

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1790

By: Anderson

6 COMMITTEE SUBSTITUTE

7 An Act relating to sports-related injuries; amending
8 70 O.S. 2011, Section 24-155, which relates to
9 concussions; requiring certain personnel to undergo
10 certain training; requiring youth athletes to be
11 removed from competition by certain personnel under
12 certain circumstances; prohibiting youth athletes to
13 return to competition under certain circumstances;
14 directing governing boards to establish certain
15 penalties; providing standards for penalties;
16 encouraging adherence to certain guidance; requiring
17 certain boards to implement certain protocol;
18 requiring youth sports organizations to provide
19 certain information; prohibiting youth athletes to
20 return to competition without certain evaluation;
21 providing immunity to certain persons from certain
22 liability; directing State Department of Health to
23 provide certain information; providing standards for
24 information; requiring Department to post certain
information on its internet website; providing an
effective date; and declaring an emergency.

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. Each school district board of education
shall work in cooperation with the Oklahoma Secondary School
Activities Association to develop the guidelines and other pertinent

1 information and forms to inform and educate coaches, youth athletes,
2 and their parents or guardians of the nature and risk of concussion
3 and head injury, including continuing to play after concussion or
4 head injury. On an annual basis, a concussion and head injury
5 information sheet shall be completed and returned to the school
6 district by the youth athlete and the athlete's parent or guardian
7 prior to the youth athlete's participation in practice or
8 competition.

9 B. ~~A youth athlete who is suspected of sustaining a concussion~~
10 ~~or head injury during a practice or game shall be removed from~~
11 ~~participation at that time~~ On an annual basis, coaches and officials
12 or referees must undergo concussion training provided by the Centers
13 for Disease Control and Prevention (CDC) or comparable program or
14 resource. A record of completion of training course shall be kept
15 on record with the school district board of education.

16 C. If a youth athlete practicing or competing in an
17 interscholastic athletic event exhibits signs, symptoms, or
18 behaviors consistent with having sustained a concussion or head
19 injury while participating in the practice or competition, the youth
20 athlete shall be removed from the practice or competition by any of
21 the following:

- 22 1. Licensed athletic trainer;
- 23 2. Individual who is serving as the youth athlete's coach
24 during that practice or competition; or

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

3 D. If a youth athlete is removed from practice or competition
4 as provided in subsection C of this section, the athletic trainer,
5 coach or referee who removed the youth athlete shall not allow the
6 athlete, on the same day the youth athlete is removed, to return to
7 that practice or competition or to participate in any other practice
8 or competition for which the coach or referee is responsible, unless
9 deemed eligible pursuant to the provisions of subsection E of this
10 section.

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

21 F. Respective governing boards shall establish the following
22 minimum penalties for those individuals listed in subsection C of
23 this section who knowingly violate subsection C or D of this
24 section:

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

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

5 3. For a third violation, permanent suspension from involvement
6 in any athletic activity.

7 G. The sponsors of youth athletic activities not associated
8 with a school are encouraged to follow the guidance stated in this
9 act.

10 H. All school district boards, including private and charter
11 schools who participate in athletics, must implement a return to
12 learn protocol.

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

21 J. If a youth athlete practicing or competing in an activity
22 organized by a youth sports organization exhibits signs, symptoms,
23 or behaviors consistent with having sustained a concussion or head
24 injury while participating in the practice or competition, the youth

1 athlete shall be removed from the practice or competition by any of
2 the following:

3 1. Licensed athletic trainer;

4 2. Individual who is serving as the youth athlete's coach

5 during that practice or competition; or

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

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

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

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

11 1. The Department shall make the information sheet available on
12 its internet website in a format suitable for easy downloading and
13 printing.

14 2. The Department shall provide a link on its internet website
15 to one or more free online training programs in recognizing the
16 symptoms of concussions and head injuries.

17 SECTION 2. This act shall become effective July 1, 2014.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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