

House Bill 284

By: Representatives Pruett of the 149th, Kaiser of the 59th, Mitchell of the 88th, Cooper of the 43rd, Coleman of the 97th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act,"
3 so as to enact the "Return to Play Act of 2013"; to require public and private schools which
4 provide youth athletic activities to provide information to parents on the nature and risk of
5 concussion and head injury and to establish concussion management and return to play
6 policies; to require public recreation leagues to provide information to parents on the nature
7 and risk of concussion and head injury; to provide for definitions; to provide for the
8 endorsement of concussion recognition education courses; to provide for limited liability; to
9 provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be referred to as the "Return to Play Act of 2013."

13 **SECTION 2.**

14 Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
15 relating to miscellaneous provisions under the "Quality Basic Education Act," is amended
16 by adding a new Code section to read as follows:

17 "20-2-324.1.

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

19 (1) 'Health care provider' means a licensed physician or another licensed individual under
20 the direct supervision of a licensed physician, such as a nurse practitioner, physician
21 assistant, or athletic trainer, or other individual who has received training in
22 neuropsychology or concussion evaluation and management.

23 (2) 'Public recreation facility' means a public facility that conducts an organized youth
24 athletic activity in which a participation fee and registration are required.

25 (3) 'Youth athlete' means a participant in a youth athletic activity who is seven years of
26 age or older and under 19 years of age.

27 (4) 'Youth athletic activity' means an organized athletic activity in which the majority of
28 the participants are youth athletes and are engaging in an organized athletic game or
29 competition against another team, club, or entity or in practice or preparation for an
30 organized game or competition against another team, club, or entity. This term shall not
31 include college or university activities or an activity which is entered into for
32 instructional purposes only, an athletic activity that is incidental to a nonathletic program,
33 youth athletic activities offered through a church or synagogue, or a lesson; provided,
34 however, that colleges, universities, churches, and synagogues, and any other entities that
35 conduct youth athletic activities but are not subject to this Code section are strongly
36 encouraged to establish and implement a concussion management and return to play
37 policy.

38 (b) Each local board of education, governing body of a nonpublic school, and governing
39 body of a charter school shall adopt and implement a concussion management and return
40 to play policy comprising not less than the following components:

41 (1) Prior to the beginning of each athletic season of a youth athletic activity, provide an
42 information sheet to all youth athletes' parents or legal guardians which informs them of
43 the nature and risk of concussion and head injury;

44 (2) If a youth athlete participating in a youth athletic activity exhibits symptoms of
45 having a concussion, that athlete shall be removed from the game, competition, tryout,
46 or practice and be evaluated by a health care provider; and

47 (3) If a youth athlete is deemed by a health care provider to have sustained a concussion,
48 the coach or other designated personnel shall not permit the youth athlete to return to play
49 until the youth athlete receives clearance from a health care provider for a full or
50 graduated return to play.

51 (c) Each public recreation league shall, at the time of registration for a youth athletic
52 activity, provide an information sheet to all youth athletes' parents or legal guardians which
53 informs them of the nature and risk of concussion and head injury; provided, however, that
54 public recreation leagues are strongly encouraged to establish and implement a concussion
55 management and return to play policy.

56 (d) The Department of Public Health shall endorse one or more concussion recognition
57 education courses to inform Georgia citizens of the nature and risk of concussions in youth
58 athletics, at least one of which shall be available online. Such course or courses may
59 include education and training materials made available, at no charge, by the federal
60 Centers for Disease Control and Prevention or other training materials substantively and
61 substantially similar to such materials.

62 (e) This Code section shall not create any liability for, or create a cause of action against,
63 a local board of education, the governing body of a nonpublic school, the governing body
64 of a charter school, or a public recreation facility or the officers, employees, volunteers, or
65 other designated personnel of any such entities for any act or omission to act related to the
66 removal or nonremoval of a youth athlete from a game, competition, tryout, or practice
67 pursuant to this Code section."

68 **SECTION 3.**

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