



General Assembly

February Session, 2014

Raised Bill No. 5113

LCO No. 1012



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

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 Section 10-149b of the general statutes is repealed and the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] other brain injuries, developed or
8 approved pursuant to subdivision (1) of subsection (b) of this section,
9 prior to commencing the coaching assignment for the season of such
10 school athletics.

11 (2) For the school year commencing July 1, 2011, and each school
12 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] other brain

16 injuries, prepared or approved pursuant to subdivision (2) of
17 subsection (b) of this section, prior to commencing the coaching
18 assignment for the season of such school athletics. Such annual review
19 shall not be required in any year when such coach is required to
20 complete the refresher course, pursuant to subdivision (3) of this
21 subsection, for 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] other brain injuries. Such training course shall
37 include, but not be limited to, (i) the recognition of the symptoms of a
38 concussion or [head] other brain injury, (ii) the means of obtaining
39 proper medical treatment for a person suspected of having a
40 concussion or [head] other brain injury, and (iii) the nature and risk of
41 concussions and [head] other brain injuries, including the danger of
42 continuing to [play] engage in athletic activity after sustaining a
43 concussion or [head] other brain injury and the proper method of
44 allowing a student athlete who has sustained a concussion or [head]
45 other brain injury to return to athletic activity.

46 (2) On or before July 1, [2011] 2014, and annually thereafter, the
47 State Board of Education, in consultation with the organizations

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

51 (3) [On or before January 1, 2014, the] The State Board of Education,
52 in consultation with the organizations described in subdivision (1) of
53 this subsection, shall develop or approve a refresher course regarding
54 concussions and [head] other brain injuries. Such refresher course shall
55 include, but not be limited to, (A) an overview of key recognition and
56 safety practices, (B) an update on medical developments and current
57 best practices in the field of concussion research, [and] prevention and
58 treatment, and (C) an update on new relevant federal, state and local
59 laws and regulations.

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

76 (d) For the school year commencing July 1, 2015, and each school
77 year thereafter, the State Board of Education shall prohibit a student
78 athlete from participating in any intramural or interscholastic athletic
79 activity unless the student athlete, and a parent or guardian of such

80 student athlete, completes the concussion and other brain injury
81 education plan developed and implemented pursuant to subsection (c)
82 of this section.

83 (e) (1) On or before July 1, 2015, the State Board of Education, in
84 consultation with the organizations described in subparagraphs (A) to
85 (D), inclusive, of subdivision (1) of subsection (b) of this section, shall
86 develop and approve an informed consent form to distribute to the
87 parents and legal guardians of student athletes involved in intramural
88 or interscholastic athletic activities regarding concussions and other
89 brain injuries. Such informed consent form shall include, at a
90 minimum, (A) a summary of the concussion and other brain injury
91 education plan described in subsection (c) of this section, and (B) a
92 summary of the applicable local or regional board of education's
93 policies regarding concussions and other brain injuries.

94 (2) For the school year commencing July 1, 2015, and each school
95 year thereafter, any person who holds or is issued a coaching permit
96 by the State Board of Education and is a coach of intramural or
97 interscholastic athletics shall, prior to commencing the coaching
98 assignment for the season of such school athletics, provide each
99 participating student athlete's parent or legal guardian with a copy of
100 the informed consent form described in subdivision (1) of this
101 subsection and obtain such parent's or legal guardian's signature,
102 attesting to the fact that such parent or legal guardian has received a
103 copy of such form and authorizes the student athlete to participate in
104 the athletic activity.

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

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

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

111 immediately remove a student athlete from participating in any
112 intramural or interscholastic athletic activity who (A) is observed to
113 exhibit signs, symptoms or behaviors consistent with a concussion or
114 other brain injury following an observed or suspected blow to the head
115 or body, or (B) is diagnosed with a concussion or other brain injury,
116 regardless of when such concussion or [head] other brain injury may
117 have occurred. Not later than twenty-four hours after such removal the
118 coach shall inform the student athlete's parent or legal guardian that
119 the student athlete has exhibited such signs, symptoms or behaviors
120 consistent with a concussion or other brain injury or has been
121 diagnosed with a concussion or other brain injury.

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

132 (3) Following clearance pursuant to subdivision (2) of this
133 subsection, the coach shall not permit such student athlete to
134 participate in any full, unrestricted supervised [team] athletic activities
135 without limitations on contact or physical exertion, including, but not
136 limited to, practices, games or competitions, until such student athlete
137 (A) no longer exhibits signs, symptoms or behaviors consistent with a
138 concussion or other brain injury at rest or with exertion, [and] (B)
139 receives written clearance to participate in such full, unrestricted
140 supervised [team] athletic activities from a licensed health care
141 professional trained in the evaluation and management of concussions,
142 and (C) provides to the coach an informed consent form, prescribed by
143 the State Board of Education and signed by the student athlete's parent

144 or legal guardian, attesting that such parent or legal guardian
145 authorizes the student athlete to participate in the athletic activity.

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

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

154 Sec. 3. (NEW) (*Effective July 1, 2014*) (a) For the school year
155 commencing July 1, 2015, and each school year thereafter, no person
156 who holds or issued a coaching permit by the State Board of Education
157 and is a coach of intramural or interscholastic athletics shall conduct,
158 or cause to be conducted, full contact practice for more than ninety
159 minutes per week. For purposes of this section, "full contact" means
160 any drill, scrimmage or live game simulation that includes activities
161 that may include, but not be limited to, student athletes tackling,
162 striking or colliding with one another at full speed.

163 (b) The State Board of Education may revoke the coaching permit, in
164 accordance with the provisions of subsection (i) of section 10-145b of
165 the general statutes, of any coach found to be in violation of subsection
166 (a) of this section.

167 Sec. 4. (NEW) (*Effective July 1, 2014*) (a) For purposes of this section:

168 (1) "Youth athletic activity" means an organized athletic activity
169 involving participants of not less than seven years of age and not more
170 than nineteen years of age, who (A) engage in an organized athletic
171 game or competition against another team, club or entity or in practice
172 or preparation for an organized game or competition against another
173 team, club or entity, and (B) pay a fee to participate in such organized

174 athletic game or competition or whose cost to participate in such
175 athletic game or competition is sponsored by a municipality, business
176 or nonprofit organization. "Youth athletic activity" does not include
177 any college or university athletic activity, an athletic activity entered
178 into for instructional purposes only or an athletic activity that is
179 incidental to a nonathletic program or a lesson;

180 (2) "Operator" means any municipality, business or nonprofit
181 organization that conducts, coordinates, organizes or otherwise
182 oversees any youth athletic activity; and

183 (3) "Coach" means any person who volunteers or is paid to act as a
184 head coach, manager or instructor, or in a similar supervisory position,
185 for participants engaged in youth athletic activity.

186 (b) Not later than January 1, 2015, and annually thereafter, each
187 operator of a youth athletic activity shall:

188 (1) Provide a written statement to each youth athlete, parent or legal
189 guardian of such youth athlete and referee, as defined in section 5 of
190 this act, participating in the youth athletic activity regarding
191 concussions and other brain injuries. Such written statement shall
192 include educational content addressing, at a minimum: (A) The
193 recognition of signs or symptoms of a concussion or other brain injury,
194 (B) the means of obtaining proper medical treatment for a person
195 suspected of sustaining a concussion or other brain injury, (C) the
196 nature and risks of concussions and other brain injuries, including the
197 danger of continuing to engage in youth athletic activity after
198 sustaining a concussion or other brain injury, and (D) the proper
199 procedures of allowing an athlete who has sustained a concussion or
200 other brain injury to return to athletic activity; and

201 (2) Require that the youth athlete's parent or legal guardian and
202 each referee sign and return such written statement to such operator
203 prior to such youth athlete or referee engaging in any youth athletic
204 activity.

205 (c) (1) Not later than January 1, 2015, and annually thereafter, any
206 person who is a coach of a youth athletic activity shall complete an
207 initial training course regarding concussions and other brain injuries,
208 developed or approved pursuant to subdivision (1) of subsection (b) of
209 section 10-149b of the general statutes, as amended by this act, prior to
210 commencing the coaching assignment for the youth athletic activity.

211 (2) Not later than January 1, 2016, and annually thereafter, any
212 coach who has completed the initial training course described in
213 subdivision (1) of this subsection, shall annually review current and
214 relevant information regarding concussions and other brain injuries,
215 developed or approved pursuant to subdivision (2) of subsection (b) of
216 section 10-149b of the general statutes, as amended by this act, prior to
217 commencing the coaching assignment for such youth athletic activity.

218 (d) No operator or coach of a youth athletic activity shall conduct, or
219 cause to be conducted, full contact practice for more than ninety
220 minutes per week. For purposes of this section, "full contact" means
221 any drill, scrimmage or live game simulation that includes activities
222 that may include, but not be limited to, youth athletes tackling, striking
223 or colliding with one another at full speed.

224 (e) The operator or coach of a youth athletic activity shall
225 immediately remove a youth athlete from participating in any youth
226 athletic activity who (A) is observed to exhibit signs, symptoms or
227 behaviors consistent with a concussion or other brain injury following
228 an observed or suspected blow to the head or body, or (B) is diagnosed
229 with a concussion or other brain injury, regardless of when such
230 concussion or other brain injury may have occurred. Not later than
231 twenty-four hours after such removal, the operator or coach of a youth
232 athletic activity shall inform the youth athlete's parent or legal
233 guardian that the youth athlete has exhibited such signs, symptoms or
234 behaviors consistent with a concussion or other brain injury or has
235 been diagnosed with a concussion or other brain injury.

236 (f) No operator or coach of a youth athletic activity shall permit a
237 youth athlete to participate in any supervised athletic activities
238 involving physical exertion, including, but not limited to, practices,
239 games or competitions, until (1) at least twenty-four hours have
240 elapsed since such youth athlete has exhibited signs, symptoms or
241 behaviors consistent with a concussion or other brain injury or has
242 been diagnosed with a concussion or other brain injury, and (2) such
243 youth athlete receives written clearance to participate in such
244 supervised athletic activities involving physical exertion from a
245 licensed health care professional trained in the evaluation and
246 management of concussions.

247 (g) Following clearance pursuant to subsection (f) of this section, no
248 operator or coach of a youth athletic activity shall permit such youth
249 athlete to participate in any full, unrestricted supervised athletic
250 activities without limitations on contact or physical exertion, including,
251 but not limited to, practices, games or competitions, until such youth
252 athlete (1) no longer exhibits signs, symptoms or behaviors consistent
253 with a concussion or other brain injury at rest or with exertion, (2)
254 receives written clearance to participate in such full, unrestricted
255 supervised athletic activities from a licensed health care professional
256 trained in the evaluation and management of concussions, and (3)
257 provides an informed consent form, prescribed by the operator and
258 signed by the youth athlete's parent or legal guardian, to the operator
259 attesting that such parent or legal guardian authorizes the youth
260 athlete to participate in the youth athletic activity.

261 (h) Any individual aggrieved by a violation of subsections (a) to (g),
262 inclusive, of this section may request the Attorney General to
263 investigate such violation. If the Attorney General finds that an
264 operator or coach of a youth athletic activity has knowingly violated or
265 is knowingly violating any provision of said subsections, the Attorney
266 General may bring a civil action in the superior court for the judicial
267 district of Hartford under this section in the name of the state against
268 such operator or coach.

269 (i) For purposes of this section, "licensed health care professional"
270 means a physician licensed pursuant to chapter 370 of the general
271 statutes, a physician assistant licensed pursuant to chapter 370 of the
272 general statutes, an advanced practice registered nurse licensed
273 pursuant to chapter 378 of the general statutes or an athletic trainer
274 licensed pursuant to chapter 375a of the general statutes.

275 Sec. 5. (NEW) (*Effective July 1, 2014*) (a) (1) For purposes of this
276 section and section 4 of this act, "referee" means a person who
277 volunteers or is paid to act as a referee, official, umpire or judge, or in a
278 similar supervisory position, for events involving intramural or
279 interscholastic athletics or youth athletic activity.

280 (2) Not later than January 1, 2015, and annually thereafter, any
281 person who is a referee of intramural or interscholastic athletics or a
282 youth athletic activity, as defined in section 4 of this act, shall complete
283 an initial training course regarding concussions and other brain
284 injuries, developed or approved pursuant to subdivision (2) of
285 subsection (b) of section 10-149b of the general statutes, as amended by
286 this act, prior to commencing the refereeing assignment for the
287 intramural or interscholastic athletics or youth athletic activity.

288 (3) Not later than January 1, 2016, and annually thereafter, any
289 referee that has completed the initial training course described in
290 subdivision (2) of this subsection, shall annually review current and
291 relevant information regarding concussions and other brain injuries,
292 developed or approved pursuant to subdivision (2) of subsection (b) of
293 section 10-149b of the general statutes, as amended by this act, prior to
294 commencing the refereeing assignment for such intramural or
295 interscholastic athletics or youth athletics activity.

296 (b) The State Board of Education may prohibit any referee of
297 intramural or interscholastic athletics who is found to be in violation of
298 subdivision (2) or (3) of subsection (a) of this section from refereeing
299 any intramural or interscholastic athletics.

300 (c) An operator, as defined in subdivision (2) of subsection (a) of
301 section 4 of this act, of a youth athletic activity may prohibit any
302 referee of a youth athletic activity who is found to be in violation of
303 subdivision (2) or (3) of subsection (a) of this section from refereeing
304 any youth athletic activity.

305 Sec. 6. (NEW) (*Effective July 1, 2014*) (a) For the school year
306 commencing July 1, 2014, the State Board of Education shall require all
307 local and regional school districts to collect and report all occurrences
308 of concussions and other brain injuries to the board not less than twice
309 each school year. Each report shall contain, if known: (1) The nature
310 and extent of the concussion or other brain injury, and (2) the
311 circumstances in which the student sustained the concussion or other
312 brain injury.

313 (b) For the school year commencing July 1, 2015, and each school
314 year thereafter, the State Board of Education shall send a concussion
315 and other brain injury report to the Department of Public Health
316 containing all of the information received pursuant to subsection (a) of
317 this section.

318 (c) Not later than October 1, 2015, and annually thereafter, the
319 Commissioner of Public Health shall report, in accordance with section
320 11-4a of the general statutes, to the joint standing committees of the
321 General Assembly having cognizance of matters relating to children
322 and public health on the findings of the concussion and brain injury
323 report provided to the department pursuant to subsection (b) of this
324 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	10-149b
Sec. 2	<i>July 1, 2014</i>	10-149c
Sec. 3	<i>July 1, 2014</i>	New section
Sec. 4	<i>July 1, 2014</i>	New section

Sec. 5	<i>July 1, 2014</i>	New section
Sec. 6	<i>July 1, 2014</i>	New section

Statement of Purpose:

To reduce the number of concussions in children by: (1) Requiring the State Board of Education to develop or approve a concussion education plan, (2) requiring the operators of youth athletic activities to provide information on concussions to youth athletes and their parents and guardians, (3) requiring youth athletes suspected of sustaining a concussion to provide written clearance from a medical professional prior to returning to the athletic activity, (4) limiting full contact practices to ninety minutes per week, and (5) requiring local and regional boards of education to compile and report all instances of concussions suffered by children in school.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]