

§ 143B-216.66. North Carolina Brain Injury Advisory Council – membership; quorum; compensation.

(a) The Council shall consist of 23 voting and 10 ex officio nonvoting members, appointed as follows:

- (1) Three members by the General Assembly, upon the recommendation of the President Pro Tempore of the Senate, as follows:
 - a. A representative of the North Carolina Medical Society or other organization with interest in brain injury prevention or treatment.
 - b. A nurse with expertise in trauma, neurosurgery, neuropsychology, physical medicine and rehabilitation, or emergency medicine.
 - c. One at-large member who shall be a veteran or family member of a veteran who has suffered a brain injury.
- (2) Three members by the General Assembly, upon the recommendation of the Speaker of the House of Representatives, as follows:
 - a. One at-large member who may have experience as a school nurse or rehabilitation specialist.
 - b. A representative of the North Carolina Hospital Association or other organization interested in brain injury prevention or treatment.
 - c. A physician with expertise in trauma, neurosurgery, neuropsychology, physical medicine and rehabilitation, or emergency medicine.
- (3) Fourteen members by the Governor, as follows:
 - a. Three survivors of brain injury, one each representing the eastern, central, and western regions of the State.
 - b. Four family members of persons with brain injury with consideration for geographic representation.
 - c. A brain injury service provider in the private sector.
 - d. The director of a local management entity of mental health, developmental disabilities, and substance abuse services.
 - e. The Executive Director, or designee thereof, of North Carolina Advocates for Justice.
 - f. The Executive Director, or designee thereof, of the Brain Injury Association of North Carolina.
 - g. The Chair of the Board, or designee thereof, of the Brain Injury Association of North Carolina.
 - h. The Executive Director, or designee thereof, of the North Carolina Protection and Advocacy System.
 - i. One stroke survivor, as recommended by the American Heart Association.
- (4) Nine ex officio members by the Secretary of Health and Human Services, as follows:
 - a. One member from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services.
 - b. One member from the Division of Vocational Rehabilitation.
 - c. One member from the Council on Developmental Disabilities.
 - d. One member from the Division of Medical Assistance.
 - e. Two members from the Division of Health Service Regulation.
 - f. One member from the Division of Social Services.
 - g. One member from the Office of Emergency Medical Services.

- h. One member from the Division of Public Health.
- (5) Two members by the Superintendent of Public Instruction, one of whom is ex officio, nonvoting, and employed with the Division of Exceptional Children.
- (6) One member by the Commissioner of Insurance, or the Commissioner's designee.
- (7) One member by the Secretary of Administration representing veterans affairs.

(b) The terms of the initial members of the Council shall commence October 1, 2003. In his initial appointments, the Governor shall designate four members who shall serve terms of four years, four members who shall serve terms of three years, and three members who shall serve terms of two years. After the initial appointees' terms have expired, all members shall be appointed for a term of four years. No member appointed by the Governor shall serve more than two successive terms.

Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term. Terms for ex officio, nonvoting members do not expire.

(c) The initial chair of the Council shall be designated by the Secretary of the Department of Health and Human Services from the Council members. The chair shall hold this office for not more than four years. Subsequent chairs will be elected by the Council.

(d) The Council shall meet quarterly and at other times at the call of the chair. A majority of voting members of the Council shall constitute a quorum.

(e) Council members shall be reimbursed for expenses incurred in the performance of their duties in accordance with G.S. 138-5 and G.S. 138-6, as applicable.

(f) The Secretary of the Department of Health and Human Services shall provide clerical and other assistance as needed. (2003-114, s. 1; 2007-182, s. 1; 2009-361, s. 3.)