

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SENATE BILL 1164

By: Griffin

AS INTRODUCED

An Act relating to sports-related injuries; amending 70 O.S. 2011, Section 24-155, which relates to concussions; requiring certain personnel to undergo and complete certain training; requiring certain record to be kept by certain board; requiring youth athletes to be removed from competition by certain personnel under certain circumstances; prohibiting youth athletes from returning to competition under certain circumstances; directing governing boards to establish certain penalties; providing standards for penalties; encouraging adherence to certain guidance; requiring certain personnel to undergo and complete certain training; requiring certain record to be kept by certain organization; requiring youth sports organizations to provide certain information; requiring youth athletes to be removed from competition by certain personnel under certain circumstances; prohibiting youth athletes from returning to competition without certain evaluation; providing that certain persons and organizations shall not be liable for civil damages under certain circumstances; directing State Department of Health to create and periodically review and update certain information sheet; providing standards for information sheet; requiring Department to post certain information sheet on its Internet website; requiring promulgation of rules; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-155, is
2 amended to read as follows:

3 Section 24-155. A. Each school district board of education
4 shall work in cooperation with the Oklahoma Secondary School
5 Activities Association to develop the guidelines and other pertinent
6 information and forms to inform and educate coaches, youth athletes,
7 and their parents or guardians of the nature and risk of concussion
8 and head injury, including continuing to play after concussion or
9 head injury. On an annual basis, a concussion and head injury
10 information sheet shall be completed and returned to the school
11 district by the youth athlete and the athlete's parent or guardian
12 prior to the youth athlete's participation in practice or
13 competition.

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

22 C. If a youth athlete practicing or competing in an
23 interscholastic athletic event exhibits signs, symptoms or behaviors
24 consistent with having sustained a concussion or head injury while

1 participating in the practice or competition, the youth athlete
2 shall be removed from the practice or competition by any of the
3 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 D. If a youth athlete is removed from practice or competition
10 as provided in subsection C of this section, the athletic trainer,
11 coach or referee who removed the youth athlete shall not allow the
12 athlete, on the same day the youth athlete is removed, to return to
13 that practice or competition or to participate in any other practice
14 or competition for which the coach or referee is responsible, unless
15 deemed eligible pursuant to the provisions of subsection E of this
16 section.

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

1 the rendering of such care, other than acts or omissions
2 constituting gross negligence or willful or wanton misconduct.

3 F. Respective governing boards shall establish the following
4 minimum penalties for those individuals listed in subsection C of
5 this section who knowingly violate subsection C or D of this
6 section:

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

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

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

13 G. The sponsors of youth athletic activities not associated
14 with a school are encouraged to follow the guidance stated in this
15 act.

16 H. Volunteer coaches or staff of youth sports organizations
17 shall annually undergo and complete concussion training provided by
18 the Centers for Disease Control and Prevention (CDC) or a comparable
19 program identified by the state which produces a completion
20 certificate. A record of completion of the training shall be kept
21 on record with the youth sports organization.

22 I. A youth sports organization shall provide to the parent,
23 guardian or other person having care or charge of an individual who
24 wishes to practice for or compete in an athletic activity organized

1 by a youth sports organization the concussion and head injury
2 information sheet provided in subsection M of this section. The
3 youth sports organization shall provide the information sheet
4 annually for each sport or other category of athletic activity for
5 or in which the individual practices or competes.

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

12 1. Licensed athletic trainer;

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

15 3. An individual who is serving as a referee during that
16 practice or competition.

17 K. If a youth athlete is removed from practice or competition
18 as provided in subsection J of this section, the licensed athletic
19 trainer, coach or referee who removed the youth athlete shall not
20 allow the athlete, on the same day the youth athlete is removed, to
21 return to that practice or competition or to participate in any
22 other practice or competition for which the coach or referee is
23 responsible, unless deemed eligible by subsection L of this section.
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1 L. A youth athlete who has been removed from participation as
2 provided in subsection J of this section may not participate until
3 the athlete is evaluated by a licensed health care provider trained
4 in the evaluation and management of concussion and receives written
5 clearance to return to participation from that health care provider.
6 The health care provider may be a volunteer. A volunteer who
7 authorizes a youth athlete to return to participation shall not be
8 liable for civil damages resulting from any act or omission in the
9 rendering of such care, other than acts or omissions constituting
10 gross negligence or willful or wanton misconduct. A youth sports
11 organization employee or volunteer, including a coach or referee,
12 shall not be liable for civil damages for injury, death or loss to
13 person or property allegedly arising from any act or omission in
14 providing services or performing duties on behalf of a youth sports
15 organization unless the act or omission constitutes gross negligence
16 or willful, wanton or intentional misconduct.

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

1 concussion or head injury. The Department periodically shall review
2 the information sheet and update it accordingly.

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

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

9 N. The State Board of Health shall promulgate rules to
10 implement the provisions of this section.

11 SECTION 2. This act shall become effective July 1, 2016.

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

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