

SUBCOMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2760 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Dan Kirby _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

PROPOSED SUBCOMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2760

By: Kirby

PROPOSED SUBCOMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 24-155, which relates to concussion information for youth athletes; defining certain terms; requiring State Department of Health to create concussion management section on its website; requiring certain information to be disseminated and acknowledgement to be completed by athlete and parent; requiring certain training by certain individuals; requiring certain individuals to remove athlete from event under certain circumstances; preventing athlete from participating in event until the athlete is permitted to return by health care provider; requiring governing boards to establish minimum penalties; requiring Department to promulgate certain rules; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

1 outside of school or within school and both 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 organizations 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~~ his or her parents or guardians of the
14 nature and risk of concussion and head injury, including continuing
15 to play after concussion or head injury. On an annual basis, a
16 ~~concussion and head injury information sheet shall be completed and~~
17 ~~returned to the school district by the youth athlete and the~~
18 ~~athlete's parent or guardian prior to the youth athlete's~~
19 ~~participation in practice or competition~~ information regarding
20 concussion and head injuries shall be disseminated to the athlete
21 and his or her parent or guardian. Acknowledgment and understanding
22 of the information shall be completed by the athlete and the
23 athlete's parent or guardian and maintained by the school or the

1 youth sports organization or association prior to the athlete's
2 participation in practice or 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 of
9 or 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 subsection B C of this
23 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.~~ D. Respective governing boards shall establish the following
9 minimum penalties for those individuals set forth in paragraph 1 of
10 subsection C of this section:

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

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

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

18 SECTION 2. This act shall become effective November 1, 2016.

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