



## **Concussion Legislation/Laws Overview (June 23, 2010)**

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Several states considered youth sports concussion-related legislation in 2010. This memo is intended to provide an overview of the bills that we are aware of at this time, in addition to existing state laws.

### **Pending Legislation**

#### **California**

- **AB 1646** (as amended) would establish a California High School Coaching Education and Training Program to be administered by local school districts.
- Among other components, the program would require all high school coaches to complete a coaching education program, including certification in first aid with a basic understanding of the signs, symptoms, and appropriate emergency action steps for head and neck injuries, concussions, and second impact syndrome.
- **AB 1647** (as amended) would require the Department of Education to adopt a heat-acclimatization program established by the National Athletic Trainers Association or other similarly recognized organization and make the program available to school districts.
- A high school athlete who is suspected of sustaining a concussion or head injury must be removed from play and not be permitted to return until evaluated by a licensed physician and surgeon, osteopathic physician and surgeon, or athletic trainer trained in the management of concussions.
- If an athletic trainer refers an athlete suspected of sustaining a concussion to a licensed physician and surgeon or an osteopathic physician and surgeon, that athlete shall not be permitted to return to the activity until he or she receives written clearance to return to the activity from that licensed physician and surgeon or osteopathic physician and surgeon.
- The bill also includes provisions related to athletic trainers and automatic external defibrillators.

#### **Connecticut** \*Signed into law by the governor on May 18, 2010 (Public Act No. 10-62)

- **SB 456** (as amended) would require the Board of Education to develop a concussion and head injury training course and refresher course.

- Intramural and interscholastic coaches who hold coaching permits from the state Board of Education would be required to complete an initial concussion and head injury training course and then a refresher course every five years.
- Intramural and interscholastic coaches must immediately remove a student athlete diagnosed with a concussion or observed exhibiting signs, symptoms or behaviors consistent with a concussion.
- A student athlete removed from play may not participate in supervised team activities without a written clearance from a licensed health care professional trained in the evaluation and management of concussions.

**Idaho** \*Signed into law by the governor on April 11, 2010 (Chapter 294)

- **HB 676** (as amended) would require the state Board of Education to develop guidelines and information to educate coaches, youth athletes, and parents/guardians about the nature and risk of concussions and head injury.
- The guidelines and information must be made available online and may be used by all organized youth sport organizations or associations in the state.

**Maryland**

- **HB 1391/SB 865** would require that a student athlete suspected of sustaining a concussion or head injury be removed from play.
- The athlete must obtain written clearance to return to play from a licensed health care provider before returning to play.
- The Department of Education must develop a concussion awareness and training program for coaches, school personnel, parents/guardians, and student athletes.
- On an annual basis, parents and student athletes must be provided with an information sheet on concussions and head injuries and the parents and student athletes must sign a statement acknowledging receipt of the information sheet.
- The legislation also contains provisions limiting the liability of health care providers, county boards and youth sports programs.

**Massachusetts**

- **S 796/S 2267/S 2469** would establish a Head Injury Safety Training program to be completed by coaches, trainers, volunteers, school physicians, and parents/guardians of students participating in extracurricular athletic activities. The program must include training in recognizing the symptoms of potentially catastrophic head and neck injuries, concussions, and injuries related to second impact syndrome.
- School districts must provide students participating in extracurricular athletic activities with information related to head injuries, including the biology and short-term and long-term consequences of concussions.
- Students and parents/guardians would be required to sign injury history forms prior to participating in extracurricular activities.
- If a student participating in an extracurricular athletic activity (practice or competition) becomes unconscious or suffers a concussion as diagnosed by a medical professional, the

student may not return to play or participate in any extracurricular athletic activities until the student receives written authorization from a physician.

## Missouri

- **HB 1865** would require each school district to develop guidelines and information for student athletes, parents, and coaches to educate them about the risk of concussion and head injury.
- On a yearly basis, a concussion and head injury information sheet shall be signed and returned by each student athlete and the athlete's parent or guardian.
- A youth athlete who is suspected of sustaining a concussion or head injury in practice or a game must be removed from play and cannot return until evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries.
- The athlete must obtain written clearance to return to play from the health care provider.

## New Jersey

- **A 2441/S 1739** would require that student athletes who sustain or are suspected of sustaining a concussion be immediately removed from competition or practice.
- The athlete may not participate in further sports activity until evaluated by a physician and receiving written clearance from that physician.
- The Commissioner of Education must develop guidelines concerning the nature, risk, and treatment of sports-related concussions and other head injuries among student athletes and develop educational fact sheets providing information on these topics. The fact sheets will be distributed to all school districts.
- On an annual basis, school districts must distribute the fact sheets to parents or guardians of student-athletes and obtain a signed acknowledgment of the receipt of the fact sheet.
- **A 2415/S 1575** would require each person licensed as an athletic trainer to complete 24 credits of continuing athletic trainer education to renew their license on a biennial basis. Four credits of the 24 must be educational programs or topics related to concussion and brain injuries.

## New Mexico *\*Signed into law by the governor on March 9, 2010 (Chapter 96)*

- **SB 1** would require coaches to remove student athletes suspected of sustaining a brain injury from play.
- Student athletes who have sustained brain injuries would be prohibited from participating in school athletic activities for at least one week and would have to obtain a medical release from a licensed health care professional.
- The state activities association must develop a brain injury training program for coaches. School districts must ensure coaches receive the training.
- The state activities association must also develop brain injury information forms and educational materials for coaches, student athletes, and parents/guardians on the nature and risk of brain injury resulting from athletic activity, including the risks associated with continuing to play with a brain injury.

- At the beginning of each academic year, the student athlete and his or her parent/guardian must sign the brain injury information form and return it to the school district.

## **New York**

- **SB 6297** would mandate that each school district require athletic coaches to receive annual training to learn how to recognize the symptoms of a concussion and how to seek proper medical treatment for an athlete suspected of having a concussion.
- Coaches are not permitted to allow athletes to participate in practice or events while they exhibit signs or symptoms of concussion or have been diagnosed with a concussion.
- Athletes must no longer exhibit signs or symptoms and have a medical release from a health care professional before returning to play.
- **A 8385/S 7604** (as amended) would require every school district to establish and implement guidelines for the return of students after suffering a concussion to athletic competition, gym class, or school sponsored recreational activities.
- The guidelines must include a requirement for written clearance from a physician before the student is allowed to return to athletic competition, participation in gym class, or school sponsored recreational activities.

## **Oklahoma** *\*Signed into law by the governor on May 13, 2010*

- **SB 1700** would require that each school district develop guidelines and other information to inform and educate coaches, youth athletes, and parents/guardians of the nature and risk of concussion and head injury, including the risks associated with continuing to play after sustaining a concussion or head injury.
- A youth athlete suspected of sustaining a concussion or head injury during a practice or game must be removed from participation and may not return to play until evaluated by a licensed health care provider trained in the evaluation and management of concussions and obtaining written clearance from the health care provider.

## **Pennsylvania**

- **HB 2060** would require the Department of Education to develop guidelines and information for student athletes, parents, and coaches to educate them about the risk of concussion and head injury.
- A student athlete and the student's parent or guardian shall annually sign and return a concussion and head injury information sheet prior to the student's participating in practice or competition.
- A student who is suspected of sustaining a concussion or head injury in a practice or game must be removed from play and cannot return to play until evaluated by a licensed health care provider trained in the evaluation and management of concussion.
- The athlete must obtain written clearance to return to play from the health care provider.

**Rhode Island** \*Signed into law by the governor on June 9, 2010 (Chapter 21)

- **S 2034** (as amended) would require each school district to develop guidelines and information for student athletes, parents/guardians, and coaches to educate them about the risk of concussion and head injury.
- A concussion and head injury information sheet shall be signed and returned by the student athlete and the athlete's parent/guardian.
- A youth athlete who is suspected of sustaining a concussion or head injury in practice or a game must be removed from play and cannot return until evaluated by a licensed physician and obtaining written clearance to return to play from that licensed physician.

**Vermont**

- **H 708** would require coaches to prohibit students diagnosed with a concussion or other head injury or exhibiting symptoms or behaviors consistent with a concussion from participating in athletic activities.
- The student may return to play after being examined by and receiving written permission to play from a licensed health care professional trained in the evaluation and management of concussions and other head injuries.
- The Commissioner of Education must ensure all coaches receive annual training on how to recognize the symptoms of concussion and other head injuries and how to seek appropriate evaluation and treatment for students suspected of sustaining a concussion or other head injury.
- The Commissioner must develop guidelines, policies, and other materials to educate coaches, students and parents/guardians about concussions, including the risks of premature participation in athletic activities after sustaining a concussion or other head injury and the importance of obtaining a medical evaluation of a suspected concussion or other head injury and receiving treatment when necessary.

**Virginia** \*Signed into law by the governor on April 11, 2010 (Chapter 483)

- **SB 652** would require the state Department of Education to work with stakeholders to develop policies to inform and educate coaches, student-athletes, and their parents/guardians on the nature and risk of concussions, criteria for return to play, and risks of not reporting an injury and continuing to play.
- On an annual basis, each school district shall provide student athletes with information on concussions and each student athlete and the student athlete's parent/guardian shall sign a statement acknowledging receipt of the information.
- Each school district must develop policies for handling student-athlete concussions, including requiring athletes suspected of sustaining a concussion or head injury to be removed from play until evaluated by a licensed health care provider.
- The athlete must obtain written clearance to return to play from the health care provider.

## **Existing Laws**

### **Oregon**

- Under a law enacted in 2009, school coaches are required to receive annual training to learn how to recognize the symptoms of concussion and how to seek proper medical treatment for athletes suspected of having a concussion.
- Coaches are not permitted to allow athletes to participate in practice or events while they exhibit signs or symptoms of concussion or have been diagnosed with a concussion.
- Athletes must no longer exhibit signs or symptoms and have a medical release from a health care professional before returning to play.

### **Washington**

- Under a law enacted in 2009, each school district must develop guidelines and information to inform and educate coaches, youth athletes, and their parents and/or guardians of the nature and risk of concussion and head injury, including continuing to play after concussion or head injury.
- On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the youth athlete and the athlete's parent and/or guardian prior to participation in practice or competition.
- A youth athlete who is suspected of sustaining a concussion or head injury in a practice or game must be removed from play.
- A youth athlete who has been removed from play may not return to play until evaluated by a licensed health care provider trained in the evaluation and management of concussions.
- The athlete must obtain written clearance to return to play from the health care provider.