U.S. District Court Middle Distric of Florida PLAINTIFFS EXHIBIT Exhibit Number. Pl. 89 Case Number: <u>8:20-cv:01724</u> IEFFREY THELEN v. SOMATICS. LLC Date Identified: \_\_\_\_\_\_\_\_ Date Admitted: \_\_\_\_\_\_\_

## Traumatic Brain Injury Advisory Board Meeting Minutes Date 08/26/19 10:30am to 3:30pm

## Location: Department of Rehabilitation, Conference Room. 242 Address: 721 Capitol Mall, Sacramento, CA 95814 URL: <u>http://www.dor.ca.gov/boards-and-committees/TBI</u>

## Contact person(s):

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## **Board Members (present):**

- Dr. Bennet Omalu, Bennet Omalu Pathology
- Susan Hansen, C.E.O. of the San Diego Brain Injury Foundation (SDBIF) and Caregiver
- Eric Williams, Folsom Fire Department and TBI Survivor
- Dr. Steven T. Chan, Physical Medicine and Rehabilitation (PMR) at Kaiser Permanente
- Daniel Ignacio, St. Jude Brain Injury Network and TBI Survivor
- Kim Baker, Love Your Brain foundation
- Dr. Katie Shinoda, Dignity Health and Mercy General Hospital
- Todd Higgins, Disability Rights California and TBI Survivor
- Dr. Henry Huie, Santa Clara Valley Medical Center
- Dr. Charles Degeneffe, San Diego State University (SDSU)
- Lili Whittaker, Kensington Foundation and Mother of TBI Survivor

## DOR Staff (present):

- Joe Xavier, Director, Department of Rehabilitation
- Victor Duron, Acting Deputy Director, Independent Living and Community Access Division
- Carrie England, Section Chief, Independent Living and Assistive Technology and Traumatic Brain Injury
- Karl Ortega, Assistive Technology Grant Administrator
- Tanya Thee, Traumatic Brain Injury Grant Administrator

## **Board Members (absent):**

- Dr. Stephanie Kolakowsky-Hayner, Icahn School of Medicine
- Dr. Maheen Adamson, Defense and Veterans Brain Injury Center and Stanford School of Medicine

### Guest: Speakers:

- Christine Camara, Services for Brain Injury
- Gabby Chambers, Services for Brain Injury
- Jorge Ruiz, Central Coast Center for Independent Living
- Yoana Mendoza, Central Coast Center for Independent Living
- Ana Acton, FREED
- Robert Edmond, FREED
- Dr. Katie Shinoda, Mercy Hospital
- Joel Solomon, Mercy Hospital

### Agenda Item 1: Call to Order

Daniel Ignacio, Acting Chair Meeting was called to order at 10:37 am and a meeting quorum was established.

### Agenda Item 2: Welcome and Introductions

Daniel Ignacio, Acting Chair Acting Chair Ignacio opened welcomed members and guest speakers.

### Agenda Item 3: Evacuation Plan/Housekeeping

Nathan Shulkin, DOR Staff DOR Staff Shulkin discussed the evacuation and housekeeping items.

### Agenda Item 4: Public Comment

Daniel Ignacio, Acting Chair Members of the public provided no prospective comments to the Advisory Committee.

# Agenda Item 5: Action Item: Approval of May 20, 2019 Meeting Minutes (Act and Discuss)

Daniel Ignacio, Acting Chair Advisory Board members made a motion to approve the meeting minutes for the May 20, 2019 meeting.

Motion: It was moved/seconded (Hansen/Degeneffe) to approve the May 20, 2019 meeting minutes. Motion was approved by an 10-0-0 vote. (Yes – Members: Baker, Chan, Degeneffe, Hansen, Higgins, Huie, Ignacio, Shinoda, Williams, Whittaker (No – Members: 0), (Abstain – Members: 0).

## Agenda Item 6: DOR Updates

Joe Xavier, DOR Director

Victor Duron, ILCAD Acting Deputy Director

### Carrie England, ILATS Section Chief

The DOR has released the vacancy announcement to fill behind Irene Walela for the ILCAD Deputy Director position. The Deputy director is responsible for the leadership and management of the Independent Living and Assistive Technology Section, the Traumatic Brain Injury Program, Disability Access Services and the staff that provide support to the California Committee on employment of People with Disabilities. The Deputy Director also ensures appropriate collaboration with the State Independent Living Council, Assistive Technology Advisory Committee, the California Committee on employment for People with Disabilities, the Traumatic Brain Injury Advisory Board and other stakeholders.

Additionally, a vacancy announcement has been circulated for the Assistant Deputy of the Specialized Services Division. The Assistant Deputy Director, in partnership with the Deputy Director of the Specialized Services Division, will provide supportive oversight and leadership of the Blind field Services district, Deaf and Hard of Hearing Section, Business enterprises Program, Orientation Center for the Blind and the Older Individuals who are Blind Program.

The Governor's Task Force on Alzheimer's is to present recommendations to the Governor on how local communities, private organizations, businesses, government, and families can prevent and prepare for the rise in the number of cases of Alzheimer's Disease and all its consequences – and to navigate a path forward to combat this disease in a time of historic demographic change. For more information email: <u>ALZTaskForce@CHHS.ca.gov</u>

California Health and Human Services (CHHS) Secretary Dr. Mark Ghaly announced the establishment of a Master Plan for Aging Stakeholder Advisory Committee. The Master Plan will serve as a blueprint that can be used by state government, local communities, private organizations and philanthropy to build environments that promote healthy aging. First meeting of Stakeholder Advisory Committee is tentatively scheduled for September 17 with more information to come. For more information email: EngAGE@aging.ca.gov

The current budget reflects continued funding for the TBI program, and the sunset date has been eliminated which took a lot of advocacy from many on the board, so thank you for your continued dedication to this cause.

Homeless continues to a major focus of this administration as such that it affects the TBI survivor, what are the systems linkage that would improve the homeless condition for the TBI survivor that finds themselves in homelessness.

A plan on career technical education is in the works. This plan ensures individuals in the K14 education system are getting ready for employment other than going through post-secondary education. To ensure more TBI survivors participate and are served in the career technical education field, what are the policies recommendations that should be included in the state level plan?

### Agenda Item 7: Overview of Traumatic Brain Injury Community Integration Programs Panel Discussion

The following TBI centers provided a presentation of their prospective centers and services they offer.

- Mercy General Hospital, Dr. Katie Shinoda and Joel Solomon
- Services for Brain Injury, Christine Camara and Gabby Chambers
- Central Coast Center for Independent Living (CCCIL), Jorge Ruiz and Yoana Mendoza
- FREED Center for Independent Living, Ana Action and Robert Edmond

### Agenda Item 8: DOR Legislative Process Presentation

This agenda item was postponed to the November 2019 meeting.

## Agenda Item 9: Advisory Board Members Review the TBI Advisory Board Bylaws and Approve at the November 18<sup>th</sup> Meeting

Daniel Ignacio, Acting Chair

This item was postponed to the November 18, 2019 meeting to review the bylaws and approve the bylaws at the February 2020 meeting.

### Agenda Item 10: Subcommittee Reports

Daniel Ignacio, TBI Registry Team Lead and Todd Higgins, TBI Needs Assessment Team Lead

Subcommittee Lead Ignacio provided an update on the TBI Registry subcommittee meetings. The committee met with Dr. Anthony Kim from UCSF regarding their TBI Registry and are working with the California Trauma Registry to arrange including them in a future subcommittee meeting.

Member of the public, Sarah Price Hancock mentioned that people with a history of electroconvulsive therapy aren't routinely given comprehensive brain injury assessments and have difficulty accessing assessments and rehabilitation for brain injury when needed. Further exploration into the needs of those impacted by ECT and other functional injuries is needed. Dr. Bennett Omalu confirmed repetitive head trauma causing functional injuries are not readily seen on standard scans. (including mechanisms of trauma that are sports related, domestic violence, shaken baby syndrome, electrical exposure, repeated toxic exposure, anoxia (oxygen deprived)

etc.). Dr. Omalu also confirmed that neuropathology of electrical injury as well as the neuropathology of people with a history of electroconvulsive therapy is well recognized as causing extensive functional changes to brain activity and should be considered in the context of both electrical injury and repetitive electrical trauma to the head because natural laws governing electricity aren't changed based on the intent of medical administration.

Subcommittee Lead Higgins provided an update on the TBI Needs Assessment subcommittee meetings. The committee is developing a project plan tool to measure goals and objectives. The committee is also reaching out to partner states to research seven areas of interest for the committee to help with the Needs Assessment tool California would like to develop. The next Needs Assessment meeting will be October 29, 2019.

### Agenda Item 11: Summary and Action Items

Tanya Thee, DOR Staff

Member Higgins suggested to add the development of a Mission and Vision statement to the next meeting.

The TBI Advisory ByLaws will be reviewed at the next meeting and approved at the February 2020 meeting.

### Agenda Item 12: Public Comments

Daniel Ignacio, Acting Chair

Irene Walela from the California Department of Aging (DOA) is looking for potential partnerships because DOA serves over adults with disabilities, their families and caregivers. Due to incidents that can result in a TBI, some exploration of this will be coming forward.

Sara Hancock suggested partnering with the Universities in the area of each office, some Universities have neuropsychic classes are always looking for patients to practice their tests on and the scores are validated by the teachers in the class. This is an option for those patients that cannot afford neuropsychic evaluations.

#### Agenda Item 13: Adjournment

Daniel Ignacio, Acting Chair Motion: It was moved/seconded (Higgins/Omalu) to Adjourn meeting.

Meeting Adjourned at 2:25 pm