



House of Representatives

General Assembly

File No. 622

February Session, 2014

Substitute House Bill No. 5113

House of Representatives, April 17, 2014

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING YOUTH ATHLETICS AND CONCUSSIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-149b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) (1) For the school year commencing July 1, 2010, and each school
4 year thereafter, any person who holds or is issued a coaching permit
5 by the State Board of Education and is a coach of intramural or
6 interscholastic athletics shall complete an initial training course
7 regarding concussions, [and head injuries] which are a type of brain
8 injury, developed or approved pursuant to subdivision (1) of
9 subsection (b) of this section, prior to commencing the coaching
10 assignment for the season of such school athletics.

11 (2) For the school year commencing July 1, [2011] 2014, and each
12 school year thereafter, [and after completion of] any coach who has
13 completed the initial training course described in subdivision (1) of
14 this subsection [, such coach] shall annually review current and

15 relevant information regarding concussions, [and head injuries,]
16 prepared or approved pursuant to subdivision (2) of subsection (b) of
17 this section, prior to commencing the coaching assignment for the
18 season of such school athletics. Such annual review shall not be
19 required in any year when such coach is required to complete the
20 refresher course, pursuant to subdivision (3) of this subsection, for
21 reissuance of his or her coaching permit.

22 (3) For the school year commencing July 1, 2015, and each school
23 year thereafter, a coach shall complete a refresher course, developed or
24 approved pursuant to subdivision (3) of subsection (b) of this section,
25 not later than five years after completion of the initial training course,
26 as a condition of the reissuance of a coaching permit to such coach.
27 Such coach shall thereafter retake such refresher course at least once
28 every five years as a condition of the reissuance of a coaching permit to
29 such coach.

30 (b) (1) [On or before July 1, 2010, the] The State Board of Education,
31 in consultation with (A) the Commissioner of Public Health, (B) the
32 governing authority for intramural and interscholastic athletics, [(B)]
33 (C) an appropriate organization representing licensed athletic trainers,
34 and [(C)] (D) an organization representing county medical
35 associations, shall develop or approve a training course regarding
36 concussions, [and head injuries.] Such training course shall include,
37 but not be limited to, (i) the recognition of the symptoms of a
38 concussion, [or head injury,] (ii) the means of obtaining proper medical
39 treatment for a person suspected of having a concussion, [or head
40 injury,] and (iii) the nature and risk of concussions, [and head injuries,]
41 including the danger of continuing to [play] engage in athletic activity
42 after sustaining a concussion [or head injury] and the proper method
43 of allowing a student athlete who has sustained a concussion [or head
44 injury] to return to athletic activity.

45 (2) On or before July 1, [2011] 2014, and annually thereafter, the
46 State Board of Education, in consultation with the Commissioner of
47 Public Health and the organizations described in subparagraphs (B) to

48 (D), inclusive, of subdivision (1) of this subsection, shall [prepare]
49 develop or approve annual review materials regarding current and
50 relevant information about concussions. [and head injuries.]

51 (3) [On or before January 1, 2014, the] The State Board of Education,
52 in consultation with the Commissioner of Public Health and the
53 organizations described in subparagraphs (B) to (D), inclusive, of
54 subdivision (1) of this subsection, shall develop or approve a refresher
55 course regarding concussions. [and head injuries.] Such refresher
56 course shall include, but not be limited to, (A) an overview of key
57 recognition and safety practices, (B) an update on medical
58 developments and current best practices in the field of concussion
59 research, [and] prevention and treatment, [and] (C) an update on the
60 implementation of athletic coaching and instructional techniques,
61 including, but not limited to, current best practices regarding
62 frequency of games and full contact practices and scrimmages as
63 identified by the governing authority for intramural and
64 interscholastic athletics, and (D) an update on new relevant federal,
65 state and local laws and regulations.

66 (c) On or before January 1, 2015, the State Board of Education, in
67 consultation with the Commissioner of Public Health and the
68 organizations described in subparagraphs (B) to (D), inclusive, of
69 subdivision (1) of subsection (b) of this section, shall develop or
70 approve a concussion education plan. Such plan may utilize written
71 materials, online training or videos or in person training and shall
72 include educational content addressing, at a minimum: (1) The
73 recognition of signs or symptoms of concussion, (2) the means of
74 obtaining proper medical treatment for a person suspected of
75 sustaining a concussion, (3) the nature and risks of concussions,
76 including the danger of continuing to engage in athletic activity after
77 sustaining a concussion, (4) the proper procedures for allowing a
78 student athlete who has sustained a concussion to return to athletic
79 activity, and (5) current best practices in the prevention and treatment
80 of a concussion.

81 (d) For the school year commencing July 1, 2015, and each school
82 year thereafter, the governing authority for intramural and
83 interscholastic athletics shall prohibit a student athlete from
84 participating in any intramural or interscholastic athletic activity
85 unless the student athlete, and a parent or guardian of such student
86 athlete, completes the concussion education plan developed or
87 approved pursuant to subsection (c) of this section.

88 (e) (1) On or before July 1, 2015, the State Board of Education, in
89 consultation with the Commissioner of Public Health and the
90 organizations described in subparagraphs (B) to (D), inclusive, of
91 subdivision (1) of subsection (b) of this section, shall develop or
92 approve an informed consent form to distribute to the parents and
93 legal guardians of student athletes involved in intramural or
94 interscholastic athletic activities regarding concussions. Such informed
95 consent form shall include, at a minimum, (A) a summary of the
96 concussion education plan developed or approved pursuant to
97 subsection (c) of this section, and (B) a summary of the applicable local
98 or regional board of education's policies regarding concussions.

99 (2) For the school year commencing July 1, 2015, and each school
100 year thereafter, each school shall provide each participating student
101 athlete's parent or legal guardian with a copy of the informed consent
102 form developed or approved pursuant to subdivision (1) of this
103 subsection and obtain such parent's or legal guardian's signature,
104 attesting to the fact that such parent or legal guardian has received a
105 copy of such form and authorizes the student athlete to participate in
106 the athletic activity.

107 [(c)] (f) The State Board of Education may revoke the coaching
108 permit, in accordance with the provisions of subsection (i) of section
109 10-145b, of any coach found to be in violation of this section.

110 Sec. 2. Section 10-149c of the general statutes is repealed and the
111 following is substituted in lieu thereof (*Effective July 1, 2014*):

112 (a) (1) The coach of any intramural or interscholastic athletics shall

113 immediately remove a student athlete from participating in any
114 intramural or interscholastic athletic activity who (A) is observed to
115 exhibit signs, symptoms or behaviors consistent with a concussion
116 following an observed or suspected blow to the head or body, or (B) is
117 diagnosed with a concussion, regardless of when such concussion [or
118 head injury] may have occurred. Upon such removal the coach, or
119 other qualified school employee, as defined in subsection (e) of section
120 10-212a, shall notify the student athlete's parent or legal guardian that
121 the student athlete has exhibited such signs, symptoms or behaviors
122 consistent with a concussion or has been diagnosed with a concussion.
123 Such coach or other qualified school employee shall provide such
124 notification not later than twenty-four hours after such removal and
125 shall make a reasonable effort to provide such notification immediately
126 after such removal.

127 (2) The coach shall not permit such student athlete to participate in
128 any supervised [team] athletic activities involving physical exertion,
129 including, but not limited to, practices, games or competitions, until
130 (A) at least twenty-four hours have elapsed since such student athlete
131 has exhibited signs, symptoms or behaviors consistent with a
132 concussion or has been diagnosed with a concussion, and (B) such
133 student athlete receives written clearance to participate in such
134 supervised [team] athletic activities involving physical exertion from a
135 licensed health care professional trained in the evaluation and
136 management of concussions.

137 (3) Following clearance pursuant to subdivision (2) of this
138 subsection, the coach shall not permit such student athlete to
139 participate in any full, unrestricted supervised [team] athletic activities
140 without limitations on contact or physical exertion, including, but not
141 limited to, practices, games or competitions, until such student athlete
142 (A) no longer exhibits signs, symptoms or behaviors consistent with a
143 concussion at rest or with exertion, and (B) receives written clearance
144 to participate in such full, unrestricted supervised [team] athletic
145 activities from a licensed health care professional trained in the
146 evaluation and management of concussions.

147 (b) The State Board of Education may revoke the coaching permit, in
148 accordance with the provisions of subsection (i) of section 10-145b, of
149 any coach found to be in violation of this section.

150 (c) For purposes of this section, "licensed health care professional"
151 means a physician licensed pursuant to chapter 370, a physician
152 assistant licensed pursuant to chapter 370, an advanced practice
153 registered nurse licensed pursuant to chapter 378 or an athletic trainer
154 licensed pursuant to chapter 375a.

155 Sec. 3. (NEW) (Effective July 1, 2014) (a) For the school year
156 commencing July 1, 2014, and annually thereafter, the State Board of
157 Education shall require all local and regional school districts to collect
158 and report all occurrences of concussions to the board. Each report
159 shall contain, if known: (1) The nature and extent of the concussion,
160 and (2) the circumstances in which the student sustained the
161 concussion.

162 (b) For the school year commencing July 1, 2015, and each school
163 year thereafter, the State Board of Education shall send a concussion
164 report to the Department of Public Health containing all of the
165 information received pursuant to subsection (a) of this section.

166 (c) Not later than October 1, 2015, and annually thereafter, the
167 Commissioner of Public Health shall report, in accordance with section
168 11-4a of the general statutes, to the joint standing committees of the
169 General Assembly having cognizance of matters relating to children
170 and public health on the findings of the concussion report provided to
171 the department pursuant to subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	10-149b
Sec. 2	July 1, 2014	10-149c
Sec. 3	July 1, 2014	New section

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes various changes regarding concussion prevention that is not anticipated to result in a fiscal impact as they either (1) narrow the scope of existing law or (2) are a requirement in which the State Department of Education or other identified state agencies has the staff with the expertise to complete the tasks.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

sHB 5113

AN ACT CONCERNING YOUTH ATHLETICS AND CONCUSSIONS.

SUMMARY:

This bill makes several changes and additions to the laws regarding concussion prevention.

It narrows the scope, from concussions and head injuries to just concussions, of the (1) initial training course and subsequent information review that intramural and interscholastic athletics coaches must complete and (2) training and refresher courses the State Board of Education (SBE) must develop in consultation with several entities. It also specifies that a concussion is a type of brain injury.

The bill broadens the:

1. information required in the concussion refresher course,
2. types of activities from which a student athlete is barred following a concussion or suspected concussion, and
3. list of entities SBE must consult when developing the training and refresher courses and information review to include the Department of Public Health (DPH) commissioner.

It (1) requires SBE to develop a concussion education plan and (2) prohibits the governing authority for intramural and interscholastic athletics from allowing a student athlete to participate in any intramural or interscholastic athletic activity unless the athlete and his or her parent or guardian complete the plan.

It also requires (1) SBE to develop or approve an informed consent form on concussions to distribute to parents and legal guardians of

student athletes involved in intramural and interscholastic athletic activities and (2) schools to provide the form to each student athlete's parent or guardian and get his or her signature authorizing the student to participate in the athletic activity.

The bill additionally requires:

1. SBE to annually collect and report to DPH information from all school districts on concussion occurrences and
2. coaches or other qualified school employees to notify a student athlete's parent or guardian when the student is removed from play for a concussion or suspected concussion.

EFFECTIVE DATE: July 1, 2014

TRAINING AND REVIEW MATERIAL REQUIREMENTS

Current law requires intramural and interscholastic athletics coaches who hold or are issued a coaching permit by SBE to complete an initial training course on concussion and head injuries before beginning a coaching assignment for the school athletics season. They must subsequently complete a refresher course and annually review materials on concussions and head injuries. The bill narrows the scope of the training and review materials to only concussions, eliminating other head injuries. It also requires the initial training course to include information on the danger of continuing to engage in any athletic activity, instead of just returning to play in the same activity, after sustaining a concussion.

The bill expands the information required in the refresher course to include an update on (1) medical developments and current best practices in concussion research, prevention, and treatment and (2) implementing athletic coaching and instructional techniques, including current best practices identified by the intramural and interscholastic governing authority regarding game, full-contact practice, and scrimmage frequency.

The bill also requires SBE to consult with the DPH commissioner to develop or approve the concussion training courses and prepare or approve the annual review materials. SBE must already consult on these matters with (1) the intramural and interscholastic athletics governing authority, (2) an appropriate organization representing licensed athletic trainers, and (3) an organization representing county medical associations.

CONCUSSION EDUCATION PLAN AND INFORMED CONSENT FORM

Concussion Education Plan

The bill requires SBE, by January 1, 2015 and in consultation with the above entities, to develop or approve a concussion education plan. The plan may use written materials, online training or videos, or in-person training and must include the same information required in the concussion training course above as well as current best practices in the prevention and treatment of a concussion.

Starting with the 2015-2016 school year, the bill prohibits the governing authority for intramural and interscholastic athletics from allowing a student athlete to participate in any intramural or interscholastic athletic activity unless the student and his or her parent or guardian completes the plan.

Informed Consent Form

The bill requires SBE, by July 1, 2015 and in consultation with the above entities, to develop or approve an informed consent form regarding concussions to distribute to parents and legal guardians of student athletes involved in intramural and interscholastic athletic activities. The consent form must include a summary of the (1) concussion education plan and (2) applicable local or regional board of education's concussion policies.

The bill requires schools, starting with the 2015-2016 school year, to provide the consent form to each participating student athlete's parent or legal guardian. The schools must also get the parent's or guardian's

signature, attesting that he or she received the form and authorizing the student to participate in the athletic activity.

CONCUSSION NOTIFICATION AND ATHLETIC ACTIVITY PARTICIPATION

Concussion Notification

The bill requires a school coach or other qualified school employee, when a student athlete is removed from an athletic activity for a concussion or suspected concussion, to notify the student's parent or legal guardian that the student has been diagnosed with, or shown signs, symptoms, or behaviors of, a concussion. The coach or employee must (1) provide the notice within 24 hours after removing the student and (2) make a reasonable effort to provide the notice immediately after the student is removed.

A "qualified school employee" means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach, or school paraprofessional.

Athletic Activity Participation

Under current law, a coach may not permit a student athlete removed from an athletic activity for a concussion or suspected concussion to participate in any supervised "team" activities involving physical exertion until a licensed health care professional trained in concussion evaluation and management gives the student written clearance to do so. The prohibition includes practices, games, and competitions. The bill:

1. broadens the activities in which the student may not participate, from supervised team activities involving physical exertion to all supervised athletic activities involving such exertion and
2. in addition to the written clearance, requires coaches to wait at least 24 hours before allowing the student to return to such activities.

Under current law, a coach may not allow a student athlete, after

the student receives the initial written clearance, to participate in any full, unrestricted supervised team activities, including practices, games, or competitions, without limiting contact or physical exertion. The prohibition lasts until the student (1) no longer exhibits concussion signs, symptoms, or behaviors at rest or with exertion and (2) receives a second written clearance to participate in such team activities from a licensed health care professional trained in concussion evaluation and management. The bill expands the activities covered by these restrictions to include all full, unrestricted supervised athletic activities.

By law, SBE may revoke a coach's permit for violating these requirements.

SCHOOL DISTRICT AND AGENCY REPORTING REQUIREMENTS

The bill requires SBE, starting with the 2014-2015 school year, to annually require school districts to collect and report to it all concussion occurrences. The report must include the (1) nature and extent of the concussion and (2) circumstances in which the student sustained it.

SBE, starting with the 2015-2016 school year, must annually send a concussion report to DPH containing all the reported school districts' concussion information. DPH, starting by October 1, 2015, must annually report the SBE concussion report's findings to the Children's and Public Health committees. (The bill does not include a specific deadline by which SBE must send the 2015-2016 school year concussion report to DPH.)

BACKGROUND

Legislative History

The House referred the bill (File 144) to the Education Committee, which reported it favorably without change. The House then referred the bill to the Appropriations Committee, which reported a substitute bill that removed provisions (1) establishing a 20-member task force to study concussion occurrences in youth athletics and recommend

possible legislative initiatives to address such concussions and (2) requiring youth athletic activity operators to provide written concussion information to each youth athlete and his or her parent or guardian.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 11 Nay 1 (03/11/2014)

Education Committee

Joint Favorable

Yea 25 Nay 3 (04/02/2014)

Appropriations Committee

Joint Favorable Substitute

Yea 45 Nay 2 (04/09/2014)