

**Traumatic Brain Injury Services Coordinating Council (TBISCC)**  
**Meeting Minutes**  
**Thursday, September 30, 2021; 11:00 am – 1:00 pm**  
**Meeting Conducted Via Web Ex**

Topic	Discussion	Action/Next Steps/Who/When
<b>Attendance</b>	<p><b>Council Members Present:</b> Dr. Jeffrey Bazarian (Chair), Megan Clothier, Crystal Collins, Michael Davison, Michael Kaplen, Esq., Maxine Smalling, Clifford Hymowitz, Ed Devitt, Paul Novak.</p> <p><b>DOH Staff:</b> Susan Montgomery, Maribeth Gnozzio, Trudy Menard, Esq. (Division of Legal Affairs), Teri Schmidt, Anna Ko, Carla Nazaire.</p> <p>Note: the meeting was conducted via Webex and in-person.</p>	
<b>Welcome, Approval of May 14, 2021 Meeting Minutes &amp; Housekeeping</b>	<p><b>J. Bazarian</b> called the meeting to order at 11:12 am. <b>M. Gnozzio</b> stated that consistent with public meetings requirements the meeting is being recorded. All Council members must be seen and heard in order to conduct the business of the Council. It was confirmed a quorum of members were present. <b>J. Bazarian</b> stated the first order of business is the review and approval of the May 14, 2021 meeting minutes. <b>M. Davison</b> introduced a motion to adopt the May 14, 2021 meeting minutes. <b>E. Devitt</b> seconded the motion. All in favor. May 14, 2021 meeting minutes were approved and adopted.</p>	
<b>New By-Laws: Adoption of Conflict of Interest with a “User Friendly” Summary</b>	<p><b>M. Gnozzio</b> stated a user-friendly version of the by-laws and revised by-laws were distributed to all Council members. It is the intention to vote on the by-laws at today’s meeting. <b>C. Hymowitz</b> asked if the by-laws could include that the Council could apply for grants since there is no funding available through DOH. <b>M. Gnozzio</b> responded that DOH’s previous attorney, Steve Casscles looked into this and came to the conclusion that the TBISCC could not apply for grants or have a budget. <b>M. Kaplan</b> referred to page 10 section E of the by-laws stating that administrative support should be provided by the DOH for the council and did not want to vote on approving these by-laws. <b>T. Menard</b> presented that DOH the interpretation of “support” can vary. The Department provides a space for the council meetings, offers materials, and calls upon the attorney, provides staff to support the meetings, completes meeting minutes and assists with the development of the agenda. <b>M. Kaplan</b> responded that it is his opinion that the council has not been given resources and stated he has had to use his own resources to get things done. He wants more professional support. <b>C. Hymowitz</b> states that in order to make recommendations to DOH council members must do the research beforehand. <b>J. Bazarian</b> presented that when he has served on other councils and committees, the members have done things outside of the committee on their own time. He encouraged members to become more involved outside of the regularly scheduled full Council meetings. <b>P. Novak</b> indicated he does not necessarily see a gap in secretarial help but is frustrated that when a suggestion is presented to the DOH there is not sufficient follow-up or action taken to advance the recommendation. <b>J. Bazarian</b> indicated that the bylaws do not specifically present how recommendations by the Council are to be presented and/or addressed. There is no a procedure or protocol outlined for the process.</p> <p><b>T. Menard</b> suggested looking into adding language to the by-laws detailing the process of making recommendations and how to address the DOH response. She then proposed continuing with approving</p>	

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	<p>the current by-laws and adding amendments for specific procedures. <b>J. Bazarian</b> asked if the Council proceeded with approval of the by-laws as presented, how long would it take to implement additional changes to the by-laws. <b>T. Menard</b> explained that the by-laws are a basic document describing how the council operates, the process for membership etc. The current changes made are not significant and reviewed the content. This included; the Name and Purpose, Membership and Officers, Council Committees, Meetings, CODE of Ethics and Financial Disclosure, and Administration of the Council. She recommended voting and accepting these by-laws.</p> <p><b>C. Hymowitz</b> motions to adopt the entire by-laws. <b>E. Devitt</b> seconds the motion. Everyone in favors. None opposed. <b>M. Kaplan</b> abstained. The new by-laws were approved and adopted.</p>	
<p><b>As a Member of the Council, What Do You Consider to be Our Top 3 Goals</b></p>	<p>Discussion to include: Results of e-mail survey sent to Council members; How do we accomplish these goals?; How do we improve our communication methods for all members?; How do we improve engagement and input from all members?</p> <p><b>J. Bazarian</b> started the conversation by stating that NYSDOH sent all Council members an e-mail survey in June 2021 asking for everyone's top three (3) priorities of the Council. <b>M. Gnozzio</b> reported that only three (3) Council members responded to the survey. <b>J. Bazarian</b> stated that an email was sent out asking the council what their top 3 priorities are. He reminded everyone of the Public Health Law, Article 27 which says that the council is charged with recommending to the DOH long range objectives, goals, planning, and development of needed services.</p> <p><b>E. Devitt</b> presented that as a TBI survivor his relationship with his friends and family suffered. He asked how can a TBI survivor like himself better the community for other survivors? <b>J. Bazarian</b> questioned how did he personally feel what could be done to assist the community of TBI survivors. <b>E. Devitt</b> suggested having support groups where members of the TBI community can share their experiences and support other families of TBI survivors. <b>J. Bazarian</b> asked whether <b>E. Devitt</b> believed these support groups were lacking in NYS and <b>E. Devitt</b> responded that he has noticed, from his personal experience, that there seems to be many people interested but when the meetings are arranged, no one commits and follows through.</p> <p><b>M. Davison</b> added that back in 1988 all there was, was OPWDD. Since then, the TBI waiver was developed but a service recipient must be Medicaid eligible. He stated that it's limited, there is a lack of provider/staff resources and wants to know how we can increase access to services and support in the community. <b>C. Hymowitz</b> stated that he would like to raise more awareness for those who may not even be aware that they have a TBI. He acknowledged that mental health has become more mainstream and is paid for by insurance companies now when it used to be out of pocket. <b>S. Montgomery</b> added to that point stating that although there is a TBI medical diagnosis there are not enough services particular to TBI that are covered by commercial insurance companies. <b>M. Gnozzio</b> commented that she agrees that there are insurance restrictions so <b>C. Hymowitz</b> suggested creating a sub-committee to look further into these issues. <b>M. Gnozzio</b> said we could assist with facilitating this and suggested starting with a small</p>	

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	<p>workgroup to see who would like to participate in organizing something. <b>M. Clothier</b> and <b>C. Hymowitz</b> volunteered to work on this.</p> <p><b>M. Smalling</b> discussed her top 3 goals and stated that since the council has a very specific purpose, there should be a date set for when they get their recommendations together to present to the Department. She mentioned that fact finding within the council and reaching out to providers and other entities is important. She suggested that a survey could go out to TBI survivors but expand it to include relatives and hospitals for a greater data pool. This way the scope of services that may be needed to assist those with a TBI, can be recommended to the DOH. She suggested taking a look at support groups throughout every county in NYS to see what they're doing. And if there aren't any groups like that, she proposed on working on finding volunteers to create these support groups either in person or remotely. She recommended looking into this further to find where the gaps are. <b>C. Hymowitz</b> said he would want to talk to MISC about this. <b>M. Smalling</b> stated she had already spoken to a representative and they were willing to do a presentation. <b>P. Novak</b> brought up that his goals were to see if the TBI waiver can become accessible to survivors who were not on Medicaid. He suggested seeing if the council could investigate RFA grant funding opportunities to cover some gaps and support pilot programs. <b>J. Bazarian</b> inquired on the process for an RFA and <b>M. Gnozzio</b> stated she did not believe there were any TBI specific RFA's at the moment. <b>J. Bazarian</b> concluded this portion of the meeting saying he would get this list together, have people rate the suggestions and try to move forward with the top 3 for the time being.</p>	
<p><b>Member Updates</b></p>	<p><b>M. Smalling</b> – OMH has had an individual in one of their hospitals for a very long time and recently had a huge collaboration with three (3) hospitals to move the individual to another part of the state to have some extensive surgeries and a better quality of life.</p> <p><b>C. Collins</b> – Recently participated in the NYS Justice Center's Code of Conduct Award Ceremony.</p> <p><b>C. Hymowitz</b> – Participating in the TBI Advisory and Leadership Group though an ACL Grant. They are doing work on how to be effective on a council/board. <b>C. Hymowitz</b> will report back on their progress.</p>	
<p><b>Public Comment</b></p>	<p><b>Barry Dain</b> (President of the Brain Injury Association of New York State/Downstate region TBI &amp; NHTD Waiver Provider) – Barry suggested to the Council members that DOH is charged with finding grants. Barry asked that the Council review the law and look into who at the Department sees that they are in compliance. Barry stated there are services that are being missed and there are gaps. Barry stated that DOH is supposed to report a plan every year and the last one was done in 2012.</p> <p><b>Anne Marie Todd</b> (TBI Survivor) – Anne Marie expressed concerns regarding the COVID-19 vaccine mandates and ILST staff being vaccinated. Anne Marie asked if there is room in the budget for an agency to administer the weekly COVID-19 test for non-vaccinated staff because staff are currently paying out of pocket. Anne Marie stressed that ILST's are really the front-line workers and agencies are not getting new staff because the pay is so poor.</p>	

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	No other public comments were found in the WebEx chat box.	
<b>Adjournment</b>	<p><b>C. Hymowitz</b> asked when the Council members will get the list of prioritized suggestions (per the top 3 goals discussion) to vote on? <b>M. Gnozzio</b> responded that DOH will compile the list with <b>Dr. Bazarian</b> and then e-mail to the council members.</p> <p><b>P. Novak</b> made a motion to adjourn the meeting. <b>E. Devitt</b> seconded the motion. The meeting was adjourned at 1:05 pm.</p>	