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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 91
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Odioso and Deeter

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SUMMARY

- Creates the Traumatic Brain Injury Treatment Accelerator Program in the Department of Higher Education.
- Requires the Brain Injury Foundation to administer the program on the Department's behalf, including by awarding research grants to support traumatic brain injury research and to conduct the program as a public-private partnership.
- Requires the Chancellor of Higher Education to establish the Traumatic Brain Injury Treatment Accelerator Program Oversight Review Board to provide guidance to the Brain Injury Foundation and oversee the program's implementation.
- Appropriates \$5 million in FY 2026 and \$5 million in FY 2027 to the Department of Higher Education to support the program.

DETAILED ANALYSIS

Traumatic Brain Injury Treatment Accelerator Program

H.B. 91 creates the Traumatic Brain Injury Treatment Accelerator Program in the Department of Higher Education. The bill specifies that the program's aim is threefold: to advance scientific research about traumatic brain injuries (TBIs), to develop TBI treatments, and to promote Ohio as a TBI research biohub.¹

¹ R.C. 3333.802.

Brain Injury Research Foundation

Under the bill, the Brain Injury Research Foundation must administer the program on the Department's behalf and conduct it as a public-private partnership.² As part of its duties, the Foundation must coordinate and award grants to entity partners, including universities, to support TBI research.

Grant eligibility

To be eligible for a program grant, each entity partner must demonstrate to the Foundation that it will match the Foundation's award with an equal amount awarded to it from one or more other sources, which may include institutions, private foundations, or the federal government.

Research location

Under the bill, each entity partner awarded a program grant must conduct the funded project only in Ohio.

Annual reports

The bill requires the Foundation to prepare an annual report detailing the program's progress. Copies of the report must be submitted to the General Assembly, the Governor, the Directors of the Departments of Aging, Developmental Disabilities, Education and Workforce, Health, Mental Health and Addiction Services, Public Safety, and Veterans Services, the Chancellor of Higher Education, the Medicaid Director, the Administrator of Workers' Compensation, the chief medical officer of each medical center operated in Ohio by the U.S. Department of Veterans Affairs, and the members of the Brain Injury Advisory Committee.

Note on the Brain Injury Advisory Committee

Under current law unchanged by the bill, the Brain Injury Advisory Committee advises the Brain Injury Program, which is administered by the Ohio State University College of Medicine. To the extent funds are available, the Brain Injury Program engages in certain activities related to brain injuries, including (1) identifying and promoting the coordination of services for brain injury survivors and their families and (2) establishing a TBI incidence reporting system.³ The Advisory Committee advises the Brain Injury Program on the unmet needs of brain injury survivors, the development of programs for survivors and their families, and the establishment of training programs for health care professionals.⁴

² More details about the Foundation, a nonprofit organization, can be found at [The Brain Injury Research Foundation](https://www.thebirf.org), which may be accessed on its website: [thebirf.org](https://www.thebirf.org).

³ R.C. 3335.60.

⁴ R.C. 3335.61.

Independent audit and other Foundation duties

The bill requires the Foundation to annually commission a certified public accounting firm to conduct an independent audit of the program. It also requires audit results to be provided to the State Auditor.

The bill directs the Foundation to regularly report to the Director of the Traumatic Brain Injury Treatment Accelerator Program Oversight Review Board (see “**Oversight Review Board**” below) about the progress of funded projects, including outcomes achieved and any challenges encountered. The Foundation also must provide the Oversight Review Board access to its grants management software system.

Oversight Review Board

The bill requires the Chancellor of Higher Education to attempt to avoid redundant TBI research, to ensure transparency and accountability in the use of program funds, and to take appropriate measures to address any instances of fraud, waste, and abuse. As part of those duties, the Chancellor must establish the Traumatic Brain Injury Treatment Accelerator Program Oversight Review Board to provide guidance to the Brain Injury Foundation and to oversee the program’s implementation and its responsible allocation of funds.

Review Board duties

The bill charges the Board with the following duties: (1) overseeing the Foundation’s operations, (2) tracking the alignment, milestones, and progress of research projects in the Foundation’s grants management software system, (3) ensuring that the Foundation’s process for awarding grants is fair and transparent and complies with relevant regulations, and (4) performing an internal audit to ensure that the program uses its resources in an economical, efficient, and effective manner.

The Board also must periodically provide recommendations to the Foundation regarding the program’s assessed strengths and weaknesses.

Membership

Under the bill, the Board consists of not less than five and not more than 13 members, with the Chancellor of Higher Education appointing each member. In making appointments, the Chancellor must consider an individual’s experience and ensure that all of the following are included as members:

- At least one individual affiliated with a university that enrolls fewer than 5,000 students;
- At least one individual affiliated with a university that enrolls between 5,000 and 10,000 students;
- At least one individual affiliated with a university that enrolls between 10,000 and 20,000 students;
- At least one individual affiliated with a university that enrolls more than 20,000 students;
- At least one stakeholder advocate.

The Chancellor also must attempt to ensure that any remaining appointments consist of individuals who are either educators or health care providers within the traumatic brain injury field.

Members are not compensated for serving on the Board, but are to be reimbursed for ordinary travel expenses, including meals and lodging incurred when performing their duties.

Terms, reappointments, and vacancies

Of the initial appointments, half serve two-year terms and the remaining half three-year terms. Thereafter, each term lasts for two years. Members may be reappointed, and vacancies must be filled in the same manner as original appointments. Any member appointed to fill a vacancy occurring prior to the expiration of the predecessor's term holds office for the remainder of that term.

Review board director and meetings

The Board is required to elect, by a majority vote, a Director to preside at all meetings and to coordinate the Board's functions and activities. The Director serves as the Board's primary contact with the Brain Injury Foundation.

A majority of the Board's membership constitutes a quorum. Meetings are to be held at least three times a year, but may occur at other times as necessary, subject to the call of the Director or by request of a majority of members.

The bill authorizes the Board to establish any organizational structure it determines is necessary to accomplish its functions and duties. The Board is attached to the Department of Higher Education for administrative purposes.

HISTORY

Action	Date
Introduced	02-11-25
