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STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1790

By: Anderson and Johnson

By: Anderson and Johnson
(Constance) of the Senate

and

Jackson of the House

COMMITTEE SUBSTITUTE

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[ sports-related injuries - concussions - certain
  training - return to competition penalties -
  evaluation - immunity - effective date -
                                     emergency ]
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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,

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

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

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

- 21 1. Licensed athletic trainer;
- 22 2. Individual who is serving as the youth athlete's coach
23 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 E. A youth athlete who has been removed from participation as
12 provided in subsection ~~B~~ C of this section may not participate until
13 the athlete is evaluated by a licensed health care provider trained
14 in the evaluation and management of concussion and receives written
15 clearance to return to participation from that health care provider.
16 The health care provider may be a volunteer. A volunteer who
17 authorizes a youth athlete to return to participation shall not be
18 liable for civil damages resulting from any act or omission in the
19 rendering of such care, other than acts or omissions constituting
20 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 (1) month;

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

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

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

1 J. If a youth athlete practicing or competing in an activity
2 organized by a youth sports organization exhibits signs, symptoms,
3 or behaviors consistent with having sustained a concussion or head
4 injury while participating in the practice or competition, the youth
5 athlete shall be removed from the practice or competition by any of
6 the following:

7 1. Licensed athletic trainer;

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

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

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

19 L. A youth athlete who has been removed from participation as
20 provided in subsection J of this section may not participate until
21 the athlete is evaluated by a licensed health care provider trained
22 in the evaluation and management of concussion and receives written
23 clearance to return to participation from that health care provider.
24 The health care provider may be a volunteer. A volunteer who

1 authorizes a youth athlete to return to participation shall not be
2 liable for civil damages resulting from any act or omission in the
3 rendering of such care, other than acts or omissions constituting
4 gross negligence or willful or wanton misconduct. A youth sports
5 organization employee or volunteer, including a coach or referee,
6 shall not be liable for civil damages for injury, death or loss to
7 person or property allegedly arising from any act or omission in
8 providing services or performing duties on behalf of a youth sports
9 organization unless the act or omission constitutes gross negligence
10 or willful, wanton or intentional misconduct.

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

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

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

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

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

9
10 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 04/08/2014
11 - DO PASS, As Amended and Coauthored.