



General Assembly

February Session, 2016

***Raised Bill No. 5141***

LCO No. 490



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:  
(KID)

***AN ACT CONCERNING CONCUSSIONS AND YOUTH ATHLETIC  
ACTIVITIES CONDUCTED ON PUBLIC ATHLETIC FIELDS.***

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

1 Section 1. Section 21a-432 of the 2016 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2016*):

4 (a) For purposes of this section:

5 (1) "Youth athletic activity" means an organized athletic activity  
6 involving participants of not less than [seven] five years of age and not  
7 more than nineteen years of age, who (A) (i) engage in an organized  
8 athletic game or competition against another team, club or entity or in  
9 practice or preparation for an organized game or competition against  
10 another team, club or entity, or (ii) attend an organized athletic camp  
11 or clinic the purpose of which is to train, instruct or prepare such  
12 participants to engage in an organized athletic game or competition,  
13 and (B) (i) pay a fee to participate in such organized athletic game or  
14 competition or attend such camp or clinic, or (ii) whose cost to

15 participate in such athletic game or competition or attend such camp  
16 or clinic is sponsored by a municipality, business or nonprofit  
17 organization. "Youth athletic activity" does not include any college or  
18 university athletic activity, or an athletic activity that is incidental to a  
19 nonathletic program or lesson; [and]

20 (2) "Operator" means any municipality, business or nonprofit  
21 organization that conducts, coordinates, organizes or otherwise  
22 oversees any youth athletic activity but shall not include any  
23 municipality, business or nonprofit organization solely providing  
24 access to, or use of, any field, court or other recreational area, whether  
25 for compensation or not; [.] and

26 (3) "Public athletic field" means any state-operated or municipally-  
27 operated field or open space used for sporting or sporting-related  
28 activities.

29 (b) Not later than January 1, 2016, and annually thereafter, each  
30 operator of a youth athletic activity shall make available a written or  
31 electronic statement regarding concussions to each youth athlete and a  
32 parent or legal guardian of each youth athlete participating in the  
33 youth athletic activity. Such written or electronic statement shall be  
34 made available upon registration of each youth athlete and shall be  
35 consistent with the most recent information provided by the National  
36 Centers for Disease Control and Prevention regarding concussions.  
37 Such written or electronic statement shall include educational content  
38 addressing, at a minimum: (1) The recognition of signs or symptoms of  
39 a concussion, (2) the means of obtaining proper medical treatment for a  
40 person suspected of sustaining a concussion, (3) the nature and risks of  
41 concussions, including the danger of continuing to engage in youth  
42 athletic activity after sustaining a concussion, and (4) the proper  
43 procedures for allowing a youth athlete who has sustained a  
44 concussion to return to athletic activity.

45 (c) On and after January 1, 2017, no operator shall conduct any

46 youth athletic activity on a public athletic field unless (1) within the  
47 previous twenty-four months, each coach of such youth athletic  
48 activity has completed (A) a training course regarding concussions  
49 developed or approved pursuant to subdivision (1) of subsection (b) of  
50 section 10-149b, as amended by this act, or (B) a refresher course  
51 regarding concussions, developed or approved pursuant to  
52 subdivision (3) of subsection (b) of section 10-149b, as amended by this  
53 act; (2) a parent or legal guardian of each child participating in such  
54 youth athletic activity (A) has read written materials, (B) viewed online  
55 training or videos, or (C) attended in-person training regarding the  
56 concussion education plan developed or approved pursuant to  
57 subsection (c) of section 10-149b, as amended by this act; and (3) such  
58 operator has (A) distributed to a parent or legal guardian of each child  
59 participating in such youth athletic activity an informed consent form  
60 that is substantially similar to the informed consent form developed or  
61 approved pursuant to subsection (e) of section 10-149b, as amended by  
62 this act, and (B) obtained such parent's or legal guardian's signature,  
63 attesting to the fact that such parent or legal guardian (i) has received a  
64 copy of such informed consent form, and (ii) authorizes the child to  
65 participate in the youth athletic activity.

66 [(c)] (d) No operator, or designee of such operator, nor the state or  
67 any municipality operating a public athletic field shall be subject to  
68 civil liability for failing to (1) make available the written or electronic  
69 statement regarding concussions pursuant to subsection (b) of this  
70 section, or (2) distribute or obtain the informed consent form pursuant  
71 to subdivision (3) of subsection (c) of this section.

72 Sec. 2. Section 10-149b of the 2016 supplement to the general statutes  
73 is repealed and the following is substituted in lieu thereof (*Effective*  
74 *October 1, 2016*):

75 (a) (1) For the school year commencing July 1, 2010, and each school  
76 year thereafter, any person who holds or is issued a coaching permit  
77 by the State Board of Education and is a coach of intramural or

78 interscholastic athletics shall complete an initial training course  
79 regarding concussions, developed or approved pursuant to  
80 subdivision (1) of subsection (b) of this section, prior to commencing  
81 the coaching assignment for the season of such school athletics.

82 (2) For the school year commencing July 1, 2014, and each school  
83 year thereafter, any coach who has completed the initial training  
84 course described in subdivision (1) of this subsection shall annually  
85 review current and relevant information regarding concussions,  
86 prepared or approved pursuant to subdivision (2) of subsection (b) of  
87 this section, prior to commencing the coaching assignment for the  
88 season of such school athletics. Such annual review shall not be  
89 required in any year when such coach is required to complete the  
90 refresher course, pursuant to subdivision (3) of this subsection, for  
91 reissuance of his or her coaching permit.

92 (3) For the school year commencing July 1, 2015, and each school  
93 year thereafter, a coach shall complete a refresher course, developed or  
94 approved pursuant to subdivision (3) of subsection (b) of this section,  
95 not later than [~~five~~] two years after completion of the initial training  
96 course, as a condition of the reissuance of a coaching permit to such  
97 coach. Such coach shall thereafter retake such refresher course at least  
98 once every [~~five~~] two years as a condition of the reissuance of a  
99 coaching permit to such coach.

100 (b) (1) The State Board of Education, in consultation with (A) the  
101 Commissioner of Public Health, (B) the governing authority for  
102 intramural and interscholastic athletics, (C) an appropriate  
103 organization representing licensed athletic trainers, and (D) an  
104 organization representing county medical associations, shall develop  
105 or approve a training course regarding concussions. Such training  
106 course shall include, but not be limited to, information regarding (i)  
107 the recognition of the symptoms of a concussion, (ii) the means of  
108 obtaining proper medical treatment for a person suspected of having a  
109 concussion, and (iii) the nature and risk of concussions, including the

110 danger of continuing to engage in athletic activity after sustaining a  
111 concussion and the proper method of allowing a student athlete who  
112 has sustained a concussion to return to athletic activity.

113 (2) On or before October 1, 2014, and annually thereafter, the State  
114 Board of Education, in consultation with the Commissioner of Public  
115 Health and the organizations described in subparagraphs (B) to (D),  
116 inclusive, of subdivision (1) of this subsection, shall develop or  
117 approve annual review materials regarding current and relevant  
118 information about concussions.

119 (3) The State Board of Education, in consultation with the  
120 Commissioner of Public Health and the organizations described in  
121 subparagraphs (B) to (D), inclusive, of subdivision (1) of this  
122 subsection, shall develop or approve a refresher course regarding  
123 concussions. Such refresher course shall include, but not be limited to,  
124 (A) an overview of key recognition and safety practices, (B) an update  
125 on medical developments and current best practices in the field of  
126 concussion research, prevention and treatment, (C) an update on new  
127 relevant federal, state and local laws and regulations, and (D) for  
128 football coaches, current best practices regarding coaching the sport of  
129 football, including, but not limited to, frequency of games and full  
130 contact practices and scrimmages as identified by the governing  
131 authority for intramural and interscholastic athletics.

132 (c) On or before January 1, 2015, the State Board of Education, in  
133 consultation with the Commissioner of Public Health and the  
134 organizations described in subparagraphs (B) to (D), inclusive, of  
135 subdivision (1) of subsection (b) of this section, shall develop or  
136 approve a concussion education plan for use by local and regional  
137 boards of education and operators of youth athletic activities, as  
138 defined in section 21a-432, as amended by this act. Each local and  
139 regional board of education shall implement such plan by utilizing  
140 written materials, online training or videos or in-person training that  
141 shall address, at a minimum: (1) The recognition of signs or symptoms

142 of concussion, (2) the means of obtaining proper medical treatment for  
143 a person suspected of sustaining a concussion, (3) the nature and risks  
144 of concussions, including the danger of continuing to engage in  
145 athletic activity after sustaining a concussion, (4) the proper  
146 procedures for allowing a student athlete who has sustained a  
147 concussion to return to athletic activity, and (5) current best practices  
148 in the prevention and treatment of a concussion.

149 (d) For the school year commencing July 1, 2015, and each school  
150 year thereafter, each local and regional board of education shall  
151 prohibit a student athlete from participating in any intramural or  
152 interscholastic athletic activity unless the student athlete, and a parent  
153 or guardian of such student athlete, (1) reads written materials, (2)  
154 views online training or videos, or (3) attends in-person training  
155 regarding the concussion education plan developed or approved  
156 pursuant to subsection (c) of this section.

157 (e) (1) On or before July 1, 2015, the State Board of Education, in  
158 consultation with the Commissioner of Public Health and the  
159 organizations described in subparagraphs (B) to (D), inclusive, of  
160 subdivision (1) of subsection (b) of this section, shall develop or  
161 approve an informed consent form to distribute to the parents and  
162 legal guardians of student athletes involved in intramural or  
163 interscholastic athletic activities regarding concussions. Such informed  
164 consent form shall include, at a minimum, (A) a summary of the  
165 concussion education plan developed or approved pursuant to  
166 subsection (c) of this section, and (B) a summary of the applicable local  
167 or regional board of education's policies regarding concussions.

168 (2) For the school year commencing July 1, 2015, and each school  
169 year thereafter, each school shall provide each participating student  
170 athlete's parent or legal guardian with a copy of the informed consent  
171 form developed or approved pursuant to subdivision (1) of this  
172 subsection and obtain such parent's or legal guardian's signature,  
173 attesting to the fact that such parent or legal guardian has received a

174 copy of such form and authorizes the student athlete to participate in  
175 the athletic activity.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	21a-432
Sec. 2	<i>October 1, 2016</i>	10-149b

**Statement of Purpose:**

To require operators of youth athletic activities utilizing public athletic fields to follow concussion protocols substantially similar to those currently used for intramural and interscholastic athletic activities.

*[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.]*