

The House Committee on Education offers the following substitute to HB 1104:

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 require annual review by coaches; to provide
9 for limited liability; to encourage additional implementation; to provide for related matters;
10 to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

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

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

18 "20-2-319.2.

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

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

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

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

40 **SECTION 2.**

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

43 "20-2-324.7.

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

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

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

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

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

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

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

67 risks and raising awareness of mental health resources available to student athletes. In
68 developing such guidelines and materials, an athletic association may utilize educational
69 videos available at no cost to the state for the purpose of educating school personnel and
70 coaches.

71 (c) Each public school and participating private school which includes one or more grades
72 from grades six through 12 shall provide information to each student athlete's parent or
73 guardian at least once each school year regarding screening student athletes for mental
74 health risks and to raise awareness of mental health resources available to student athletes.

75 (d)(1) Once each school year, each coach of an interscholastic athletic activity shall view
76 an approved educational video, if available, and review the guidelines and relevant
77 materials approved by each athletic association of which the coach's school is a member
78 pursuant to subsection (b) of this Code section.

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

81 (e) This Code section shall not create any liability for, or create a cause of action against,
82 a local board of education or other governing body of a public school or participating
83 private school or the officers, employees, or volunteers of any such entities for any act or
84 omission related to the removal or nonremoval of a student athlete participating in an
85 interscholastic athletic activity in conjunction with an actual or perceived risk to the mental
86 health of such student athlete or another student athlete; provided, however, that this
87 subsection shall not include healthcare providers unless they are acting in a volunteer
88 capacity.

89 (f) The sponsors of youth athletic activities, as defined in subsection (a) of Code Section
90 20-2-324.1, are encouraged to implement the provisions of this Code section."

91 **SECTION 3.**

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