

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1790

By: Anderson of the Senate

and

Jackson of the House

COMMITTEE SUBSTITUTE

[sports-related injuries - concussions - certain
training - return to competition penalties -
evaluation - immunity - effective date -
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
information and forms to inform and educate coaches, youth athletes,
and their parents or guardians of the nature and risk of concussion

1 and head injury, including continuing to play after concussion or
2 head injury. On an annual basis, a concussion and head injury
3 information sheet shall be completed and returned to the school
4 district by the youth athlete and the athlete's parent or guardian
5 prior to the youth athlete's participation in practice or
6 competition.

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

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

- 20 1. Licensed athletic trainer;
- 21 2. Individual who is serving as the youth athlete's coach
22 during that practice or competition; or
- 23 3. An individual who is serving as a referee during that
24 practice or competition.

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

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

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

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

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

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

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

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

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

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

1 injury while participating in the practice or competition, the youth
2 athlete shall be removed from the practice or competition by any of
3 the following:

4 1. Licensed athletic trainer;

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

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

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

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

1 gross negligence or willful or wanton misconduct. A youth sports
2 organization employee or volunteer, including a coach or referee,
3 shall not be liable for civil damages for injury, death or loss to
4 person or property allegedly arising from any act or omission in
5 providing services or performing duties on behalf of a youth sports
6 organization unless the act or omission constitutes gross negligence
7 or willful, wanton or intentional misconduct.

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

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

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

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

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

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7 54-2-10828 AM 04/08/14