

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1164 By: Griffin and Pittman of the
Senate
3
4 and
5 Kirby of the House
6
7

8 [sports-related injuries - concussions - certain
9 training - youth athletes - State Department of
Health - ~~effective date~~ -
10 emergency]
11

12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
13 entire bill and insert

14 "[schools - requiring State Department of Health
15 to create concussion management section on its
16 website - effective date]
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19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-155, is
21 amended to read as follows:

22 Section 24-155. A. As defined in this act:

23 1. "Athlete" means a secondary-school-age individual who is
24 participating in a sport which is individual- and/or team-based,

1 outside of school or within school and either competitive or
2 noncompetitive; and

3 2. "Health care provider" means an individual who is
4 registered, certified, licensed or otherwise recognized by the state
5 to provide medical treatment and who is trained and experienced in
6 the evaluation, management and care of concussions.

7 B. The State Department of Health shall create a concussion
8 management section on its website to provide the guidelines
9 necessary for each school district board of education and youth
10 sports organization to develop their own policies and procedures
11 pertaining to, but not limited to:

12 1. A concussion and head injury information sheet for game
13 officials, team officials, athletes, parents or guardians and other
14 persons having care or charge of athletes of the signs and symptoms
15 of concussion or head injury and the risk of continuing to practice
16 or compete in an athletic event or activity after sustaining a
17 concussion or head injury;

18 2. "Return to Learn" guidelines for teachers and relevant
19 school personnel pertaining to athletes who are returning to the
20 classroom after sustaining a concussion or head injury;

21 3. "Graduated Stepwise Return to Athletic Participation"
22 guidelines for team officials pertaining to athletes returning to
23 practice or competition after a concussion or head injury; and

24

1 4. Links to one or more free online concussion training
2 programs as provided by the Centers for Disease Control and
3 Prevention (CDC), the National Federation of State High School
4 Associations (NFHS) or a comparable program or resource.

5 The Department shall periodically review the guidelines and update
6 it accordingly.

7 C. Each school district board of education and youth sports
8 organization or association shall ~~work in cooperation with the~~
9 ~~Oklahoma Secondary School Activities Association to develop the~~
10 ~~guidelines and other pertinent information and forms~~ policies and
11 procedures pursuant to subsection B of this section to inform and
12 educate their respective coaches, game officials, team officials,
13 ~~youth~~ athletes, and their parents or guardians of the nature and
14 risk of concussion and head injury, including continuing to play
15 after concussion or head injury. On an annual basis, ~~a concussion~~
16 ~~and head injury information sheet shall be completed and returned to~~
17 ~~the school district by the youth athlete and the athlete's parent or~~
18 ~~guardian prior to the youth athlete's participation in practice or~~
19 ~~competition~~ information regarding concussion and head injuries shall
20 be disseminated to the athlete and his or her parent or guardian.

21 Acknowledgment and understanding of the information shall be
22 completed by the athlete and the athlete's parent or guardian and
23 maintained by the school or the youth sports organization or
24

1 association prior to the athlete's participation in practice or
2 competition.

3 1. On an annual basis, game officials and team officials shall
4 undergo concussion training provided by the CDC, the NFHS or a
5 comparable program or resource. A record of completion of the
6 training course shall be readily available upon request.

7 2. If any game official or team official responsible for the
8 care and safety of an athlete in an athletic event becomes aware or
9 suspects an athlete is exhibiting signs, symptoms or behaviors
10 consistent with having sustained a concussion or head injury, he or
11 she shall remove the athlete from the practice or competition.

12 3. If an athlete is removed from practice or competition as
13 provided in paragraph 2 of this subsection, the athlete shall not,
14 on the same day the athlete is removed, be permitted to return to
15 that practice or competition or to participate in any other practice
16 or competition, unless deemed eligible pursuant to the provisions of
17 paragraph 4 of this subsection.

18 ~~B. A youth athlete who is suspected of sustaining a concussion~~
19 ~~or head injury during a practice or game shall be removed from~~
20 ~~participation at that time.~~

21 ~~C. A youth~~ 4. An athlete who has been removed from
22 participation as provided in paragraph 2 of this subsection ~~B of~~
23 ~~this section~~ may not participate until the athlete is evaluated by a
24 ~~licensed health care provider trained in the evaluation and~~

1 ~~management of concussion~~ and receives written clearance to return to
2 participation from that health care provider. The health care
3 provider may be a volunteer. A volunteer who authorizes a youth
4 athlete to return to participation shall not be liable for civil
5 damages resulting from any act or omission in the rendering of such
6 care, other than acts or omissions constituting gross negligence or
7 willful or wanton misconduct.

8 D. Respective governing boards shall establish the following
9 minimum penalties for a violation of paragraph 2 of subsection C of
10 this section for those individuals set forth in paragraph 1 of
11 subsection C of this section:

12 1. First violation shall be additional concussion recognition
13 and management education as predetermined by the governing board;

14 2. Second violation shall be suspension from the sport until
15 appearance before the governing board; and

16 3. Monetary fines shall not be considered as a penalty.

17 E. The Department shall promulgate rules necessary to implement
18 the provisions of this act.

19 SECTION 2. This act shall become effective November 1, 2016."
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1 ENGROSSED SENATE
2 BILL NO. 1164

By: Griffin and Pittman of the
Senate

3 and

4 Kirby of the House

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7 [sports-related injuries - concussions - certain
8 training - youth athletes - State Department of
Health - ~~effective date~~ -
9 emergency]

10
11 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

12 SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-155, is
13 amended to read as follows:

14 Section 24-155. A. Each school district board of education
15 shall work in cooperation with the Oklahoma Secondary School
16 Activities Association to develop the guidelines and other pertinent
17 information and forms to inform and educate coaches, youth athletes,
18 and their parents or guardians of the nature and risk of concussion
19 and head injury, including continuing to play after concussion or
20 head injury. On an annual basis, a concussion and head injury
21 information sheet shall be completed and returned to the school
22 district by the youth athlete and the athlete's parent or guardian
23 prior to the youth athlete's participation in practice or
24 competition.

1 ~~B. A youth athlete who is suspected of sustaining a concussion~~
2 ~~or head injury during a practice or game shall be removed from~~
3 ~~participation at that time~~ On an annual basis, coaches and officials
4 or referees must undergo and complete concussion training provided
5 by the Centers for Disease Control and Prevention (CDC) or a
6 comparable program or resource. A record of completion of the
7 training course shall be kept on record with the school district's
8 board of education.

9 C. If a youth athlete practicing or competing in an
10 interscholastic athletic event exhibits signs, symptoms or behaviors
11 consistent with having sustained a concussion or head injury while
12 participating in the practice or competition, the youth athlete
13 shall be removed from the practice or competition by any of the
14 following:

15 1. Licensed athletic trainer;

16 2. Individual who is serving as the youth athlete's coach
17 during that practice or competition; or

18 3. An individual who is serving as a referee during that
19 practice or competition.

20 D. If a youth athlete is removed from practice or competition
21 as provided in subsection C of this section, the athletic trainer,
22 coach or referee who removed the youth athlete shall not allow the
23 athlete, on the same day the youth athlete is removed, to return to
24 that practice or competition or to participate in any other practice

1 or competition for which the coach or referee is responsible, unless
2 deemed eligible pursuant to the provisions of subsection E of this
3 section.

4 ~~C.~~ E. A youth athlete who has been removed from participation
5 as provided in subsection ~~B~~ C of this section may not participate
6 until the athlete is evaluated by a licensed health care provider
7 trained in the evaluation and management of concussion and receives
8 written clearance to return to participation from that health care
9 provider. The health care provider may be a volunteer. A volunteer
10 who authorizes a youth athlete to return to participation shall not
11 be liable for civil damages resulting from any act or omission in
12 the rendering of such care, other than acts or omissions
13 constituting gross negligence or willful or wanton misconduct.

14 F. Respective governing boards shall establish the following
15 minimum penalties for those individuals listed in subsection C of
16 this section who knowingly violate subsection C or D of this
17 section:

18 1. For a first violation, suspension from involvement in any
19 athletic activity for a period of one (1) month;

20 2. For a second violation, suspension from involvement in any
21 athletic activity for the remainder of the season; and

22 3. For a third violation, permanent suspension from involvement
23 in any athletic activity.

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1 G. The sponsors of youth athletic activities not associated
2 with a school are encouraged to follow the guidance stated in this
3 act.

4 H. Volunteer coaches or staff of youth sports organizations
5 shall annually undergo and complete concussion training provided by
6 the Centers for Disease Control and Prevention (CDC) or a comparable
7 program identified by the state which produces a completion
8 certificate. A record of completion of the training shall be kept
9 on record with the youth sports organization.

10 I. A youth sports organization shall provide to the parent,
11 guardian or other person having care or charge of an individual who
12 wishes to practice for or compete in an athletic activity organized
13 by a youth sports organization the concussion and head injury
14 information sheet provided in subsection M of this section. The
15 youth sports organization shall provide the information sheet
16 annually for each sport or other category of athletic activity for
17 or in which the individual practices or competes.

18 J. If a youth athlete practicing or competing in an activity
19 organized by a youth sports organization exhibits signs, symptoms or
20 behaviors consistent with having sustained a concussion or head
21 injury while participating in the practice or competition, the youth
22 athlete shall be removed from the practice or competition by any of
23 the following:

24 1. Licensed athletic trainer;

1 2. Individual who is serving as the youth athlete's coach
2 during that practice or competition; or

3 3. An individual who is serving as a referee during that
4 practice or competition.

5 K. If a youth athlete is removed from practice or competition
6 as provided in subsection J of this section, the licensed athletic
7 trainer, coach or referee who removed the youth athlete shall not
8 allow the athlete, on the same day the youth athlete is removed, to
9 return to that practice or competition or to participate in any
10 other practice or competition for which the coach or referee is
11 responsible, unless deemed eligible by subsection L of this section.

12 L. A youth athlete who has been removed from participation as
13 provided in subsection J of this section may not participate until
14 the athlete is evaluated by a licensed health care provider trained
15 in the evaluation and management of concussion and receives written
16 clearance to return to participation from that health care provider.
17 The health care provider may be a volunteer. A volunteer who
18 authorizes a youth athlete to return to participation shall not be
19 liable for civil damages resulting from any act or omission in the
20 rendering of such care, other than acts or omissions constituting
21 gross negligence or willful or wanton misconduct. A youth sports
22 organization employee or volunteer, including a coach or referee,
23 shall not be liable for civil damages for injury, death or loss to
24 person or property allegedly arising from any act or omission in

1 providing services or performing duties on behalf of a youth sports
2 organization unless the act or omission constitutes gross negligence
3 or willful, wanton or intentional misconduct.

4 M. The State Department of Health shall create a concussion and
5 head injury information sheet for participants in interscholastic
6 athletics and youth sports organizations. The Department shall
7 include in the information sheet pertinent information to inform and
8 educate coaches, athletes, parents, guardians or other persons
9 having care or charge of athletes of the signs and symptoms of
10 concussion or head injury and the risks of continuing to practice
11 for or compete in an athletic event or activity after sustaining a
12 concussion or head injury. The Department periodically shall review
13 the information sheet and update it accordingly.

14 1. The State Department of Health shall make the information
15 sheet available on its Internet website in a format suitable for
16 easy downloading and printing.

17 2. The State Department of Health shall provide a link on its
18 Internet website to one or more free online training programs in
19 recognizing the symptoms of concussions and head injuries.

20 N. The State Board of Health shall promulgate rules to
21 implement the provisions of this section.

22 ~~SECTION 2. This act shall become effective July 1, 2016.~~

23 ~~SECTION 3. It being immediately necessary for the preservation~~
24 ~~of the public peace, health and safety, an emergency is hereby~~

1 ~~declared to exist, by reason whereof this act shall take effect and~~
2 ~~be in full force from and after its passage and approval.~~

3 Passed the Senate the 10th day of March, 2016.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,
8 2016.

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Presiding Officer of the House
of Representatives

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