



General Assembly

Substitute Bill No. 5113

February Session, 2014



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 Section 10-149b of the general statutes is repealed and the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 purposes of this section:

156 (1) "Youth athletic activity" means an organized athletic activity
157 involving participants of not less than seven years of age and not more
158 than nineteen years of age, who (A) engage in an organized athletic
159 game or competition against another team, club or entity or in practice
160 or preparation for an organized game or competition against another
161 team, club or entity, and (B) pay a fee to participate in such organized
162 athletic game or competition or whose cost to participate in such
163 athletic game or competition is sponsored by a municipality, business
164 or nonprofit organization. "Youth athletic activity" does not include
165 any college or university athletic activity, an athletic activity entered
166 into for instructional purposes only or an athletic activity that is
167 incidental to a nonathletic program or a lesson; and

168 (2) "Operator" means any municipality, business or nonprofit
169 organization that conducts, coordinates, organizes or otherwise
170 oversees any youth athletic activity.

171 (b) Not later than January 1, 2015, and annually thereafter, each
172 operator of a youth athletic activity shall provide a written statement
173 regarding concussions to each youth athlete and a parent or legal
174 guardian of such youth athlete participating in the youth athletic
175 activity. Such written statement shall be provided upon registration of
176 each youth athlete and shall include educational content addressing, at
177 a minimum: (A) The recognition of signs or symptoms of a concussion,
178 (B) the means of obtaining proper medical treatment for a person
179 suspected of sustaining a concussion, (C) the nature and risks of

180 concussions, including the danger of continuing to engage in youth
181 athletic activity after sustaining a concussion, and (D) the proper
182 procedures for allowing an athlete who has sustained a concussion to
183 return to athletic activity.

184 Sec. 4. (NEW) (*Effective July 1, 2014*) (a) For the school year
185 commencing July 1, 2014, and annually thereafter, the State Board of
186 Education shall require all local and regional school districts to collect
187 and report all occurrences of concussions to the board. Each report
188 shall contain, if known: (1) The nature and extent of the concussion,
189 and (2) the circumstances in which the student sustained the
190 concussion.

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

195 (c) Not later than October 1, 2015, and annually thereafter, the
196 Commissioner of Public Health shall report, in accordance with section
197 11-4a of the general statutes, to the joint standing committees of the
198 General Assembly having cognizance of matters relating to children
199 and public health on the findings of the concussion report provided to
200 the department pursuant to subsection (b) of this section.

201 Sec. 5. (*Effective from passage*) (a) There is established a task force to
202 study occurrences of concussions in youth athletics and to make
203 recommendations for possible legislative initiatives to address such
204 concussions. Such study shall include, but not be limited to, an
205 examination of (1) current best practices in the recognition and
206 prevention of concussions in youth athletics, (2) current policies and
207 procedures for addressing concussions utilized by operators of youth
208 athletic leagues in the state, (3) training of employees and volunteers
209 participating in such youth athletic leagues, and (4) relevant federal,
210 state and local laws and regulations involving concussions.

211 (b) The task force shall consist of the following members:

212 (1) Two appointed by the speaker of the House of Representatives,
213 one of whom shall represent the governing authority for intramural
214 and interscholastic athletics, and one of whom shall represent the
215 Connecticut State Medical Society;

216 (2) Two appointed by the president pro tempore of the Senate, one
217 of whom shall represent county medical associations, and one of
218 whom shall represent the American Association of Neurology;

219 (3) Two appointed by the majority leader of the House of
220 Representatives, one of whom shall represent licensed athletic trainers,
221 and one of whom shall be a coach of youth athletics;

222 (4) Two appointed by the majority leader of the Senate, one of
223 whom shall be a physician trained in sports medicine, and one of
224 whom shall represent the Association of School Nurses of Connecticut;

225 (5) Two appointed by the minority leader of the House of
226 Representatives, one of whom shall be an academic who has studied
227 the effects of concussions on children, and one of whom shall represent
228 the Connecticut Association of School Psychologists;

229 (6) Two appointed by the minority leader of the Senate, one of
230 whom shall represent the Connecticut Concussion Task Force, and one
231 of whom shall represent the Connecticut Children's Medical Center;

232 (7) Two appointed by the House chairperson of the joint standing
233 committee of the General Assembly having cognizance of matters
234 relating to children, one of whom shall represent a parent advocacy
235 group that advocates for concussion awareness, and one of whom shall
236 be a chiropractor licensed pursuant to chapter 372 of the general
237 statutes;

238 (8) Two appointed by the Senate chairperson of the joint standing
239 committee of the General Assembly having cognizance of matters

240 relating to children, one of whom shall represent the Connecticut
241 Recreation and Parks Association, and one of whom shall be an
242 attorney with experience representing brain injury survivors;

243 (9) The Commissioner of Public Health, or the commissioner's
244 designee;

245 (10) The Commissioner of Children and Families, or the
246 commissioner's designee;

247 (11) The Commissioner of Education, or the commissioner's
248 designee; and

249 (12) A representative of the Hezekiah Beardsley Connecticut
250 Chapter of the American Academy of Pediatrics, who shall be
251 appointed by the Governor.

252 (c) All appointments to the task force shall be made not later than
253 thirty days after the effective date of this section. Any vacancy shall be
254 filled by the appointing authority.

255 (d) The speaker of the House of Representatives and the president
256 pro tempore of the Senate shall select the chairpersons of the task force
257 from among the members of the task force. Such chairpersons shall
258 schedule the first meeting of the task force, which shall be held not
259 later than sixty days after the effective date of this section.

260 (e) The administrative staff of the Commission on Children shall
261 serve as administrative staff of the task force.

262 (f) Not later than January 1, 2015, the task force shall submit a report
263 on its findings and recommendations to the joint standing committees
264 of the General Assembly having cognizance of matters relating to
265 children and public health, in accordance with the provisions of
266 section 11-4a of the general statutes. The task force shall terminate on
267 the date that it submits such report or January 1, 2015, whichever is
268 later.

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>from passage</i>	New section

KID *Joint Favorable Subst.*

ED *Joint Favorable*