

**Traumatic Brain Injury Services Coordinating Council (TBISCC)
Meeting Minutes
Thursday, December 15, 2022, 10:00 am – 2:00 pm
One Commerce Plaza, 99 Washington Avenue, Albany, NY
16th Floor, Conference Room 1613**

Topic	Discussion
Attendance	<p>Council Members Present (in-person): Dr. Jeff Bazarian (Chair), Crystal Collins, Brent Feuz, Paul Novak, Michael Davison, Dr. Paul Partridge, Clifford Hymowitz, Andrew Lebwohl (DOH Representative), and Maxine Smalling.</p> <p>A quorum of members was present.</p> <p>Members Present (via WebEx): Michael Kaplan and Megan Clothier.</p> <p>Members Absent: Edward Devitt and Dennis Barlow.</p> <p>DOH Staff: Maribeth Gnozzio, Susan Lawless, Thomas Rees, Trang (Tiffany) Tran-Lee, Maureen Schips, Richard Lehnert, and Carla Nazaire.</p> <p>Note: The meeting was conducted in person and via WebEx. The meeting was recorded.</p>
Welcome / Announcement New Member(s)/ Review of Old Business	<p>Ms. Gnozzio called the meeting to order at 10:09 am. Ms. Gnozzio conducted the roll call and determined that a quorum was achieved for the meeting. Ms. Gnozzio introduced Andrew Lebwohl, Center Director for Aging and Long-Term Care Finances and Supports, Office of Aging and Long-Term Care (OALTC). Mr. Lebwohl provided a summary of his experience and discussed plans for the OALTC. Dr. Bazarian welcomed Mr. Lebwohl to the Council and thanked all attendees for coming to the meeting. Ms. Gnozzio reminded the Council that the previous meeting minutes for the June 23, 2022, and September 22, 2022 meetings have not yet been approved, pending a quorum. Dr. Bazarian made a motion to approve the June meeting minutes, which was seconded by Mr. Hymowitz. The September meeting minutes were moved for approval by Mr. Hymowitz and seconded by Mr. Novak. There was no discussion or changes to, the June or September minutes and they were approved unanimously as presented. Dr. Bazarian reminded the Council of its mission. The Council is charged with recommending to the Department long-range objectives, goals, and priorities. It shall also provide advice on the planning, coordination, and development of services needed to meet the needs of persons with traumatic brain injury and their families, and to include those with mild TBI. Mr. Kaplan asked if the mission is limited to traumatic brain injury or non-traumatic acquired brain injuries and if this is addressed in the Council’s mission, would it include other kinds of brain injury such as strokes, long covid. Ms. Gnozzio stated that we could review the enabling legislation for further definition and intent and respond to Mr. Kaplan. Ms. Gnozzio provided an update on the TBI waiver application renewal approval. Appendix K updates were also summarized. Ms. Gnozzio provided a summary of a conversation she had with Ms. Lawless, regarding findings related to Reasonable Accommodation (RA) that are used by the Most Integrated Setting Coordinating Council</p>

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	(MISCC). The mission and scope of the MISCC is different from that of the TBI Council. The TBI Council is required to report to the legislature, so the TBI Council must remain consistent with the Open Public meetings law and cannot deviate from those requirements. The TBI Council membership is determined by Statute whereas the MISCC membership is advisory. Ms. Lawless will provide further clarification on this topic.
Open Public Meetings Law	Ms. Lawless confirmed that MISCC can have reasonable accommodations to their meeting requirements as they are not a Public Body per Social Services Law. Ms. Lawless stated that the Open Meetings Law does not provide for reasonable accommodations. There is no advisory opinion on this topic. She suggested that the Council ask the Open Meetings advisory panel to opine on whether remote attendees can have a reasonable accommodation and be included in a quorum. It should be noted that this opinion would then apply to any group in the state that abides by the Open Public Meetings Law. This will affect the Alzheimer’s Council as well. The decision may set boundaries related to the American Disabilities Act rather than addressing a reasonable accommodation as related to meeting attendance. Ms. Lawless suggested she could draft a letter and provide it to Council members for review and then present the letter to the Open Meetings advisory panel. Ms. Gnozzio asked if there was a motion to move forward with drafting the letter. Dr. Partridge moved to approve, and Mr. Davison seconded the motion. Ms. Gnozzio asked if a quorum is needed to approve the letter after it has been drafted and reviewed. Ms. Lawless will review and research to determine if the final version of the letter can be approved by the Council via email.
TBI Service Goal Recommendations and Service Gaps/Workplan	Dr. Bazarian provided a summary of the goals of the Workplan. The Workplan will identify gaps in services and supports in New York State for individuals, stakeholders, and professionals impacted by TBI and will ultimately evolve into a report to the legislature. Dr. Bazarian reviewed the changes made to the workplan beginning with Goal 1. Goal 1: Not applicable to New York State and has been removed from the workplan. Goal 2: Keep completely as presented. Goal 3: Keep only bullet 1. Goal 4: Keep as presented but with slight modifications. Goal 5: Keep bullet 1 and remove bullet 2. Goal 6 and Goal 7: Keep but will need to be re-written for clarification purposes. Goal 8: Remove goal 8 but move bullet 4 under another goal. Staff will review the workplan and today’s discussions for presentation at the next meeting.
Open Discussion/Council Members/Public Comment	Council members felt that it is important to review data that will influence the workplan and the future report. The Council would like to invite guests to speak about TBI data. Possible guests to include a presenter from the Model Systems Translation Center (MSKTC) facility. The MSKTC works closely with researchers in the <u>16 Traumatic Brain Injury (TBI) Model Systems</u> to develop resources for people living with traumatic brain injuries and their supporters.
Items to Discuss at the Next Meeting	The outcome of the reasonable accommodation draft letter from Ms. Lawless .

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	Continue to work on the current/proposed activities from the workplan - set timelines for recommendations and identify action plans.
Adjournment	The meeting was moved to be adjourned by Dr. Bazarian with a second motion by Mr. Lebwohl . Meeting adjourned at 1:41 PM.