

February 27, 2014

Testimony on HB 5113, AN ACT CONCERNING YOUTH ATHLETICS AND CONCUSSIONS
by Eve Pensak on behalf of myself, my family and the youth athletes of Connecticut
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Good Afternoon Representative Urban, Senator Bartolomeo, Representative Betts and Senator Linares and the distinguished members of the Children's Committee. For the record, I am Eve Pensak from Westport CT. I am here to testify in support of HB 5113, AN ACT CONCERNING YOUTH ATHLETICS AND CONCUSSIONS. It is important for me to tell you that I have had 2 encounters with brain injuries. I have experienced firsthand the horror and uncertainty of sports injuries to the brain and am here to tell you that Connecticut can and should do a better job of protecting its young athletics from permanent brain injury.

I am the mother of 2 athletic sons, both of whom have sustained brain injuries in the last 4 years. I have learned firsthand that treating injuries to the brain is a mysterious, confounding, and unpredictable process. Even with MRI's and top neurosurgeons, it is difficult, sometimes impossible, to ascertain the extent of an injury to the brain. The prognosis for a brain injury is usually clinical – by asking questions and observing the patient, the doctor determines the prognosis, or simply says, "We have to wait and see." In many cases, the insult to the brain cannot be treated and the damage cannot be reversed. In January 2010, I received a phone call that my 14 year-old son sustained a traumatic brain injury while skiing with friends at Stowe, Vermont. Over the next 9 months, he spent 5 days in a coma, 10 days in the ICU, 10 days at a rehab hospital, missed 2 months of school, and received intensive tutoring and physical therapy. He awoke from his coma at a mental age of 7 and progressed slowly back to the mind of a 14 year old. While he had a "full recovery," it was a terrifying experience and he is forever changed. He is now "Zack 2.0." I have learned that the brain is a precious and mysterious thing.

Last fall, my younger son, a Varsity soccer player and honors student, sustained a moderate concussion from head-to-head contact in the first 3 minutes of play. He fell to the ground and, because he did not take himself out of the game, was kept in the game to play for 77 more minutes, headers-and-all! After the game, he reported nausea, a headache and extreme fatigue and was diagnosed with a moderate concussion. He missed most of the season and became very anxious about keeping up with his schoolwork. I believe that the trainer and coaches followed current concussion protocol, and I believe he was harmed by unclear regulations about what the criteria is to remove an athlete from a game and who decides – the coach, the trainer, the referee, the parent??

My point is there are terrible gaps in Connecticut's concussion laws, which harm children every day, unnecessarily and sometimes permanently. We won't know the damage for years to come, if ever because it is so difficult to predict long term impact of brain injuries. Some recover and some don't.

As parents and caretakers of athletes of all ages, we have a responsibility to protect what is most precious about our children: their ability to think, feel and experience life. Brain injuries rob athletes of their full mental capabilities, sometimes permanently. This outcome is often avoidable. Current Connecticut legislation is woefully inadequate, a shell of a law – lacking basic provisions of athlete/parent education and informed consent. This law provides protection for athletes by expanding safety measures sports. This is accomplished in a non-prescriptive way, leaving it up to sports organizations to administer.

There are those who say this legislation is imperfect, that we need a task force to study the issue. I say, "Don't waste another minute. Fast-track this. Get something better in place as soon as possible. Rework the wording and provisions while moving the legislation toward law. Do not delay." The minds of our children are at stake!