



**STATE OF DELAWARE  
STATE COUNCIL FOR PERSONS WITH DISABILITIES**

Margaret M. O'Neill Bldg., Suite 1, Room 311  
410 Federal Street  
Dover, Delaware 19901  
302-739-3621

The Honorable John Carney  
Governor

John McNeal  
SCPD Director

**BRAIN INJURY COMMITTEE MINUTES**  
October 7, 2019 – 2:00 PM  
Smyrna Rest Area Conference Room, Smyrna, DE

15 in attendance of 24 **QUORUM PRESENT.**

**PRESENT:**

Christine **Applegate**, Nurse Navigator, Neurosurgery, Bayhealth Neurosciences; Sybil **Baker**, GACEC (obo Wendy Strauss); Linda **Brittingham**, ChristianaCare Health System/DHA (CCHS); Andrew **Burdan**, Brain Injury Advocate; Tammy **Clifton**, DOL/DVR, Senior Vocational Rehabilitation Counselor and **BIC Chair** (obo Andrea Guest, Director), Kristy **Handley**, Executive Director (Brain Injury Association of Delaware (BIAD)); Jeffrey S. **Hysan**, Paralegal, Community Legal Aid Society, Inc., Disabilities Law Program; Dale **Matusevich**, DOE, ECE, Education Associate, Transition Services (obo Mary Ann Mieczkowski); Karen **McGloughlin**, Director of Women's Health (obo Dr. Karyl Rattay, Director); Christina **Miller**, Insurance Investigator Supervisor, Department of Insurance/TBI Survivor; Dorothy **Prior**, Psychologist, (obo Marie Nonnemacher) (DDDS); Nancy **Ranalli**, Director of Community Outreach, Easterseals; Dr. Ron **Sarg**, DCVA/MOAA; Carey **Swartzentruber**, Survivor; and Megan **Witman**, Director of Therapy Operations, Encompass Health

**ABSENT:**

Nidhi **Atri**, Psychiatric Resident II, DHSS/DPC/DSAMH (obo Elizabeth Romero); Nicholas A. **Duko**, Program Mgr., BCBS Highmark Health Options; Katie **Freeman**, Psychologist, DSCYF/DPBHS, (obo Robert Dunleavy LCSW); Sue **Gamel-McCormick**, APRN, DHSS/DMS/Birth To Three; Kristin **Harvey**, DDC (obo Rick Kosmalski); Miguel **Marcos**, TCM Program Manager, Wilmington VA Medical Center; Ann **Phillips**, Parent of a survivor; Tiffany **Taylor**, Nurse Navigator (obo George DelFarno, Director, Post-Acute Medical Rehabilitation (Dover); Jamila **Waigwa**, DHSS/DSAAPD

**ADDITIONAL ATTENDEES:** (Not able to vote or count toward quorum)

**IN-PERSON** – Dee Rivard, SCPD

**TELECONFERENCE PARTICIPANTS:** N/A

## **CALL TO ORDER**

Tammy Clifton called the meeting to order at 2:15 p.m., after waiting for a quorum of members to arrive and sign-in.

- Tammy thanked everyone for attending requesting everyone to introduce themselves for the benefit of anyone new.

## **ADDITIONS/DELETIONS TO THE AGENDA**

Tammy inquired if there were any additions or deletions to the agenda. Hearing none, Karen motioned to approve, Ron Sarg seconded the motion and voting committee members in attendance unanimously approved the agenda as prepared.

## **APPROVAL OF PREVIOUS MEETING'S MINUTES**

Tammy moved on to agenda item III inquiring if everyone had sufficient time to review the minutes of our last meeting on September 9 while waiting for a quorum to arrive. She asked if members had any additions, deletions, or corrections to the minutes.

- Ron requested a correction on page 6, line 3 to note that Representative Sean Lynn sponsored the previous helmet legislation introduced in the House. This will change the sentence reading: "Ron advised that Representative Sean Lynn is against a helmet law in Delaware." to correctly read: "Ron advised that Representative Sean Lynn is the previous sponsor of previous "helmet bill" legislation in Delaware."
- Carey requested a correction to the spelling of his name on page 3 from "Schwartzentruber" to correctly show it as "Swartzentruber."
- Christina requested a correction to the spelling of her name on page 4 from "Christiana" to correctly show it as "Christina".
- Christina also requested a correction on page 5 to the first paragraph for clarification so that "Treatment has to be done within 3 years to be considered outside of the timeframe for Personal Injury Protection (PIP)" now reads: "Treatment has to be done within 3 years to be considered for personal injury protection. If it can't be done within 3 years the doctor has to convey to the insurance why it cannot be done within the 3 year time period."
- Tammy requested a correction on page 10 to the 4<sup>th</sup> burger dot under "Announcements." She requested that the minutes correct that sentence from "Will

be over 300 people at the Summit tomorrow” to correctly read “There will be over 300 people at the Mental Health Summit tomorrow.”

- Ron requested a correction on page 5 to change the sentence that reads: “What about including the costs incurred by DelDOT for onsite accident scene response” to correctly read “What about including the cost amount for write-offs that are incurred by DelDOT from onsite accident scene response?”
- Tammy requested a correction on page 8 to add the phrase “TBI Fund Application” between the word “required” and the word “form” at the end of the 3<sup>rd</sup> burger dot and a correction to the 4<sup>th</sup> burger dot to change the name of the meeting she attended from the “Sussex County Health Coalition” to the “Kent County Inter-Agency and Non-Profit Meet-up.”
- Kristy requested a correction on page 9 to the first burger dot to include a sentence as follows: “Kristy recently attended the Sussex County Health Coalition” at the beginning of the section.
- Tammy requested the inclusion of her name in the 4<sup>th</sup> burger dot on page 10 so the sentence now correctly reads: “Sharon and Tammy are attending the Delaware Healthcare Forum on October 29 and agreed to share information on the Brain Injury Fund.”
- Dr. Ron Sarg made a motion to approve the 09/07/19 minutes of the BIC meeting as amended, Karen McGloughlin seconded the motion and voting committee members in attendance unanimously approved the motion.

## **SURVIVOR INPUT**

- N/A

## **OLD BUSINESS**

At this time, Tammy inquired if everyone had sufficient time to review the bios and resumes of the nominees for Vice-Chair of the Brain Injury Committee (BIC). Tammy

requested Dee to distribute the ballots to voting members announcing that the newly elected Vice-Chair will assume their position at the November BIC meeting.

- Director John McNeal sent an email on October 9 announcing that after tabulating the votes he was pleased to announce that the new Vice-Chair for the Brain Injury Committee is Christine Applegate. **Congratulations** Christine!

### **Review & Discussion of Motorcycle Helmet Advocacy**

- Dr. Ron Sarg announced that he emailed Representative Sean Lynn twice to no avail. He will continue trying to reach him as the Legislature may still be in the process of setting up committee compositions.
- Tammy asked for an update on the status of the suggested online petition; however, Kristin Harvey was not in attendance today and therefore the petition update is deferred until the November meeting. Kristin previously suggested starting a social media campaign surrounding this issue.
- Tammy inquired as to which members can assist in obtaining testimonials from brain injury survivors resulting from a motorcycle accident. Christina Miller volunteered to obtain a couple of testimonials.
- Christina shared that the Delaware Insurance Commission is willing to support or continue supporting mention of motorcycle helmet laws. Christina shared that she did raise the Brain Injury Committee's request to look into providing discounts to motorcycle drivers who wear their helmets; however, she has not received a response yet on this request.
- Tammy asked members if anyone was willing to obtain Legislative sponsorship for the motorcycle helmet legislation. Dr. Sarg committed to continuing his work with Representative Sean Lynn for his sponsoring motorcycle helmet legislation again this year.
- Karen McGloughlin provided an update from the Data Development Subcommittee stating that in order to obtain data from the Delaware Health Information Network (DHIN) that the committee members need to finish completing a rather extensive data access request form. She advised that the DHIN recommended that we keep our first venture simple until we know

what we want and what we will receive. That said it doesn't mean that we can't obtain the data through other sources.

- The article that Karen shared with BIC members was motor vehicle specific. The DHIN doesn't have an indicator that provides information on whether or not someone was wearing a helmet. However, somebody is collecting this data. It is probably the Department of Transportation or Delaware's police departments.
- Christina shared that she checked and found out that insurers do not accumulate data on whether someone was wearing a helmet either. Karen felt that it is probably because that could get into liability and causation.
- Kristy advised that sometimes when someone is in an accident their helmet falls off. Sometimes accident reports just say "helmet on scene" because they can't say for certain whether or not an individual was wearing a helmet.
- Tammy raised the issue of Delaware law allowing "Lane Splitting" and quoted an article from a website that stated that "Governor Jack Markell and Jennifer Cohen legalized lane splitting to improve traffic flow." BIC members requested Kyle to check for the passage of legislation legalizing Motorcycle Lane Splitting in Delaware. Some BIC members believed that lane sharing is usually prohibited in the Motorcycle Operator Manual.
- Another issued raised relates to Delaware not specifically prohibiting the wearing of headphones while operating a motorcycle on the road.
- Dee and Tammy referred to several pieces of legislation from the past relating to motorcycle helmet wearing in Delaware.
- Social Media Campaign -- Christina shared that she started a social media campaign from her own social media.
  - Christine Applegate stated that the Prevention and Outreach subcommittee is meeting immediately following the BIC meeting. She suggested getting something started on "Change.org." She advised that before anything is done, that the subcommittee needs to decide what is going to go on the site, prepare the content and obtain permission for any photos and testimonials

or stories that the subcommittee will share on the site. All testimonies and stories should go to the Prevention and Outreach Subcommittee.

- Do we need to get a legislative champion for this? The Prevention and Outreach Subcommittee needs to obtain stories and prepare a one page information sheet.
- BIC members suggested that the Prevention and Outreach Subcommittee move forward on everything except the legislation.
- BIC members were asked to work on obtaining survivor testimonials and pictures to share on the social media site. Public knowledge is very important especially once we start the Town Hall meetings.
- Kristy offered for the Brain Injury Association of Delaware (BIAD) to post stories on their website. BIAD could also do social media blasts.
- Christine stated that the first step is to obtain releases for SCPD/BIC to share the stories.
- Dr. Ron Sarg suggested obtaining stories from First Responders perhaps going through the Delaware Fire School and EMT groups and paramedics. Do the EMTs keep track of data? No they just do their regular documentation. Just wearing a helmet doesn't mean that everyone is going to survive. Karen mentioned a protective suit that blows up. Kristy suggested placing the "Story Bank" on the social media page at BIAD and adding a link from the webpage.
  - Tammy advised that we need volunteers for obtaining information on the First Responder stories.
  - Kristy and Karen volunteered to check with a few first responders.
  - Karen suggested incorporating data obtained into our storyboard by preparing questions that first responders could answer. E.g. What impact does a motorcycle accident scene have on first responders? How does it affect them mentally, emotionally, etc.?
  - Tammy asked for volunteers in setting up the Town Hall style meetings; however, BIC members felt that since it was Kristin's idea that she and John or Kyle could work on this piece together. Additionally, BIC members suggested delaying the Town Hall until all of the other pieces are in place.

- **NEXT STEPS:**

- The Prevention and Outlook (P & O) Subcommittee will work to obtain testimonies from survivors willing to publicly share their stories.
- Christina will obtain a couple of testimonials and photographs if the individuals are willing to share. She will ensure that she obtains a signed consent release for the BIC to share them on our website.
- Dr. Ron Sarg will continue reaching out to Representative Sean Lynn about sponsoring motorcycle helmet legislation again this year.
- The Prevention and Outlook Subcommittee will work with the Data Development Subcommittee (DDS) to create a one-page Info Sheet with pictures and a flyer on motorcycle helmet safety with Delaware specific statistics if available.
- BIC members need to generate questions for use on the State Council for Persons with Disabilities (SCPD) website that encourages survivors to share their stories.
- The P & O Subcommittee needs to create a release statement for any survivors sharing information to agree to that ensures that they understand that by sharing their story, they are holding the SCPD and the BIC harmless. The statement must ensure that the individual understands that by sharing their story, they are giving SCPD permission to share their story on our website, in brochures, on Info Sheets, and to use it to assist in lobbying for legislation relating to brain injuries and/or disabilities.
- Kristy Handley volunteered to set up a story bank on the Brain Injury Association of Delaware's (BIAD) website.
- John or Kyle should check with Rita Landgraf to see if she is interested in facilitating the Motorcycle Helmet Town Hall style meeting(s).
- Tiffani volunteered to try to find a moderator from within Post-Acute Medical Rehabilitation.
- We need a volunteer to find out who covers the first responder costs for accident response.

- The BIC needs to find a source to determine how much state and federal funding is expended responding to and providing medical coverage for motorcycle accident victims.
- Someone from the BIC needs to check with the Police Chiefs' Association to obtain their support for this legislation and to ascertain if they have a source or sources to provide the costs expended on motorcycle accidents.
- Check with the State Fire School to obtain cost information on how much each accident costs the state.
- BIC members need to get constituents involved emotionally with this issue.

## **COMMITTEE & SUBCOMMITTEE UPDATES**

### **• TBI Fund Application Review Committee Update**

- Nancy Ranalli shared that the Traumatic Brain Injury (TBI) Fund committee has a few people that are still moving forward through the funding process. She asked BIC members to continue advocating about the availability of TBI funding.
- Nancy shared that the Committee received one particularly moving thank you letter from a survivor who the committee helped obtain a laptop and accessibility software. She wrote a beautiful letter. Nancy shared that the use of funds for driver assessments and training are providing some great success stories. The TBI Fund Committee is currently working to gather enough information to share it on the SCPD website. The TBI Fund provides funding for different requests involving services, therapy, treatments, and equipment.
- The TBI Fund Committee is currently working on developing standard questions that would apply no matter what an applicant is approved funding to obtain that we can ask them in order to post their responses on the SCPD website.
- Karen inquired about using TBI funds for another agency for TBI Survivors because Courageous Hearts is trying to expand in order to be more inclusive.
- Kristy Handley shared information on funding for institutions with members.

- BIC members should share the TBI Fund link on their agency and organizational websites and Facebook pages. Try to get your agency or organization to share a quarterly Facebook post.
- Andrew inquired if all adult day services providers had information on the TBI Fund and answered his own question by stating: “Probably not.” The Frederica Senior Center had no idea about the Brain Trust Fund until the information was shared with the room full of veterans that were there for a recent event.
- Dorothy Prior advised that she brought up the TBI Fund during her agency’s leadership meetings; although, she is unaware of how much Team Support Coordinators know about Delaware’s TBI Fund. She shared that she has access to individuals who coordinate services. She suggested that other BIC members with this access to service coordinators need to share the TBI Fund information with them.
- Christine shared that she spoke to Bayhealth case managers but with the staff turn-over rate the information is not being passed on to new staff members in training.
- BIC members discussed developing a poster and information that hospitals could include in their exit packages for TBI Survivors. The information should include something along the lines of: Where in Delaware are XYZ services available? What does DDDS cover? What does health insurance cover? What does the TBI Fund cover? What does DVR cover? What about supported employment for DDDS? Perhaps the information could be shared with established counselors who carry specific caseloads, although there is a lot of turn-over. Tammy volunteered to remind the supported employment counselors but advised that people tend to get in a rut. She is hoping to get to the point within her organization where everyone knows where to find the resources in general to help people with brain injuries. All BIC members need to try to find ways to bring up the TBI Fund to the point where it becomes second nature for Delaware service providers.

- **Data Development Subcommittee (DDS) Update**

- Karen McGloughlin advised that some of the DDS members met to begin filling out the DHIN Data Access Application form. DDS members spent 3 hours in Dee's office working on the application and still didn't get it finished. This form is multiple pages long that the DDS can use in the future as a template moving forward. Karen advised that members are learning a lot and are trying to figure it all out as we go because it is a whole new language. She is confident however, that the subcommittee will get there.

- **Prevention and Outreach Subcommittee (P & O)**

- Christine shared that the P & O members are meeting immediately after the BIC meeting ends so she does not have anything to report at this time.
- Tammy asked BIC members for clarification of the responsibilities of the P & O Subcommittee members relating to outreach and stories. Does the BIC want the P & O Subcommittee to perform personal outreach? Or could they provide outreach through social media, social networking and through correspondence?
  - Karen stated that in her opinion it should be both in-person, through social media and through correspondence.
  - Karen suggested coming up with a calendar and dividing up the responsibilities based on member availability. BIC members agreed that they want a combination of both styles of outreach suggesting that the P & O Subcommittee develop a one-page info sheet that its members can personally deliver.
  - Additionally, the P & O Subcommittee members can schedule exhibitor staffing for different events throughout the State of Delaware where they can share brain injury information. No one must commit to going out and visiting physicians. There are a lot of events that most of the member agencies attend where BIC members can share multiple information from their organizations and about brain injuries.
  - Tammy frequently attends multiple events because that is what is expected of her for her job.

- Kristy recommended touching base with Delaware colleges that offer social work degrees and Nurse Practitioner degrees.

## **NEW BUSINESS**

- N/A.

## **ANNOUNCEMENTS**

- Nancy Ranalli announced that Easterseals has new respite funding starting on October 1. Applications are available from their website after September 15. The funding goes pretty quickly. Even if you have received it before you still need to apply each year. Call 302-221-2087 or email [resources@espeel.org](mailto:resources@espeel.org) for information on Lifespan Respite funding, Grandparent Respite funding, and funding for families raising children who have behavioral health issues. She encouraged the BIC member to remind people to apply.
- Kristy Handley reminded everyone that the Brain Injury Association of Delaware's (BIAD) Conference is scheduled for March 5 and this year's theme is "Connections through the Continuum." She shared that there are going to be some great new surprises. Kristy is working on unmasking brain injury for survivors by having them paint masks to tell their stories and she hopes to have the masks hung at the conference. She also hopes to have an area for survivors to paint their own masks and tell their own stories during the conference.
- Kristy also shared that in March BIAD is asking Delawareans to go green. Following the conference survivor's masks will travel from the conference to the PAM Center in order to help draw more awareness around brain injury. Karen suggested that the BIAD check into whether they can get the masks displayed in Delaware libraries for additional exposure. Christine will check to see about having them displayed in the Bayhealth hospital lobby. BIAD is the Delaware Sponsor for "Unmasking Brain Injuries." Karen advised that the University of Delaware has the Star Campus that would also be a good place to display them. Spread the word about the Delaware Goes Green campaign. Kristy is looking for persons to help with this partnership. Christine stated that the girls in the office would help if there was a t-shirt to purchase. Karen has conflicting emotions on the colors since there are so many

agencies that promote by color. Mental Health is lime green and Prostrate Cancer also uses green and Teal, Cerebral Palsy is green. Kristy plans to do a big media blitz about the masks so partners will obtain some extra media blitz.

- Karen intends to speak more about Courageous Hearts who were recently certified for military PTSD intervention. PTSD can occur through multiple means. Karen visited Courageous Hearts on October 26 to get an introduction to their program. At Courageous Hearts participants do not get on the horse because everything is from the ground and is all client led. It is a little different. They have numerous testimonials on their success. They have worked with the Delaware Developmental Disabilities Council (DDC) and are venturing into military to help with Post-traumatic Stress Disorder (PTSD). They work with youth including youth with behavioral issues. Courageous Hearts is expanding quite a bit with a location in New Castle County and one in Lincoln, DE. While they have numerous grants their services for the military is a 100% free. They are also covered by multiple insurances. They started with the Department of Services for Children, Youth, and their Family (DSCYF) and are also working with Delaware Developmental Disabilities Services (DDDS). They are also willing to take their horses on the road although it is a better experience at their farm. Courageous Hearts works on bringing people out of their shell and working with children on the Asperger's Spectrum. Right now the therapy sessions consist of just spending time together. Horses are very intuitive. Courageous Hearts also has a pair of friendly donkeys.

## **ADJOURNMENT**

- Dr. Ron Sarg made a motion to adjourn that Christine seconded. Tammy called for discussion and hearing none, called for a vote by committee members present who unanimously approved the motion to adjourn at 3:57 pm.

## **NEXT MEETING**

- The next scheduled Brain Injury Committee meeting is on:

**Monday, November 4 at 2:00 p.m.,**  
Smyrna Rest Area Conference Room  
5500 DuPont Parkway, Smyrna, DE 19977