



## S. 793 –The Traumatic Brain Injury Act of 2008

### FLOOR SITUATION

S. 793 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Orrin Hatch (R-UT) on March 7, 2007. It passed the Senate, as amended, unanimous consent on December 12, 2007. The bill was referred to the House Committee on Energy and Commerce on December 12, 2007, but was never considered.

S. 793 is expected to be considered on the floor of the House on April 8, 2008.

*\*Note: Similar legislation, H.R. 1418, was introduced by Representative Bill Pascrell (D-NJ), on March 8, 2007. The Committee on Energy and Commerce agreed to the bill, as amended, on March 13, 2008.*

### SUMMARY

#### **National Program for TBI Surveillance and Registration**

S. 793 amends the Public Health Services Act by revising the National Program for Traumatic Brain Injury Registries so that it includes a system which: 1) surveys the incidence of traumatic brain injuries (TBI) and related disabilities; 2) ensures the uniform reporting of these injuries; and 3) links persons with TBIs to appropriate services and support programs. Current State run TBI systems only provide a registry which collects information about individual TBIs occurring within the state, such as the circumstances surrounding the injury and types of treatment received. S. 793 would allow the Secretary of Health and Human Services to make grants to State Traumatic Brain Injury Surveillance and Registry programs.

#### **Reporting Requirements:**

The legislation requires the Secretary to report to relevant congressional committees about procedures and programs that the Centers for Disease Control and Prevention, the Department of Defense, and the Department of Veterans Affairs can implement to improve the accessibility of information regarding the incidence of TBI in the military for veterans returning to civilian life. Additionally, the bill requires the Comptroller General to conduct a study of military personnel who have returned from Operation Enduring Freedom and Operation Iraqi Freedom with TBI, examining how these individuals have reintegrated to their communities.

The bill allows the Secretary to conduct a study to: 1) determine the incidence of TBIs and the clinical aspects of the disability among the general population of the U.S.; 2) report national trends in TBI; 3) identify common therapeutic procedures used for individuals with TBIs and report on the effectiveness and adequacy of such procedures; 4) identify therapies that can help prevent or reduce the development of secondary neurologic conditions related to TBIs; and 5) develop practice guidelines for the rehabilitation of individuals with TBI when the relevant research becomes available.

#### **Access for American Indians:**

S. 793 allows the Secretary to make grants to American Indian groups so that they may carry out projects to improve access to rehabilitative and other services for individuals with TBIs. Current law only authorizes the Secretary to make these grants to States.

#### **Authorization of Funds:**

The legislation authorizes such sums as may be necessary through 2011.



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## BACKGROUND

A TBI is defined as “a blow or jolt to the head or a penetrating head injury that disrupts the function of the brain.” In the United States, there are over 1.4 million people who sustain a TBI each year. Of these 1.4 million, 50,000 people die, 235,000 are hospitalized, and 1.1 million are treated and released from emergency departments, according to the Centers for Disease Control and Prevention (CDC). Leading causes for TBI in the U.S. are falls and motor vehicle accidents. TBI costs an estimated \$60 billion in direct medical costs as well as indirect costs (such as loss of productivity) in the U.S. in 2000.

Of injured military personnel, 60-62% have some degree of TBI. More than 35,000 service members were screened for TBIs as of July 2007. Of those screened, about 11% screened positive for mild TBI and about half had no symptoms of TBI. Blasts from explosions are the leading cause of TBI among soldiers on active duty in combat zones. In July 2006, Army commanders were sent a memo from the Army’s Surgeon General regarding the effects of mild TBI (concussion) on the performance of a soldier, and the symptoms of a mild TBI. Among Native Americans, injuries (including TBI) are the leading cause of death for persons ages 1 to 44, and the third leading cause overall.

The Public Health Services Act was originally signed into law on July 1, 1944. The Act consolidated and revised nearly all previously existing public health legislation and has been expanded and broadened numerous times since it was enacted.

[CDC website about TBI facts and information](#)

[Army Behavioral Health TBI screening information](#)

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## COST

According to the Congressional Budget Office, “implementing the bill would cost \$106 million in 2008 and \$1.5 billion over the 2008-2012 period, subject to the appropriation of the necessary amounts.”

[CBO score of S. 793](#)

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## STAFF CONTACT

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