

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1164

By: Griffin and Pittman of the
Senate

and

Kirby of the House

11 COMMITTEE SUBSTITUTE

12 [schools - requiring State Department of Health to
13 create concussion management section on its
14 website - 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 a secondary-school-age individual who is
22 participating in a sport which is individual- and/or team-based,
23 outside of school or within school and either competitive or
24 noncompetitive; and

1 2. "Health care provider" means an individual who is
2 registered, certified, licensed or otherwise recognized by the state
3 to provide medical treatment and who is trained and experienced in
4 the evaluation, management and care of concussions.

5 B. The State Department of Health shall create a concussion
6 management section on its website to provide the guidelines
7 necessary for each school district board of education and youth
8 sports organization to develop their own policies and procedures
9 pertaining to, but not limited to:

10 1. A concussion and head injury information sheet for game
11 officials, team officials, athletes, parents or guardians and other
12 persons having care or charge of athletes of the signs and symptoms
13 of concussion or head injury and the risk of continuing to practice
14 or compete in an athletic event or activity after sustaining a
15 concussion or head injury;

16 2. "Return to Learn" guidelines for teachers and relevant
17 school personnel pertaining to athletes who are returning to the
18 classroom after sustaining a concussion or head injury;

19 3. "Graduated Stepwise Return to Athletic Participation"
20 guidelines for team officials pertaining to athletes returning to
21 practice or competition after a concussion or head injury; and

22 4. Links to one or more free online concussion training
23 programs as provided by the Centers for Disease Control and
24

1 Prevention (CDC), the National Federation of State High School
2 Associations (NFHS) or a comparable program or resource.

3 The Department shall periodically review the guidelines and update
4 it accordingly.

5 C. Each school district board of education and youth sports
6 organization or association shall ~~work in cooperation with the~~
7 ~~Oklahoma Secondary School Activities Association to develop the~~
8 ~~guidelines and other pertinent information and forms~~ policies and
9 procedures pursuant to subsection B of this section to inform and
10 educate their respective coaches, game officials, team officials,
11 ~~youth~~ athletes, and their parents or guardians of the nature and
12 risk of concussion and head injury, including continuing to play
13 after concussion or head injury. On an annual basis, a concussion
14 ~~and head injury information sheet shall be completed and returned to~~
15 ~~the school district by the youth athlete and the athlete's parent or~~
16 ~~guardian prior to the youth athlete's participation in practice or~~
17 ~~competition~~ information regarding concussion and head injuries shall
18 be disseminated to the athlete and his or her parent or guardian.
19 Acknowledgment and understanding of the information shall be
20 completed by the athlete and the athlete's parent or guardian and
21 maintained by the school or the youth sports organization or
22 association prior to the athlete's participation in practice or
23 competition.

1 1. On an annual basis, game officials and team officials shall
2 undergo concussion training provided by the CDC, the NFHS or a
3 comparable program or resource. A record of completion of the
4 training course shall be readily available upon request.

5 2. If any game official or team official responsible for the
6 care and safety of an athlete in an athletic event becomes aware or
7 suspects an athlete is exhibiting signs, symptoms or behaviors
8 consistent with having sustained a concussion or head injury, he or
9 she shall remove the athlete from the practice or competition.

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

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

19 ~~C. A youth~~ 4. An athlete who has been removed from
20 participation as provided in paragraph 2 of this subsection ~~B of~~
21 ~~this section~~ may not participate until the athlete is evaluated by a
22 ~~licensed health care provider trained in the evaluation and~~
23 ~~management of concussion~~ and receives written clearance to return to
24 participation from that health care provider. The health care

1 provider may be a volunteer. A volunteer who authorizes a youth
2 athlete to return to participation shall not be liable for civil
3 damages resulting from any act or omission in the rendering of such
4 care, other than acts or omissions constituting gross negligence or
5 willful or wanton misconduct.

6 D. Respective governing boards shall establish the following
7 minimum penalties for a violation of paragraph 2 of subsection C of
8 this section for those individuals set forth in paragraph 1 of
9 subsection C of this section:

10 1. First violation shall be additional concussion recognition
11 and management education as predetermined by the governing board;

12 2. Second violation shall be suspension from the sport until
13 appearance before the governing board; and

14 3. Monetary fines shall not be considered as a penalty.

15 E. The Department shall promulgate rules necessary to implement
16 the provisions of this act.

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

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19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 03/30/2016 -
20 DO PASS, As Amended.