

Testimony HB 5141

Good afternoon Representative Urban, Senator Bartolomeo and the distinguished members of the Children's Committee. Thank you for the opportunity to testify at this important hearing.

My name is Diana Coyne and I am a member of the Parents Concussion Committee. As many of you know, we have worked passionately for the past 4 years to bring Connecticut in line with the current standard of care and the concussion legislation already enacted in most states.

With the leadership of the Children's committee, we have made very important strides, especially with the legislation for high school athletes.

HB 5141 includes important safety provisions—the education of youth, parents and coaches—and what is considered the cornerstone of any concussion management program.

We support all the provisions, except for the immunity clause.

I want to remind you of the testimony last year of Steven Hernandez, Attorney and Director of Public Policy for the Commission on Children. He wrote that there are only 3 states that provide immunity (and doesn't provide the detail), but I am fairly certain this is provided to coaches in remove from play situations. His testimony continues and Mr Hernandez testified that concussion laws are about creating accountability; and immunity may be ill advised for a few reasons—including that it runs counter to accountability by absolving individuals to act reasonably.

Experts say that the main issue regarding the effectiveness of concussion statues is the lack of enforcement—because very few states have penalties for those who do not comply. But these same experts say, that they believe the threat of litigation is deterring most from non-compliance of the law. Connecticut is now the only state in the country that provides immunity for simply providing a concussion information sheet.

My experience here in Hartford has taught me to take a step back and look at the totality of the bill and support any bill that is an improvement in child safety. But the bill before us, with the immunity clause, is a step backwards.

We encourage the Children's Committee to remove the immunity clause and support these very important concussion education provisions.