

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2760

By: Kirby

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5
6 AS INTRODUCED

7 An Act related to schools; amending 70 O.S. 2011,
8 Section 24-155, which relates to concussion
9 information for youth athletes; defining certain
10 terms; requiring certain officials to receive certain
11 training; requiring athlete who exhibits certain
12 symptoms to be removed from competition and not
13 return until cleared to return; providing certain
14 penalties; requiring State Department of Health to
15 create certain section on its website; and providing
16 an effective date.

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

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

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

21 1. "Athlete" means an individual participating in activities
22 which are individual and team-based, outside of school or within
23 school, and both competitive and noncompetitive sports governed by
24 the Oklahoma Secondary School Activities Association (OSSAA);

2. "Licensed health care provider" means a person who is:

1 a. registered, certified, licensed or otherwise
2 recognized by the laws of the state to provide medical
3 treatment, and

4 b. trained and experienced in the evaluation, management
5 and care of concussions;

6 3. "Youth athlete" means an individual under nineteen (19)
7 years of age participating in activities which are individual and
8 team-based, outside of school or within school, and both competitive
9 and noncompetitive sports not governed by the OSSAA; and

10 4. "Youth athletic activity" means an organized athletic
11 activity in which the participants, a majority of whom are under
12 nineteen (19) years of age, are engaged in an athletic game or
13 competition against another team, club or entity. Youth athletic
14 activity does not include a college or university activity or an
15 activity that is incidental to a nonathletic program.

16 B. Each school district board of education shall work in
17 cooperation with the ~~Oklahoma Secondary School Activities~~
18 ~~Association~~ OSSAA to develop the guidelines and other pertinent
19 ~~information and forms~~ pursuant to subsection E of this section to
20 inform and educate ~~coaches, youth~~ game officials, team officials,
21 athletes, and their parents or guardians of the nature and risk of
22 concussion and head injury, including continuing to play after
23 concussion or head injury. On an annual basis, a concussion and
24 head injury information sheet shall be completed and returned to the

1 school district by the ~~youth~~ athlete and the athlete's parent or
2 guardian prior to the ~~youth~~ athlete's participation in practice or
3 competition.

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

7 ~~C. A youth~~ 1. On an annual basis, game officials and team
8 officials shall undergo concussion training provided by the Centers
9 for Disease Control and Prevention (CDC), the National Federation of
10 State High School Associations (NFHS) or a comparable program or
11 resource. A record of completion of the training course shall be
12 kept on record with the game official's or team official's
13 respective state or local governing board.

14 2. If an athlete practicing or competing in an interscholastic
15 athletic event exhibits signs, symptoms or behaviors consistent with
16 having sustained a concussion or head injury, the athlete shall be
17 removed from the practice or competition by any game official or
18 team official.

19 3. If an athlete is removed from practice or competition as
20 provided in paragraph 2 of this subsection, the athlete shall not,
21 on the same day the athlete is removed, be permitted to return to
22 that practice or competition or to participate in any other practice
23 or competition, unless deemed eligible pursuant to the provisions of
24 paragraph 4 of this subsection.

1 4. An athlete who has been removed from participation as
2 provided in subsection B of this section may paragraph 2 of this
3 subsection shall not participate until the athlete is evaluated by a
4 licensed health care provider ~~trained in the evaluation and~~
5 ~~management of concussion~~ and receives written clearance to return to
6 participation from that health care provider. The health care
7 provider may be a volunteer. A volunteer who authorizes ~~a youth~~ an
8 athlete to return to participation shall not be liable for civil
9 damages resulting from any act or omission in the rendering of such
10 care, other than acts or omissions constituting gross negligence or
11 willful or wanton misconduct.

12 C. The organizations or associations of youth athletic
13 activities, other than those referenced in subsection B of this
14 section, shall develop guidelines and other pertinent information
15 and forms to inform and educate game officials, team officials,
16 youth athletes and their parents or guardians of the nature and risk
17 of concussion and head injury, including continuing to play after
18 concussion or head injury. On an annual basis, a concussion and
19 head injury information sheet shall be completed and returned to the
20 organization or association by the youth athlete and the youth
21 athlete's parent or guardian prior to the youth athlete's
22 participation in practice or competition.

23 1. Volunteer or staff game officials and team officials of
24 sports organizations or associations shall, on an annual basis,

1 undergo concussion training provided by the CDC and NFHS, or a
2 comparable program or resource. A record of completion of the
3 training course shall be kept on record with the sports organization
4 or association.

5 2. If a youth athlete practicing or competing in a youth
6 athletic activity organized by a youth sports organization or
7 association exhibits signs, symptoms or behaviors consistent with
8 having sustained a concussion or head injury, the youth athlete
9 shall be removed from the practice or competition by any game
10 official or team official.

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

18 4. A youth athlete who has been removed from practice or
19 competition as provided in paragraph 2 of this subsection shall not
20 participate until the youth athlete is evaluated by a licensed
21 health care provider and receives written clearance to return to
22 participation from that health care provider. The health care
23 provider may be a volunteer. A health care provider volunteer who
24 authorizes a youth athlete to return to participation shall not be

1 liable for civil damages resulting from any act or omission in the
2 rendering of such care, other than acts or omissions constituting
3 gross negligence or willful or wanton misconduct.

4 D. Respective governing boards shall establish the following
5 minimum penalties for those individuals listed in subsection B or C
6 of this section:

7 1. For a first violation, suspension from involvement in any
8 athletic activity for one (1) month;

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

11 3. For the third violation, permanent suspension from
12 involvement in any athletic activity.

13 E. The State Department of Health shall create a Concussion
14 Recognition and Response section on its website to provide the
15 guidelines necessary for each school district board of education,
16 the OSSAA and the organizations or associations of youth athletic
17 activities to create their own policies and procedures pertaining
18 to, but not limited to:

19 1. A concussion and head injury information sheet for game
20 officials, team officials, athletes, parents, guardians and other
21 persons having care or charge of athletes of the signs and symptoms
22 of concussion or head injury and the risk of continuing to practice
23 or compete in an athletic event or activity after sustaining a
24 concussion or head injury;

1 2. Return to Learn Guidelines for teachers and relevant school
2 personnel pertaining to student-athletes who are returning to the
3 classroom after sustaining a concussion or head injury;

4 3. Gradual Step to Return to Athletic Participation Guidelines
5 for game officials and team officials pertaining to athletes
6 returning to practice or competition after a concussion or head
7 injury; and

8 4. Links to one or more free online concussion training
9 programs as provided by the CDC and the NFHS or a comparable program
10 or resources.

11 The Department shall periodically review the guidelines and
12 update them accordingly.

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

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