

House Bill 1104

By: Representatives Crawford of the 84<sup>th</sup>, Hugley of the 141<sup>st</sup>, McClain of the 109<sup>th</sup>, Douglas of the 78<sup>th</sup>, and Cox of the 28<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the  
2 "Quality Basic Education Act," so as to address mental health risks for student athletes; to  
3 provide for mental health screenings in addition to or in conjunction with preparticipation  
4 physical examinations for student athletes; to provide for guidelines and other relevant  
5 materials to inform and educate public school and participating private school student  
6 athletes, their parents or guardians, school personnel, and coaches about screening student  
7 athletes for mental health risks and raising awareness of mental health resources available  
8 to student athletes; to provide for definitions; to provide for informational meetings; to  
9 require annual review by coaches; to provide for limited liability; to encourage additional  
10 implementation; to provide for related matters; to repeal conflicting laws; and for other  
11 purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality  
15 Basic Education Act," is amended in Part 14, relating to other educational programs, by  
16 revising Code Section 20-2-319.2, relating to school interscholastic extracurricular athletic

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17 policy providing for the use of a single, comprehensive, preparticipation physical  
18 examination form, as follows:

19 "20-2-319.2.

20 (a) The State Board of Education shall develop, with input from appropriate experts and  
21 organizations, a school interscholastic extracurricular athletic policy that provides for the  
22 use of a single, comprehensive, preparticipation physical examination form.

23 (b) As used in this Code section, the term 'participation' means participation in sports  
24 ~~try-outs~~ tryouts and practices and actual interscholastic extracurricular sports competition.

25 (c) When a school or school district has a policy which requires students who participate  
26 in extracurricular sports to have a physical examination and mental health risk screening  
27 prior to participation, the person or persons conducting the physical examination and the  
28 mental health screening shall use the State Board of Education approved form pursuant to  
29 subsection (d) of this Code section, provided that the form may at the option of the local  
30 board of education or other public school governing body include additional elements,  
31 including, but not limited to, additional elements regarding mental health screening.

32 (d) The State Board of Education shall be authorized to appoint from time to time an  
33 appropriate committee to make recommendations concerning the comprehensive,  
34 preparticipation ~~physical~~ examination form to be used for physical examinations and  
35 mental health risk screenings referred to in this Code section. The committee may consult  
36 or work with appropriate voluntary organizations and shall give due consideration to the  
37 recommendations of the American Academy of Pediatrics and the Department of  
38 Behavioral Health and Developmental Disabilities on the subjects of student safety and  
39 physical and mental health ~~on this subject~~. The final form shall be adopted and may from  
40 time to time be modified by rule by the State Board of Education."

41 **SECTION 2.**

42 Said article is further amended in Part 15, relating to miscellaneous provisions, by adding a  
43 new Code section to read as follows:

44 "20-2-324.7.

45 (a) As used in this Code section, the term:

46 (1) 'Athletic association' means any association of schools or any other similar  
47 organization which acts as an organizing, sanctioning, scheduling, or rule-making body  
48 for interscholastic athletic activities in which public schools and participating private  
49 schools in this state participate.

50 (2) 'Healthcare provider' means a licensed physician, another licensed individual under  
51 the supervision of a licensed physician, licensed psychiatrist, licensed psychologist,  
52 licensed clinical social worker, licensed professional counselor, clinical nurse specialist  
53 in psychiatric/mental health, or other licensed mental or behavioral health clinician or  
54 specialist who has received training on screening school-age children for mental health  
55 risks.

56 (3) 'Interscholastic athletic activity' means interscholastic athletics and practices and  
57 scrimmages related to interscholastic athletics.

58 (4) 'Participating private school' means a private school in this state whose students or  
59 teams compete against students or teams from a public school or local school system in  
60 this state.

61 (5) 'Student athlete' means a public school or participating private school student in  
62 grades six through 12 participating in or desiring to participate in an interscholastic  
63 athletic activity.

64 (b) The Department of Education shall, in consultation with the Department of Behavioral  
65 Health and Developmental Disabilities, develop and post on its public website guidelines  
66 and other relevant materials to inform and educate student athletes, their parents or  
67 guardians, school personnel, and coaches about screening student athletes for mental health

68 risks and raising awareness of mental health resources available to student athletes. In  
69 developing such guidelines and materials, the Department of Education may utilize  
70 educational videos available at no cost to the state for the purpose of educating school  
71 personnel and coaches. In the event that an athletic association in this state provides such  
72 guidelines and relevant materials on such athletic association's public website, the  
73 Department of Education shall not be required to duplicate such materials and shall be  
74 deemed to have met the provisions of this subsection.

75 (c) Each public school and participating private school which includes one or more grades  
76 from grades six through 12 shall hold an informational meeting twice each school year  
77 regarding screening student athletes for mental health risks and to raise awareness of  
78 mental health resources available to student athletes. At such informational meeting, an  
79 information sheet on screening student athletes for mental health risks and identifying  
80 mental health resources available to student athletes shall be provided to each student  
81 athlete's parent or guardian. In addition to student athletes, parents or guardians, school  
82 personnel, and coaches, such informational meetings may include healthcare providers.

83 (d)(1) Once each school year, each coach of an interscholastic athletic activity shall view  
84 an approved educational video, if available, and review the guidelines and relevant  
85 materials approved by the Department of Education pursuant to subsection (b) of this  
86 Code section or provided by an athletic association.

87 (2) A coach shall not be eligible to coach an interscholastic athletic activity until he or  
88 she completes the requirements contained in this subsection.

89 (e) This Code section shall not create any liability for, or create a cause of action against,  
90 a local board of education or other governing body of a public school or participating  
91 private school or the officers, employees, or volunteers of any such entities for any act or  
92 omission related to the removal or nonremoval of a student athlete participating in an  
93 interscholastic athletic activity in conjunction with an actual or perceived risk to the mental  
94 health of such student athlete or another student athlete; provided, however, that this

95 subsection shall not include healthcare providers unless they are acting in a volunteer  
96 capacity.

97 (f) The sponsors of youth athletic activities, as defined in subsection (a) of Code Section  
98 20-2-324.1, are encouraged to implement the provisions of this Code section."

99

**SECTION 3.**

100 All laws and parts of laws in conflict with this Act are repealed.