



General Assembly

Raised Bill No. 5141

February Session, 2016

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2 statutes is repealed and the following is substituted in lieu thereof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

KID *Joint Favorable*