.

Sincerely,

Marva Livingston Hammons
Executive Director
Department of Human Services

cc: The Honorable Dave Owen, Vice-Chair
The Honorable Tom Plant
The Honorable Peggy Reeves
The Honorable Ronald J. Teck
The Honorable John Witwer
John Ziegler, JBC Staff Director
Nancy McCallin, OSPB Director
Molly Otto, Joint Legislative Library

Attachment A

Colorado Traumatic Brain Injury Board Members

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Attachment A

Colorado Traumatic Brain Injury Board Members

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Attachment B

Colorado Traumatic Brain Injury Board

Activities Report of the Services and Case Management Committee

Committee Members: Scott Manley (Chair), Judy Dettmer, George Kawamura, Helen Kellogg, Jeanne Dise-Lewis, and Kathy Rohan-Hague

Activities:

1. In-depth review of the statute creating the Colorado Traumatic Brain Injury Board and Trust Fund.
2. Review of other state TBI Trust Funds to identify similarities and relevance to establishment of policies and procedures for the Colorado TBI Trust Fund.
3. Review of terminology in state statutes and development of definitions for established services.
4. Review of eligibility criteria and development of defined eligibility criteria.
5. Extensive teleconference contact with the Kentucky State TBI Trust Fund program staff.
6. Development of a conceptual model for the provision of case management services to adults and children.
7. Discussions with the Department of Public Health and Environment and review of the Children's Health Program Network, Early Childhood Connection Program and HCP programs.
8. Meetings with the Department of Public Health and Environment to determine the feasibility of creating an interagency agreement for the provision of case management services for children.
9. Development of a formula for allocation of funds to adults and children.
10. A meeting with Department of Human Services Procurement Office to obtain guidelines for the procurement process.
11. Development of a RFP for statewide case management services for adults with traumatic brain injury.

Attachment B*Services and Case Management Committee**Page Two*

12. Development for a Request for Information to determine interest level of external entities in the provision of statewide adult case management services.
13. Meetings with the Brain Injury Association of Colorado (BIAC) to determine the interest and feasibility of developing a sole-source contract to provide the initial screening and eligibility determination for trust fund services.
14. Development of a screening intake tool for determination of eligibility.
15. Review of HIPAA regulations and applicability to the Board and related contracts or interagency agreements.
16. Development of an authorization/consent to receive medical information documenting eligibility criteria.

Colorado Traumatic Brain Injury Board

Activities Report of the Research Committee

Committee Members: David Arciniegas, MD (Chair), Theresa Hernandez, PhD, and Stewart Levy, MD.

Activities

1. Surveyed the grant program design and implementation strategies of a variety of public and private grant funding agencies, including the National Institutes of Health, the Department of Veterans Affairs, the Alzheimer's Association, the Langeloth Foundation, and the Centers for Injury Prevention and Control, among others.
2. Based on that survey and the projected scope of available funding through the TBI Trust Fund, the Research Committee recommended to the Board that the grant program be designed to provide support for small research projects that can be completed with modest funding and/or to support the acquisition of pilot data that will be used in order to apply for more substantive funding through State or Federal funding agencies and/or through private foundations.
3. Formalized a set of proposed grant procedures that were accepted by the Board in August 2003 (see attached document).
4. Working in conjunction with the Department of Human Services Procurement Office to develop the formal grant application process within the guidelines recommended by that office, including both the development of forms specific to this grant program and also a grant review process based on a volunteer scientific review panel constituted by experts in TBI from around the United States.
5. These aspects of the Research Committee's work are expected to be completed by mid-2004, and the first request for Letters of Intent will be issued on October 1, 2004.

Research Subcommittee: Proposed Grant Procedures

Purpose

The Research Committee of the Colorado Traumatic Brain Injury Board is responsible for developing procedures for soliciting, reviewing, and awarding research grants on traumatic brain injury consistent with the provisions of the Traumatic Brain Injury Trust Fund [HB-1281]. The intent of the present grant mechanism is to provide support for small research projects that can be completed with modest funding and/or to support the acquisition of pilot data that will be used in order to apply for more substantive funding through State or Federal funding agencies and/or through private foundations.

Under this funding mechanism, the Colorado Traumatic Brain Injury Board invites research grant applications to expand basic, clinical, health services research and delivery, or other quantitative, qualitative, descriptive research relevant to traumatic brain injury.

Eligibility Requirements

Research applications may be submitted by for-profit and non-profit organizations, public and private, such as universities, colleges, hospitals, laboratories, units of State and local governments, and eligible agencies of the Federal government whose work is based in Colorado. The Principal Investigator (PI) must be able to demonstrate prior successful experience conducting research in traumatic brain injury. Principal Investigators new to this field and without such prior experience in this area of research must demonstrate in the grant that a working relationship with a researcher with the requisite experience in TBI research has been established; that researcher must serve as co-Principal Investigator (co-PI) for the proposed research project. Responsibility for the planning, direction, and execution of the proposed project will be solely that of the PI.

Racial/ethnic minority individuals, women, and persons with disabilities are encouraged to apply as principal investigators.

****Research grant funding awarded by the TBI Trust Fund must be administrated by an institution (public or private) with an existing grants/contracts administrator or department. As such, grant funding is awarded to the institution administering the grant and not the individual investigator(s). This requirement is in place in order to protect the integrity of the grant funding and administration process for both the TBI Trust Fund and the grant awardees. It is also hoped that this mechanism will foster collaboration between investigators in private practice, when such apply for grant funding, and institutions with the established administrative infrastructure needed to manage successfully a research grant.**

Mechanism of Support

Applications may request up to \$25,000 direct costs for one year. Award of such funding will be based on recommendation by an independent panel of reviewers with expertise in areas relevant to the proposed research project, and is subject to approval by the Colorado Traumatic Brain Injury Board and available funding. Applications that carry in-kind support from their home institution or elsewhere will be viewed highly favorably, though such support is not necessary in order to apply for funding under this grant mechanism. The total project period for an application submitted in response to this request for proposals may not exceed two years, only the first of which will be supported by the Colorado Traumatic Brain Injury Trust Fund.

These funds are to be used solely for the execution of the proposed research, and cannot be used to support the salary of the PI, co-PI, or co-investigators. Research assistant salary, graduate student stipend and costs associated with technical support (i.e., statistical consultation) may be included as a direct cost provided that sufficient justification for such costs is included in the application. Tuition and travel expenses will not be supported by this grant mechanism.

The cost of equipment is included in the budget limitation, and such costs cannot exceed 5% of the total budget. An exception to this policy on equipment costs will be made for research into the role of assistive technologies in brain injury evaluation or rehabilitation.

This grant mechanism will not support institutional indirect costs. Applications for funding must include a letter from the institution making such application that waives indirect cost assessment on funding provided through this grant mechanism. Given the limited amount of funding for individual applications, PIs are encouraged to seek a waiver of review fees from their Institutional Review Boards.

Grant Application

The Colorado Traumatic Brain Injury Board will announce the areas of priority in research within the Request for Proposals. Applications consistent with these priority areas will be given preference, although proposals outside may be considered as well.

Requests for funding begin with submission of a Letter of Intent submitted by the PI. The Letter of Intent should outline briefly the background and significance of the proposal, state clearly the hypothesis to be tested, and provide information regarding the methods to be employed in the proposed study. An assessment of the feasibility of the proposal must be offered, and should include description of available research and administrative resources, the background of the PI and relevant Co-I's, collaborative relationships relevant to the proposal, and access to the population(s) under study (where applicable). The Letter of Intent may be no more than two pages in length. A biosketch of the PI and Co-I's should be included as well, and each may be no more than four pages in length. Applicants should follow the biosketch format suggested by the National Institute of Health. The Letter of Intent must be received within two months of the date of the Request for Applications; deadlines for submission will be posted on the Traumatic Brain Injury Trust Fund website and will be adhered to strictly.

Based on the information contained in the Letter of Intent and the research priorities established by the Colorado Traumatic Brain Injury Board, the Research Committee of the Colorado Traumatic Brain Injury Board will offer to that Board a recommendation regarding invitation to submit full applications. Those invitations will be made one month after the deadline for receipt of Letters of Intent.

Investigators invited to submit a full application must include in that application all of the following:

1. Face Page. This should state the title of the proposal, the PI and Co-I's, the institutional affiliation of the investigators, the total amount of requested support, and the proposed period of the investigation. Signatures of the PI, approving officials at the institution at which the investigation will be performed (e.g., department chair, chief of staff, or other official to whom the PI or institution-based Co-I reports), and Grants & Contracts Administrator.
2. Description of Performance Sites and Key Personnel. This page should state the site at which the study will be performed, the institution with which that site is affiliated, and the Key Personnel of the study and their role (e.g., PI, Co-I, Research Assistant, Consultant, etc.). The institutional review board (IRB) and/or institutional animal care and use committee (IACUC) responsible for reviewing the proposal should be identified as well.
3. Detailed Budget. All costs, consistent with the restrictions noted in the Mechanism of Support section (above), should be described and justified. A letter of waiver of indirect costs from the affiliated institution should be included, as should a letter of waiver of fees from the institutional review board that will review the proposal.
4. Biographical Sketches. All Key Personnel, including the PI, Co-I(s), Research Assistants, and Consultants, are required to submit a biosketch. The four-page format suggested by the National Institutes of Health is suggested, but each biosketch should at a minimum include: education and employment history, honors and awards, current and past research funding, and a list of peer-reviewed publications relevant to the proposed research.
5. Research Proposal. The research proposal should begin with an **abstract** of the proposal of no more than 250 words. Next, the **short- and long-term objectives** of the proposal should be stated. The **study hypothesis** should be stated next, and should be framed such that the question and the method by which it will be tested are immediately apparent to reviewers. The proposal should then describe the **scientific background** upon which the proposal is based, including the **significance of the proposal research**. Next, a concise and clear description of the **study methods** should be provided, including subjects and recruitment, research tools and procedures, data collection, and data analysis. Specific description of the **statistical methods** should be provided, including a power analysis. The application of proposed study findings to **future**

Attachment C

Research Subcommittee

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research and/or to the care of persons with traumatic brain injury should conclude the research proposal. The research proposal may not exceed five single-spaced pages with one-inch margins in 11-point font (acceptable fonts include Times New Roman, Arial, Palatino, and Helvetica).

6. Resources. The resources available to the research team and relevant to the proposed research must be stated. These may include office and/or laboratory space, equipment or other research tools, access to clinical or animal populations, institutional support and infrastructure, and so forth. The purpose of listing such resources is to demonstrate the feasibility of the research proposal within the context of the proposed research team and institutional environment.

7. Human and/or Animal Subjects. A letter from the IRB and/or IACUC named in section 2 (above) indicating their receipt of the proposal for review and the anticipated date of review must be included in the application. Applications not including this letter and proposing to include human or animal subjects will be returned unreviewed to the PI. Successful applications will not be awarded funding until the Colorado Brain Injury Board receives a letter of approval of the proposed research from that IRB and/or IACUC.

8. Disclosure of Conflict of Interest. Each member of the research team must provide a signed statement regarding actual or potential conflicts of interest relevant to the proposed research. In particular, financial relationships (including ownership, stock, employment, consulting, or independent contractor relationships) with any equipment/device, materials, or pharmaceutical company relevant to the proposed research must be disclosed.

9. Appendix. The research team may include up to 3 publications by the PI or Co-I(s) relevant to the proposed research as an Appendix to the application. Research scales that are unlikely to be familiar to reviewers may also be included. Additionally, Letters of Support, Collaboration, or Consultation should be included in the Appendix.

10. Personal (demographic) data. The PI, Co-I, and research assistants are encouraged – but not required – to supply information regarding gender, race/ethnicity, and/or disability. This information will not be used in the review process, but will instead be used by the Colorado

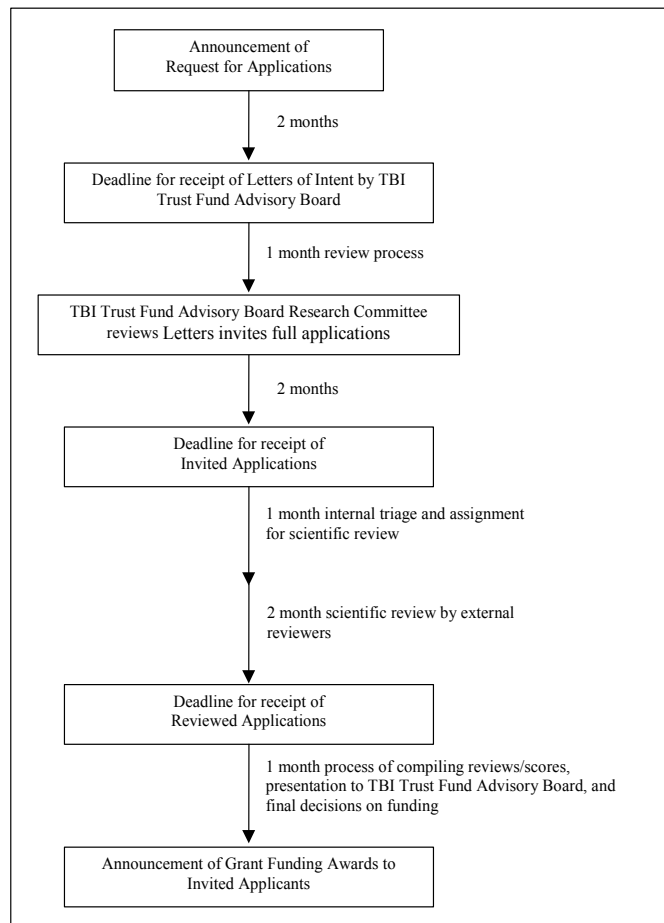
Traumatic Brain Injury Board to understand the demographic background of applicants and awardees and to facilitate diversity in both applications and awards.

Applications must be received by the deadline established by the Colorado Traumatic Brain Injury Board, which will be approximately two months after the invitation for full application. Announcements of awards will be made approximately four months after the deadline for receipt of applications.

Grant Application Solicitation, Review, and Award Process

It is the intent of the TBI Trust Fund to make clear both the application process and also the timeline for that process. As noted in the figure below, each grant application cycle is nine months long (from announcement of the Request for Applications to announcement of Grant Funding Awards).

The Request for Applications will be announced on the Colorado Traumatic Brain Injury Trust Fund website, the Brain Injury Association of Colorado website, and in the newsletter of the Brain Injury Association of Colorado. In order to preserve fairness in the making known this Request for Applications, no additional or specific mailings of announcements will be made by the TBI Advisory Board or its respective committees.



The participation of external grant reviews will be solicited by the Research Committee of the TBI Advisory Board. Grant reviewers will be nationally or internationally recognized experts in the area of research relevant to the application under review, and will not have an existing collaborative or consulting relationship with any member of that application's proposed research team. In the event that the proposed research is sufficiently novel that the pool of qualified reviewers is small, the applicant may suggest potential reviewers in his or her grant application. The Research Committee will evaluate such suggestions, and may or may not choose to make use of them. If such are suggestions are made, reviewers will be required to complete an additional Conflict of Interest Disclosure Statement in order to provide evidence of the absence of any such conflicts in the review process.

The Research Committee of the TBI Advisory Board will serve as the administrative body for the research application process, but will not make decisions regarding invitations for formal grant applications, review those applications, or make decisions regarding awards of funding to applicants. The decision-making authority regarding invitations for applications and funding awards will rest with the TBI Advisory Board. Decisions regarding invitations for applications will be made based on priority areas established by the Board prior to making the Request for Applications and on initial review and recommendation of Letters of Intent by the Research Committee. Decisions regarding approval of applications for funding will be made by the Board solely on the basis of the merits of the applications as reflected in scores assigned by the external reviews of those applications. Funding will be provided to the highest ranked grant applications within the limits of funding available in the grant cycle during which those applications and rankings were made.

Attachment D
Colorado Traumatic Brain Injury Board

**Activities Report of the
Education Committee**

Committee Members: Pamela Law, MS, MA, PC (Chair), Melissa Francis, Joy Henika, and Stewart Levy, MD

Activities:

1. Development of draft Consumer and Appointee Handbooks. The Consumer Handbook is tailored specifically to any individual touched by TBI, family members, service providers, as well as callers inquiring about the TBI Trust Fund. The Appointee Handbook is tailored to provide education and orientation to members of the Board as they begin service after appointment by the Governor. It is anticipated that final drafts will be approved no later than February 9, 2004.
2. For public education campaigns, drafts of the handbooks were prepared as was a single page fact sheet to be distributed to callers inquiring about the trust fund (distribution began December 2003) and a brochure is being prepared for distribution by March 1, 2004.
3. Explored the feasibility of a resource library to house all records of the Traumatic Brain Injury Board of Directors, all educational presentations, research activities and general educational campaigns about TBI. Volumes of materials were reviewed and considered.
4. Development of a voluntary provider registry for service providers with brain injury expertise. This registry is intended to facilitate access to skilled service providers with brain injury expertise and to promote the highest degree of informed consent by providing consumers with information regarding the professional training, credentials and expertise of providers across the brain injury continuum of care.
5. Meetings were held with members of the committee and staff of the Brain Injury Association of Colorado (BIAC) to apprise the committee of existing information and resource, and educational activities and to foster the greatest collaboration between BIAC and the Education Committee in establishing education goals.
6. Collaboration with BIAC staff to include the 1-800 phone number on all BIAC stationery and their website. Approved minutes of the Traumatic Brain Injury Board are posted on the BIAC website.
7. Explored training materials from the American Academy for the Certification of Brain Injury Specialists (CBIS) for case managers, proposing an annual program of education and training resulting in CBIS credentials for all trust fund case managers.

Attachment E

Colorado Traumatic Brain Injury Board

Activities Report of the Department of Human Services Staff

1. Collected and analyzed data from state Judicial, state Motor Vehicle, Colorado State Patrol, and several municipalities and counties on the number of traffic and non-traffic convictions that would be subject to surcharges, to develop a revenue estimate for the first twelve month of the Trust Fund;
2. Initiated a series of outreach activities to county sheriffs, county treasurers, municipal court clerks, state MVD and Judicial, including meetings, telephone calls, and correspondence, to bring awareness of the HB02-1281 legislation and mandated new surcharges to prepare the appropriate state, county, and local agencies for assessment of the surcharge and the method of collection;
3. Obtained legal advice from the Attorney General's Office regarding application of the surcharge by home rule municipalities and adoption of the state model traffic code by municipalities;
4. Established a Brain Injury Trust Fund at the Department of Human Services, for the purpose of collecting surcharge monies and dispersing the funds for Trust Fund obligations; and,
5. Began the development of protocols to facilitate the coordination and transferring of the surcharge monies collected by state, county, and local sources for direct transfer to the Brain Injury Trust Fund account.