



Capitol News!

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National Association of State Head Injury Administrators

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Dear NASHIA Member,

Welcome to this edition of *Capitol News!*, published by the National Association of State Head Injury Administrators (NASHIA), highlighting the work of Congress with regard to issues associated with brain injury. As Congress continues to focus on sports-related concussions, the Congressional Brain Injury Task Force is planning a briefing on sports-related concussions among women athletes to be held June 14. Meanwhile, yesterday's JAMA Pediatrics features the article, [Point of healthcare entry for youth concussion within a large pediatric care network](#), which highlights a substantial gap in how the United States currently estimates the nation's burden of pediatric concussions, thus supporting the need for \$5M for the Centers for Disease Control and Prevention (CDC) to establish a national concussion surveillance system to accurately determine the incidence. NASHIA and BIAA continue to work to secure funding in the FY 2017 appropriations bill to implement the CDC's [proposed surveillance system](#). Meanwhile, please visit our [website](#) to see NASHIA's other public policy priorities and communications.

This Week in Congress

Congress is in recess this week in honor of Memorial Day. The Senate and House will return to work on Monday, June 6th.



Legislation

House Passes Bill to Pay State Veterans Homes for Adult Day Health Care

Before adjourning for recess, the U.S. House of Representatives passed H.R. 2460, sponsored by Rep. Lee Zeldin (R-NY), to authorize the Secretary of Veterans Affairs to enter into an agreement with each State Veterans Home to pay for adult day health care for eligible veterans who are not receiving nursing home care. The care must be necessary for a service-connected disability or a service-connected disability rated at 70% or more. Payment paid to a State Veterans Home must equal 65% of a payment otherwise paid to a State Veterans Home if the veteran were receiving nursing home care. State Veterans Homes are operated by State governments and offer nursing home care, domiciliary care, or adult day health care facilities. Under the bill, VA would pay for ADHC provided to those veterans at a rate equal to 65 percent of the prevailing rate for nursing home care in that region.

House Hears Bill to Weaken Title III of the ADA

On May 19, the House Judiciary Subcommittee on the Constitution and Civil Justice held a hearing on H.R. 241, the ADA Compliance for Customer Entry to Stores and Services Act, sponsored by Rep. Ken Calvert (R-CA). The legislation weakens Title III of the Americans with Disabilities Act (ADA), allowing businesses to be notified if they are in violation of the law and to be given time to

comply before a law suit can be filed.

Legislators Introduce Bills to Improve Medicaid Coverage for Incarcerated Youth

In late April, Representatives Tony Cardenas (D-CA) and Morgan Griffith (R-VA) introduced H.R. 5100 to improve access to Medicaid coverage and health services for young people under 21 by requiring that States not terminate Medicaid benefits for youth who enter the justice system. Senators Christopher Murphy (D-CT) and Cory Booker (D-NJ) introduced similar legislation, the At-Risk Youth Medicaid Protection Act, S.2874. The option to suspend rather than terminate Medicaid coverage while a person is incarcerated will make it easier for a person leaving the criminal justice system to regain health coverage upon his/her release.

House Committee Holds Hearing on Youth Sports Concussion Act

On May 24, the House Energy and Commerce Committee's Subcommittee on Commerce, Manufacturing, and Trade held a hearing on the Youth Sports Concussion Act, H.R. 4460, co-sponsored by Reps. Bill Pascrell, Jr. (D-NJ) and Thomas J. Rooney (R-FL), co-chairs of the Congressional Brain Injury Task Force. On April 27, the Senate Committee on Commerce, Science, and Transportation, chaired by Senator John Thune (R-SD) passed companion legislation, S. 2508, out of the committee. Senator Tom Udall (D-NM) is the sponsor of S. 2508.

The legislation makes it unlawful to sell or offer for sale in interstate commerce, or import into the United States for such purposes, athletic sporting equipment for which the seller or importer makes any deceptive claim with respect to the safety benefits of such an item. NASHIA and the Brain Injury Association of America (BIAA) recently spearheaded an organizational support [letter](#) for the bill, which was sent to the House Energy and Commerce Committee. NASHIA also submitted a separate support [letter](#).

Committee Hearings and Briefings

Representatives Form Pediatric Trauma Caucus

On May 24, House Energy and Commerce Committee members Rep. Richard Hudson (R-NC) and Rep. G.K. Butterfield (D-NC) announced the formation of the Pediatric Trauma Caucus. The announcement of the caucus comes as members of the committee have also taken steps to investigate concussions, including the rise of concussions in youth sports.

NASCAR Team Owner, Motorsports Hall of Fame Inductee, and Co-Founder of the Childress Institute for Pediatric Trauma, Richard Childress led the briefing discussion. Other panelist included Bob Gfeller, Executive Director, Childress Institute for Pediatric Trauma, Dr. Valerie Maholmes, Ph.D., Chief, Pediatric Trauma and Critical Illness Branch, Eunice Kennedy Shriver National Institute of Child Health & Human Development, National Institutes of Health, Dr. David Adelson, Director, Barrow Neurological Institute, Chief, Pediatric Neurosurgery/Children's Neurosciences, Phoenix Children's Hospital, Diana Fendya, R.N., Trauma/Acute Care Specialist, EMSC National Resource Center, Children's National Medical Center, Dr. Barbara A. Gaines, Clinical Director, Pediatric General and Thoracic Surgery, Children's Hospital of Pittsburgh of UPMC, Dr. John Petty, Director, Pediatric Trauma Program, Brenner Children's Hospital/Wake Forest Baptist Health.

House Committee Holds Roundtable Discussion on Youth Sports-Related Concussions

The House Committee on Energy and Commerce's Subcommittee on Oversight and Investigation held its second roundtable discussion on sports-related concussions on May 13. Chaired by Rep. Tim Murphy (R-PA), the second briefing focused on Concussion in Youth Sports: Evaluating Prevention and Research. Testifiers included two individuals from Colorado, one of which was Kelli Jantz, who lost her son Jake Snakenberg to Second Impact Syndrome in 2004. In 2012, Colorado Governor Hickenlooper signed the Jake Snakenberg Youth Sports Concussion Act to address sports-related concussions with regard to return to play after a concussion. Also speaking was Dr. Dawn Comstock from the Colorado School of Public Health who addressed sports injury epidemiology.

Democrats Release Report on NFL's Improper Influence on NIH's Brain Injury Research

On May 23, Rep. Frank Pallone, Jr. (D-NJ), Ranking Member of the House Energy and Commerce Committee, released a report concluding that the National Football League (NFL) improperly attempted to influence the grant review process for the National Institutes of Health (NIH) brain injury study that the NFL had agreed to fund as part of a \$30 million donation. The report states that the integrity of NIH's grant review process was preserved. The report also concludes the Foundation of NIH (FNIH), a non-profit charitable organization whose mission is to direct funding from public and private donors to NIH projects, did not adequately fulfill its role of serving as an intermediary between NIH and the NFL.

The Democratic Committee staff offers several recommendations to address the investigation's findings with regard to research donors. Click [here](#) to read the full report.



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