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February 24, 2014

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 1790

By: Anderson of the Senate

and

Jackson of the House

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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, and their parents or guardians of the nature and risk of concussion and head injury, including continuing to play after concussion or head injury. On an annual basis, a concussion and head injury information sheet shall be completed and returned to the school district by the youth athlete and the athlete's parent or guardian

1 prior to the youth athlete's participation in practice or  
2 competition.

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

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

- 16 1. Licensed athletic trainer;  
17 2. Individual who is serving as the youth athlete's coach  
18 during that practice or competition; or  
19 3. An individual who is serving as a referee during that  
20 practice or competition.

21 D. If a youth athlete is removed from practice or competition  
22 as provided in subsection C of this section, the athletic trainer,  
23 coach or referee who removed the youth athlete shall not allow the  
24 athlete, on the same day the youth athlete is removed, to return to

1 that practice or competition or to participate in any other practice  
2 or competition for which the coach or referee is responsible, unless  
3 deemed eligible pursuant to the provisions of subsection E of this  
4 section.

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

15 F. Respective governing boards shall establish the following  
16 minimum penalties for those individuals listed in subsection C of  
17 this section who knowingly violate subsection C or D of this  
18 section:

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

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

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

1       G. The sponsors of youth athletic activities not associated  
2 with a school are encouraged to follow the guidance stated in this  
3 act.

4       H. All school district boards, including private and charter  
5 schools who participate in athletics, must implement a return to  
6 learn protocol.

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

15       J. If a youth athlete practicing or competing in an activity  
16 organized by a youth sports organization exhibits signs, symptoms,  
17 or 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  
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1       3. An individual who is serving as a referee during that  
2 practice or competition.

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

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

20       M. The State Department of Health shall create a concussion and  
21 head injury information sheet for participants in interscholastic  
22 athletics and youth sports organizations. The Department shall  
23 include in the information sheet pertinent information to inform and  
24 educate coaches, athletes, and the parents, guardians, or other

1 persons having care or charge of athletes of the signs and symptoms  
2 of concussion or head injury and the risks of continuing to practice  
3 for or compete in an athletic event or activity after sustaining a  
4 concussion or head injury. The Department periodically shall review  
5 the information sheet and update it accordingly.

6 1. The Department shall make the information sheet available on  
7 its internet website in a format suitable for easy downloading and  
8 printing.

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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
18 February 24, 2014 - DO PASS AS AMENDED  
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