

NOTICE OF PUBLIC MEETING

Notice is hereby given that a public meeting of the Brain Injury Oversight Committee will be held on July 21, 2023, from 1:00 to 3:00 PM and the meeting will be held in person only. The meeting will be held at the Nebraska Health Care Association located at 1200 Libra Drive, Lincoln NE. The agenda and meeting materials to be discussed by the committee can be found at <https://www.unmc.edu/aboutus/community-engagement/bioc/index.html>. If members of the public and media have further questions about the meeting, contact Jamie Stahl at (402) 559-6300 or Jamie.stahl@unmc.edu.

The Nebraska Open Meetings Act may be accessed at <https://nebraskalegislature.gov/laws/statutes.php?statute=84-1407>.

BRAIN INJURY OVERSIGHT COMMITTEE MEETING AGENDA

July 21, 2023
1:00 PM to 3:00 PM

- I. Call to order
- II. Open Meetings Act Statement
- III. Introductions and roll call
- IV. Approval of the agenda
- V. Public Comment
- VI. Approval of Minutes of the previous meeting, April 21, 2023
- VII. Establishing timeline goals for FY 2023-24
- VIII. UNMC Annual Expense Report for Brain Injury Oversight Committee Expenses July 2022 to June 2023, Establish Budget for FY 2023-24
- IX. Review Brain Injury Oversight Committee By-laws
- X. Review Appointment Terms
- XI. Next meeting September 15th, 2023 1:00-3:00 PM in person meeting
Upcoming Meetings:
 - Sep. 15th 2023 1:00-3:00 PM Held at Madonna Rehabilitation Hospitals Lincoln Campus, 5401 South Street, Lincoln NE 68506
 - Annual report from BIA-NE
 - Feb 2024
 - Apr 2024
 - Jul 2024
 - Sep 2024
- XII. Adjourn

Brain Injury Oversight Committee Meeting
April 21, 2023, 1:00 pm to 3:00 pm
University of Nebraska Lincoln
4000 East Campus Loop South
Lincoln, NE

Draft MEETING MINUTES

Public notice of upcoming meetings will be available on the University of Nebraska Medical Center (UNMC) website <https://www.unmc.edu/aboutus/community-engagement/bioc/index.html> at least 10 days before each meeting.

MEMBERS PRESENT: Tiffany Armstrong, Anna Cole, Peggy Reisher, Sheila Kennedy, Shauna Dahlgren, Dr. Kody Moffatt, Tom Janousek, and Dale Johannes

MEMBERS ABSENT: Caryn Vincent, Jeff Baker, Lindy Foley

UNMC STAFF PRESENT: Mike Hrcirik

GUEST: None

CALL TO ORDER

The meeting of the Brain Injury Oversight Committee commenced at 1:06 p.m.

ANNOUNCEMENT OF THE AVAILABILITY OF THE OPEN MEETINGS ACT

Public notification of this meeting was made on the UNMC website and Mike Hrcirik had copies of the open meetings act.

INTRODUCTIONS AND ROLL CALL

Shauna Dahlgren called on each committee member to introduce themselves.

AGENDA APPROVAL

The agenda was reviewed. Dr. Kody Moffatt moved to approve the agenda. Tiffany Armstrong seconded the motion, and the motion was carried out by unanimous consent.

PUBLIC COMMENT

No public members were present.

APPROVAL OF PREVIOUS MEETING MINUTES

The minutes from Feb. 17, 2023, meeting were reviewed. A motion was made by Sheila Kennedy and seconded by Dr. Kody Moffatt to approve the Feb. 17, 2023, meeting minutes. There were no objections to the motion, and it was carried out by unanimous consent.

COMMITTEE VOTE ON VICE-CHAIR AND SECRETARY POSITIONS

Committee by-laws state election of officers shall be by vote of the committee annually at its last scheduled meeting of the state fiscal year for the positions of Vice-Chair and Secretary. At the Feb. 17 meeting members were told to let Shauna Dahlgren know if they were interested in either position. Peggy Reisher and Kody Moffatt informed Shauna Dahlgren they both would be interested in continuing in their current roles on the board. No other members asked to be considered. Sheila Kennedy made a motion for Kody Moffatt to continue as Vice-Chair and Peggy Reisher to continue as secretary. Tom Janousek seconded the motion and the roll call was completed. All call committee members voted Aye, except for Kody Moffatt and Peggy Reisher who abstained. Motion carried.

DISCUSSION OF SUBMITTED APPLICATIONS and COMMITTEE VOTE ON RECIPIENTS OF FY2023 FUNDS

A NOFO announcement was released on Feb. 1, 2023, with a deadline of March 15, 2023. During the Feb. 17 meeting, 4 committee members volunteered to create a work group to review the applications and score them prior to the April 21 meeting. Workgroup committee members were Dr. Kody Moffatt, Tiffany Armstrong, Dale Johannes, and Sheila Kennedy. During the April 21 meeting, they reported that had only one application, and that was from the Brain Injury Alliance of NE (BIA-NE). They each scored the application individually and then combined their scores. Dr. Kody Moffatt stated that out of a possible 400 points, BIA-NE scored 396. The workgroup recommended the Brain Injury Oversight Committee award BIA-NE the full \$450,000 based on their discussion of the applicant. Dale Johannes moved and Sheila Kennedy seconded that BIA-NE be awarded \$450,000 of the Brain Injury Assistance Act Funds for the upcoming fiscal year. A roll call vote was completed. All call committee members voted Aye, except for Anna Cole, Peggy Reisher, and Tom Janousek who abstained. Motion carried.

DISCUSSION OF \$7,163 AVAILABLE FUNDS HELD AT UNMC FROM PREVIOUS YEARS

Mike Hrcirik reported that UNMC is holding \$7,163 of unspent Brain Injury Awareness Act Funds. These are funds that had been set aside to help pay for committee expenses (travel for committee members, rental of meeting space, etc.) that were not used from July 1, 2020, to June 30, 2021, and July 1, 2021, to June 30, 2022. The committee discussed options for use of the funds:

1. Give the funds to the awarded recipient to use in the current award cycle
2. Add the funding to upcoming/future NOFO awards
3. Use the funds to allow committee members to attend various brain injury meetings and conferences.

At this time the committee did not decide or vote on how the funds would be used but agreed to put it back on the agenda for the next meeting.

ADDITIONAL BUSINESS

- Shauna Dahlgren stated Jeff Baker, Anna Cole, and Kody Moffatt's terms expire in Oct. 2023. Shauna Dahlgren will reach out to Jeff Baker to ask him if he plans to reapply. Kody Moffatt states he will reapply. Anna Cole states she will not reapply now that she is working full-time for BIA-NE. Anna's position on the committee will need to be replaced. However, Shauna Dahlgren

states that Kathleen in the NE Attorney General's Office states Anna Cole will remain a voting member of the committee until the Governor's office appoints someone in her position.

- The Governor's office still has not appointed the representative for the developmental disability position on the committee. Shauna Dahlgren will follow up with the Governor's office again.
- Committee members discussed the need to review and update the committee by-laws. Tiffany Armstrong stated she will lead that effort and formed a workgroup, which includes Tiffany Armstrong, Shauna Dahlgren, and Anna Cole. The workgroup will bring recommendations for by-law changes to the July 21 meeting.

REVIEWED ESTABLISHED TIMELINE GOALS FOR FY2022-23

- Feb. 1, 2023 release notice of NOFO with a deadline of March 15, 2023
- Feb. 17, 2023 meeting agenda will include
 - Bi-annual report from funding recipient
- April 21, 2023 meeting agenda will include
 - Vote on fund recipient(s)
 - Vote on Vice-Chair and Secretary positions
- July 21, 2023 meeting agenda will include
 - Establishing timeline goals for FY 2023-24
 - Discussion of Updating the By-laws
 - Manage any other housekeeping needs
- Sept. 2023 meeting will include
 - Annual report from funding recipient
 - Vote on Updating By-laws

NEXT COMMITTEE MEETINGS

July 21, 2023, from 1:00 to 3:00 in person in Lincoln.

ADJOURN

A motion was made by Kody Moffatt and seconded by Dale Johannes with unanimous consent to adjourn the meeting at 1:57 pm.

Meeting minutes submitted by Peggy Reisher, Brain Injury Oversight Committee Secretary

Michael Hrcirik
University of Nebraska Medical Center
985080 Nebraska Medical Center Omaha,
NE 68198-5080

Bill To: Shauna Dahlgren
Brain Injury Oversight Committee Chair
12565 West Center Rd Suite 100 Omaha,
NE 68144

Amount Due: \$30,000.00 USD

Original

Description	Quantity	UOM	Amount	Net Amount
Administrative, Accounting and Budgeting services Period 07/01/2022 - 06/30/2023	1.00	NA	\$30,000.00	\$30,000.00
			Subtotal	\$30,000.00
			Sales Tax	\$0.00
			Amount Due	\$30,000.00

Contact Information

Biller Name: Michael Hrcirik
Biller Email: mhrncirik@unmc.edu
Biller Phone: 402-559-5837

UNIVERSITY OF NEBRASKA MEDICAL CENTER
NE Revised Statute 71-3703 - Brain Injury Oversight Committee
FY2023 (July 1 2022 - June 30th 2023)

SOURCES OF FUNDS

Beginning Fund Balance, July 1st 2022	\$	7,163
Cash Funds - State of Nebraska / Nebraska DHHS	\$	500,000

TOTAL SOURCES OF FUNDS

\$ 507,163

USES OF FUNDS

Award made to Brain Injury Alliance of Nebraska	\$	450,000
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Administration, Accounting, Budgeting

UNMC Contracted Services for Administration, Accounting, Coordination and Website Maintenance	\$	30,000
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Committee Operating Expenses

Email Addresses (Invoice not yet received)	\$	840
Committee Travel Reimbursements	\$	1,758
Parking Passes for Lincoln Campus	\$	40

TOTAL USES OF FUNDS

\$ 482,638

ENDING FUND BALANCE, JUNE 30th 2023

\$ 24,526

Note: No more than 10% of the fund shall be used for administration of the fund

UNIVERSITY OF NEBRASKA MEDICAL CENTER
NE Revised Statute 71-3703 - Brain Injury Oversight Committee
Proposed Budget for FY2024 (July 1 2023 - June 30th 2024)

SOURCES OF FUNDS

Beginning Fund Balance, July 1st 2023	\$	24,526
Cash Funds - State of Nebraska / Nebraska DHHS	\$	500,000

TOTAL SOURCES OF FUNDS

\$ 524,526

USES OF FUNDS

Awards made to recipient(s) Budget	\$	475,000
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Administration, Accounting, Budgeting

UNMC Contracted Services for Administration, Accounting, Coordination and Website Maintenance Budget	\$	30,000
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Committee Operating Expenses

Operating Budget	\$	5,000
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TOTAL USES OF FUNDS

\$ 510,000

ENDING FUND BALANCE, JUNE 30th 2024

\$ 14,526

Note: No more than 10% of the fund shall be used for administration of the fund

BRAIN INJURY OVERSIGHT COMMITTEE BYLAWS

ARTICLE ONE – NAME OF COMMITTEE

The name of the committee is the Brain Injury Oversight Committee, hereinafter referred to as the committee.

ARTICLE TWO – AUTHORITY AND PURPOSE

The purpose of the committee, as stated in Nebraska Revised Statute 71-3704, is to:

- Provide financial oversight and direction to the University of Nebraska Medical Center in the management of the Brain Injury ~~Trust Fund~~.
- Develop criteria for expenditures from the Brain Injury ~~Trust Fund~~.
- Represent the interest of individuals with a brain injury and their families through advocacy, education, training, rehabilitation, research, and prevention.

CONTRACT PRIORITIES: As stated in Nebraska Revised Statute 71-3705, the fund shall be administered through a contract with the University of Nebraska Medical Center for administration, accounting, and budgeting purposes, and used to pay for contracts for assistance for individuals with a brain injury with outside sources that specialize in the area of brain injury. Such outside sources shall operate, at a minimum, statewide, and also in targeted areas as defined and determined in the contract, with individuals with brain injury; work to secure and develop community-based services for individuals with a brain injury; provide support groups and access to pertinent information, medical resources, and service referrals for individuals with a brain injury; and educate professionals who work with individuals with a brain injury.

EXPENDITURE PRIORITIES: As stated in Nebraska Revised Statute 71-3705, expenditures from the fund will include, but not be limited to:

- Resource facilitation. Resource facilitation shall be given priority and made available to provide ongoing support for individuals with a brain injury and their families for coping with brain injuries. Resource facilitation may provide a linkage to existing services and increase the capacity of the state's providers of services to individuals with a brain injury by providing brain-injury-specific information, support, and resources and enhancing the usage of support commonly available in a community. Agencies providing resource facilitation shall specialize in providing services to individuals with a brain injury and their families;
- Voluntary training for service providers in the appropriate provision of services to individuals with a brain injury;
- Follow-up contact to provide information on brain injuries for individuals on the brain injury registry established in the Brain Injury Registry Act;
- Activities to promote public awareness of brain injury and prevention methods;

- Supporting research in the field of brain injury;
- Providing and monitoring quality improvement processes with standards of care among brain injury service providers; and
- Collecting data and evaluating how the needs of individuals with a brain injury and their families are being met in this state.

ARTICLE THREE - APPOINTMENT AND MEMBERSHIP

The committee shall be appointed by the Governor of Nebraska and comprised of nine public members and the following directors, or their designees: The Commissioner of Education, the Director of the Division of Behavioral Health of the Dept. of Health and Human Services, and the Director of Public Health of the Dept. of Health and Human Services. The Governor shall appoint the nine public members which shall include individuals with a brain injury or family members of individuals with brain injury, a representative of a public or private health-related organization, a representative of a developmental disability advisory or planning group within Nebraska, a representative of service providers for individuals with a brain injury, and a representative of a nonprofit brain injury advocacy organization. At least one member of the committee shall be appointed from each congressional district.

CONFLICTS OF INTEREST: The Chairperson shall cause members to report any known potential conflicts of interest in written statements kept and monitored by the Secretary. Additionally, when a vote arises before the committee that presents a real or perceived conflict of interest, this conflict will be identified, and the Chairperson shall decide whether the member may participate in the vote. In the case that the Chairperson has a conflict of interest, he/she will report that to the Vice-Chairperson, and the Vice-Chairperson shall decide whether the member may participate in the vote. In all cases, the public good is the highest concern for the Committee.

RESIGNATION: A member may resign by providing a written statement to the Chairperson who will notify the Governor.

ARTICLE FOUR – LENGTH OF TERM

~~The Governor shall designate the initial terms so that three members serve one-year terms, three members serve two-year terms, and three members serve three-year terms. Their successors shall be appointed for four-year terms. Any vacancy shall be filled from the same category for the remainder of the unexpired term. Through 2024, any member of the committee shall be eligible for reappointment. After 2024, members will serve four-year terms, not to exceed three consecutive terms.~~ The Executive Committee will track committee member terms, communicate with the committee member when their term is up, and confirm whether the member wants to seek reappointment, if they are eligible for reappointment. The Executive Committee shall submit the names to the Governor for reappointment. The member needs to reapply through the Governor’s office.



ARTICLE FIVE – VOTING

QUORUM: A simple majority of committee members present ~~in person or electronically~~ at any called meeting shall be a quorum. If a quorum exists at the beginning of a meeting and members leave during the meeting, causing the loss of quorum, the chair should state the loss of quorum before taking any vote. Other members may also make a point of order about the loss of quorum, but only when other members are not speaking.

In the absence of a quorum, the Executive Committee may take only necessary actions.

VOTING: Issues coming before the committee to be voted upon shall be determined by a simple majority of the members present. Voting by proxy is not allowed.

ARTICLE SIX – MEETINGS

OPEN MEETINGS ACT: The Brain Injury Oversight Committee is subject to the Nebraska Open Meetings Act as outlined in Neb. Rev. Stat. §84-1407 to §84-1414.

~~ELECTRONIC CONFERENCING: When necessary, the committee will work to utilize videoconferencing or teleconferencing to accommodate members who reside outside of the vicinity of the regular meeting locations. Members may be asked to assist in the videoconference arrangements to adhere to statutory requirements.~~

FREQUENCY: The committee shall meet at least four times each calendar year and at any other time as the business of the committee requires. The committee meeting shall take place as determined by the chairperson.

NOTICE: Notice shall be provided to the committee and the general public at least 10 days prior to the scheduled meeting. Public notice of meetings shall be posted on the State Public Events Calendar and the website of the University of Nebraska Medical Center. Notices of meetings shall include the proposed agenda. The contents of the agenda shall comply with the Open Meetings Act. Supporting materials to the meeting will be sent electronically to members and available to the general public upon request to UNMC.

CONDUCT: Meetings shall be conducted in compliance with the Nebraska Open Meetings Act. At least one copy of all reproducible material to be discussed at a meeting shall be available to the public at the meeting. The most recent edition of Roberts Rules of Order shall govern the meeting process.

ATTENDANCE: Any committee member who is absent from ~~either three consecutive meetings or five~~ regular meetings of the committee during any twelve-month period may be asked by the executive committee to submit the reason for such absences in writing. Such reasons shall be reviewed by the committee at its next regular meeting to determine, ~~at its sole discretion, whether this member shall remain on the committee.~~

MINUTES: Minutes of meetings shall conform to the requirements of the Open Meetings Act and shall be published on the UNMC website. Minutes will be taken by the Committee Secretary or his/her appointee if he/she is not available.

EXPENSES: Members may be reimbursed for their actual and necessary expenses incurred in order to attend or participate in committee meetings, activities, or events as allowed by Nebraska statute in sections 81-1174 to 81-1177.

ARTICLE SEVEN – WORKGROUPS

The Chairperson may appoint or otherwise establish ad-hoc and permanent workgroups from the committee to accomplish specific tasks or purposes. Non-members may be added to committees other than the Executive Committee when specialized expertise is needed.

ARTICLE EIGHT – OFFICERS

SELECTION: The Committee shall select a Chairperson, a Vice-Chairperson, and a Secretary, which will serve as the Executive Committee. The Chairperson shall hold office for a three-year term, with the option of holding that office for two terms. The Vice-Chairperson and Secretary positions will not have term limits. Officers shall be nominated from the non-Departmental members roster.

DUTIES: The duties of the officers shall be:

- The Chairperson shall preside at all committee and officer meetings, and perform other duties designated by the committee. The Chairperson shall represent the Committee in working with the University of Nebraska Medical Center.
- The Vice-Chairperson shall act for the Chairperson in his/her absence and perform other duties designated by the committee.
- The Secretary shall act for the Chairperson in absence of the Vice-Chairperson; record and report the minutes of the meeting, attest to the accuracy and completeness of the official records of the committee, and perform other duties designated by the committee.

TERM: Election of officers shall be by vote of the committee annually at its last scheduled meeting of the state fiscal year for the positions of Vice-Chair and Secretary and every three years for the Chairperson position. In case of a vacancy in an office, voting for that position shall be held by the second meeting of the position's vacancy.

ARTICLE NINE – EXECUTIVE COMMITTEE MEETINGS

EXECUTIVE COMMITTEE MEETING: The officers shall be comprised of the Chairperson, Vice-Chairperson, and Secretary.

DUTIES: The officers shall approve proposed agendas for meetings of the committee; may act on matters of immediate necessity or urgency when convening the committee is not feasible; and perform other actions designated by the committee. Actions by the officers shall be recorded in minutes and reported to the entire committee promptly. Such actions shall be ~~included on the agenda of the next regular meeting of the committee to be affirmed by an appropriate vote.~~

ARTICLE TEN – REPORTS

RECORDS: UNMC shall maintain program records as required by the Records Management Act.

ANNUAL REPORT: An annual report will be generated within four months of the end of the UNMC business year and posted to the UNMC website.

DATA COLLECTION BURDEN: Data collection and evaluation shall not be a burden or unnecessary hardship to individuals with a brain injury or service providers.

PERSONNEL: The committee anticipates having no staff other than contracted services from UNMC.

ARTICLE ELEVEN – ADOPTION

AMENDMENTS: The committee shall review these bylaws at least every three years. Proposed amendments shall be distributed to committee members not less than thirty days prior to the meeting at which a vote on any proposal is scheduled. An affirmative vote of two-thirds of appointed committee members shall be required to approve or amend these bylaws.

ADOPTION: These bylaws were originally adopted at the meeting of the Brain Injury Oversight Committee held on the day of February 25, 2021.

Chairperson

Secretary

Vice-Chairperson

UNMC Liaison