



Legislation Details (With Text)

**File #:** Res 1150-2007      **Version:** \*      **Name:** Traumatic Brain Injury Access to Options Act.

**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Veterans

**On agenda:** 11/15/2007

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling upon the United States Congress to pass S.1113/H.R.2048, also known as the "Traumatic Brain Injury Access to Options Act."

**Sponsors:** Hiram Monserrate, Gale A. Brewer, Lewis A. Fidler, Helen D. Foster, Vincent J. Gentile, Alan J. Gerson, Sara M. Gonzalez, Letitia James, Michael C. Nelson, Annabel Palma, Larry B. Seabrook, David I. Weprin, Thomas White, Jr., Robert Jackson, Melissa Mark-Viverito, Tony Avella, John C. Liu, James F. Gennaro, Mathieu Eugene, Helen Sears

**Indexes:**

**Attachments:** 1. Committee Report 2/15/08, 2. Hearing Transcript 2/15/08, 3. Committee Report 3/12/08, 4. Hearing Transcript 3/12/08, 5. Hearing Transcript - Stated Meeting 3/12/08

Date	Ver.	Action By	Action	Result
11/15/2007	*	City Council	Introduced by Council	
11/15/2007	*	City Council	Referred to Comm by Council	
2/15/2008	*	Committee on Veterans	Hearing Held by Committee	
2/15/2008	*	Committee on Veterans	Laid Over by Committee	
3/12/2008	*	Committee on Veterans	Hearing Held by Committee	
3/12/2008	*	Committee on Veterans	Approved by Committee	Pass
3/12/2008	*	City Council	Approved, by Council	Pass

Res. No. 1150

Resolution calling upon the United States Congress to pass S.1113/H.R.2048, also known as the "Traumatic Brain Injury Access to Options Act."

By Council Members Monserrate, Brewer, Fidler, Foster, Gentile, Gerson, Gonzalez, James, Nelson, Palma, Seabrook, Weprin, White Jr., Jackson, Mark-Viverito, Avella, Liu, Gennaro, Eugene and Sears

Whereas, According to the National Institute of Neurological Disorders and Stroke (NINDS), traumatic brain injury (TBI) occurs when a sudden trauma causes damage to the brain; and

Whereas, According to the Defense and Veterans Brain Injury Center (DVBIC), the leading cause of TBIs among active military personnel in war zones are blasts; and

Whereas, The frequency of TBI has grown tremendously due to the greater use of improvised explosive

devices (IEDs) by insurgents in Iraq and Afghanistan; and

Whereas, Due to the significant increase in TBIs, traumatic brain injury has come to be known as signature wound for soldiers involved in the conflicts in Iraq and Afghanistan; and

Whereas, According to the American Academy of Neurology, neurological services within the Veterans Administration (VA) system are not, in general, receiving the resources required to properly diagnose and treat the medical conditions of returning combat veterans; and

Whereas, S.1113/H.R.2048, also known as the “Traumatic Brain Injury Access to Options Act,” was introduced in the United States Congress by Sen. Evan Bayh and Rep. Joseph Donnelly in April 2007; and

Whereas, This legislation would help to facilitate the provision of care and services to members of the Armed Forces who suffer from traumatic brain injury; and

Whereas, The “Traumatic Brain Injury Access to Options Act” would direct the Secretary of Defense to ensure that each member of the Armed Forces who incurs a TBI and is unable to perform activities of daily living for at least five consecutive days from the date of a medical assessment, is kept on active duty status for one year after the date of their injury assessment; and

Whereas, Additionally, this legislation would prohibit any such member from being evaluated during the one-year period by a physical evaluation board for the purposes of determining eligibility for retirement or separation due to such disability; and

Whereas, In light of the tremendous impact TBI is having on our brave men and women in the Armed Forces, it is necessary to address any shortcomings in services provided; and

Whereas, The President’s Commission on Care for America’s Returning Wounded Warriors, led by former Senator Robert Dole and former Secretary of Health and Human Services Donna Shalala, called on the Department of Defense (DoD) and the VA to improve care for Armed Forces members with TBI; and

Whereas, Those who sacrifice so greatly on behalf of this country deserve to have the best possible care and support in their time of need; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass S.1113/H.R.2048, also known as the “Traumatic Brain Injury Access to Options Act.”

JP  
LS 3762  
11/7/07